





Albert Steinfeld



JIMMIE WALKER

*The Story of a Personality*







JAMES J. WALKER



# JIMMIE WALKER

*The Story of a Personality*

By

LOUIS J. GRIBETZ

and

JOSEPH KAYE



LINCOLN MACVEAGH

DIAL PRESS, INC.

NEW YORK      MCMXXXII

Copyright, 1932, by  
LOUIS J. GRIBETZ and JOSEPH KAYE

---

PRINTED IN THE U. S. A.

PRINTED AND BOUND BY  
ISAAC GOLDMANN COMPANY, NEW YORK

## FOREWORD

THIS book was not intended to be a formal biography of James J. Walker, or to contain a comprehensively critical analysis or evaluation of his career as State Legislator and Mayor of New York City, but, rather, to furnish a portrait of his personality as it is disclosed by certain phases of his life and activities.

The authors were equally interested in presenting Mr. Walker as he appears to those who know him well and who understand him.

Events however moved faster than the writing of the book and it was inevitable that the authors should deviate from their original plan to the extent of including a special chapter on the Legislative Inquiry, a proceeding which will probably go down in the annals of political history as a *cause célèbre*.



## CONTENTS

	<i>Page</i>
Greenwich Village - - - - -	3
Albany - - - - -	57
Counsellor-at-Law - - - - -	91
City Hall - - - - -	115
City Host - - - - -	193
Ex-Parte Service - - - - -	223
Characteristics - - - - -	259
The Legislative Inquiry - - - - -	299



GREENWICH VILLAGE





## I

**J**IMMIE WALKER was born into a clan. He still is one of it—the Walker clan—comprising brothers, sisters, aunts, cousins, nephews, nieces and tributary relatives. The clan is bound by a frank love and loyalty quite in contrast to the restraint of sentiment familiar in most modern homes.

The clan worships its Jimmie. It is affecting to see Aunt Kate Roon lay his latest picture before you on the antique table that matches her old home in Greenwich Village. She does not even bother to see whether your face expresses admiration. That is taken for granted.

So it is with the other members of the clan. Years ago they all knew that Jim was marked for a brilliant future, and now that he has fulfilled their expectations they regard the fact as natural in the order of their lives. Their main concern is that others should know him as they do. A friend tells his sister, Mrs. Nan Burke, of the enthusiastic reception given the Mayor at a Madison Square Garden fight. "Why," the friend says with pride, "they even held up the bout until he arrived, and when he came in the crowd jumped up and cheered!" Mrs. Burke is strangely unimpressed. "That doesn't mean anything to me," she replies. "I should be more pleased if they understood Jim."

The clan was founded by an Irish carpenter, William H. Walker, who came from Dublin and, settling in Greenwich Village, married a sprightly daughter of another Irishman, James Roon.

Popular conception has it that Jimmie Walker sprang from "the sidewalks of New York," which is equivalent to the belief that he rose from poverty. Such a belief is wrong. The elder Walker was poor when he

came to this country, but he quickly improved his position and, at the time he married, he was well along on the road to prosperity. The Walkers established a comfortable home—one of the most popular in the Village—and their children, three sons and a daughter, received a good education. The eldest boy, William, became a physician and Jim, a lawyer.

Although William Walker had been denied the opportunities of an academic education, he was a well-informed man and possessed sound literary taste. He had always been keenly aware of the advantages of learning put to practical use and had early determined upon sending his children to college. All his efforts were toward bettering the condition of his family and making the lives of its members easier and wiser. Today he enters the public record mainly as the father of James J. Walker, but in his time he achieved a good deal of prominence in his own name. He was in turn Alderman, Assemblyman and Superintendent of Public Buildings of New York City.

Going farther back, we find the Walkers descended from good old Irish stock. Their ancestors included men and women of culture and high standing. Some members of the family in Ireland even had the advantage of a continental schooling. According to some of the records, the family was of English origin, but no Walker has been sufficiently concerned to seek corroborative details.

William H. Walker was born December 29, 1839, in Castlecomer, County Kilkenny, Ireland. His birthplace was a small peasant cottage. Some eighty years later his son, Jim, made a pilgrimage to it. As he looked at the shaky walls of the ancient dwelling he observed: "They say I laugh too much. Well, I take after my father, who was a first-class laughing man. If he could laugh living in that cabin I can surely laugh living in City Hall."

The senior Walker was ambitious and determined.

As a boy he had learned carpentry and worked in Dublin with his brother, a builder. But at eighteen, feeling old enough to embark on the American adventure, he took ship for the New World.

The transatlantic passage was made in a boat grandiosely named "The City of Paris." He travelled in the steerage and spent a considerable time at the rail. He landed at Castle Garden, and as he thankfully stepped on American soil he was greeted by a compatriot, William Brennan, who conducted him through a long stretch of cobbled streets, filled with hurrying people and thundering drays, to Greenwich Village.

"There's a colony of Kilkenny folks here," Brennan said, "and this is where you're going to live."

Walker's friend was in the coal business and had many acquaintances. He introduced the newcomer everywhere, and soon Billy Walker was plying his carpenter's trade in the neighborhood and feeling fully satisfied with the manner in which the United States had received him.

Greenwich Village, when Walker came to it, was a countrified bit of New York quite distinct from the rest of the city. It was populated by Irish and German workingmen. The Irish predominated and built a church, St. Joseph's, around which their social life revolved.

This church still stands on its original site, and the old walls still hold crowds of worshippers and students of its parochial school. Soon it will be a century old, one of the few churches in the city to remain intact and unaltered after so many years.

St. Joseph's was the nerve-center of the Irish Colony in the Village, and the church spirit was strong in the community. From it radiated most of the social and welfare activities of the district. From its school-benches came men who were later to achieve distinction both in and out of the greater city and to its sacred altar they were carried after their life's work was done.

William Henry Walker was one of St. Joseph's prominent parishioners and a strong adherent of the Catholic faith. His mind, however, was sufficiently liberal to transcend the limitations of formal creed. He and his children shared in the growing culture of a city fast developing into the greatest metropolis in the world and divided their interest in proper measure between the world of God and the world of man.

## II

THE father prospered almost from the start. He established a shop which is now occupied by one of the oldest cabarets in the Village, "The Pirates' Den." The dancers who fox-trot there to the choked blarings of a jazz band would probably be astonished to learn that the polished floor under their feet was once rough planks over which Billy Walker backed in his horse-truck loaded with lumber.

He was a bright young man, this Billy Walker, efficient, genial, generous, a good mixer, a fluent talker, and always ready to hear and tell a good story. In his views he was somewhat radical, his interest lying exclusively with the working class among whom he lived.

These qualities made him popular. He obtained a great deal of business and constructed many of the buildings in the section. A professional associate of his at that time was the late Democratic patriarch, John Voorhis, a master stair builder, who put in the stairs wherever Walker built the house.

Walker's craftsmanship and honesty were so well known that his clients never thought it necessary to enter into a written contract with him and rarely gave him building instructions. The Village tradition is that they would merely say: "William, I want such and such a building put up," and later pay the bill.

Included among Walker's construction works was the brewery of Samuel Everhard, on West Tenth Street. One of Everhard's customers was James Roon, who kept a semi-hotel and saloon at the foot of Little West 12th Street. Roon was no ordinary liquor dealer and his place no ordinary saloon. A tall, ascetic-looking man, of an intensely puritanical character, his views regarding women were such that four of his five daughters remained unmarried. His word in his home was law, and not one of his nine children would dare oppose him. In his saloon, frequented mainly by farmers bringing their produce to the city in the early hours of the morning, Roon was a stern disciplinarian and unflinching in what he considered his duties. It was always he who ruled whether a customer had had enough, and there was no disputing his decision once he said "That'll be all for you." Card games were not allowed on his tables, and the language used by his patrons had to conform strictly to the standards prescribed by him. During the upheavals following the enforcement of the Raines Law, Roon's establishment was one of the few of its kind which Mayor Gaynor permitted to remain open.

But despite his severity his place was popular and the income he derived from it ample to keep his large family in comfort.

Thomas Conville, the manager of the Everhard brewery, knew the Roons, and through him William Walker was introduced to one of the Roon girls, Ellen Ida.

Although Ellen Ida resembled her father in her shrewdness and practical turn of mind, her character and temperament were in some respects the opposite of his. Her mother was a gentle and charitable lady, and Ellen Ida inherited many of her traits.

Young Walker and Ellen Roon began to "go out together," as the phrase went in those days. They had many things in common, but in just as many they were contrary. Walker was a plain man and had little notion of fancy dressing; Miss Roon was fond of stylish gowns

and knew how to wear them. Walker enjoyed a chat with friends, but was unattracted by parties and could not dance; Miss Roon always wanted to be in the midst of gaiety and loved dancing. Walker had the amiable, squire type of mind; Miss Roon was sharp, discerning and worldly. But they were in harmony in the delights and virtues of a contented home. Both had a keen sense of humor, both were kind-hearted, both were friendly, and both developed a deep and genuine love for each other.

Walker's courtship should have progressed smoothly, for he had the respect of the neighborhood to recommend him, but James Roon could not possibly reconcile himself to the matrimonial state for his daughters. He had made it a point to prevent his girls from having any but the slightest acquaintance with the young men in the Village, and he took particular care of Ellen Ida, who had shown more spirit than her sisters in rebelling against her father's injunctions. On Sundays, when the Village youth had the leisure to promenade, Mr. Roon would draw the window shades in his home to prevent any young man from seeing Ellen or her seeing him. He forbade her attending gatherings to which she was invited and would not permit her to wear jewelry. Once, seeing her wear a pair of earrings, he became furious and snatched one off before she had a chance to escape. She managed to hide the other earring and wore it whenever she had her photograph taken, on which occasions she would turn only the ornamented side of her face to the camera.

But Billy Walker believed in the principle of acting first and asking afterward, and when Mr. Roon persisted in shutting the door against him, he took his sweetheart to a neighboring church and married her without her father's consent or knowledge. The couple would have preferred to wed in their own church, St. Joseph's, but one of Ellen's brothers was an altar boy there, and they

feared that the news of the event might leak out prematurely.

The neighborhood hummed with gossip about the romantic adventure, and Mr. Roon's angular frame grew taut with displeasure. But his wife was happy and took the son-in-law to her heart. Perhaps she had a prophetic feeling that despite her flock of marriageable daughters Billy Walker would be the only son-in-law in the family. To the Roon girls and boys this marriage was more than welcome, for it extended their friendships and linked their own repressed home atmosphere with the perpetually joyous one which Ellen Walker created.

Some time after the marriage a Village organization conducted a popularity contest in which Mrs. Walker was entered. In the spirited campaign which followed, Mr. Roon, on one occasion, heard his daughter's candidacy compared unfavorably with that of a rival entrant. He at once indignantly declared that no girl in the whole of Greenwich Village could excel Ellen Ida in popularity and energetically joined the electioneering on behalf of his own flesh and blood.

The event marked the reunion of father and son-in-law, and in time the old gentleman learned to be quite fond of Walker.

In spite of his close association with people in the liquor business—his father-in-law, the owner of a well-known saloon and one of his best customers a brewer—William Walker never drank. His aversion to intoxicants was so strong that when he was once given a milk-drink with a dash of whiskey during an illness, he grimaced as he drank and protested, "Why did you have to spoil that good glass of milk?"

The Walkers led a happy life. Ellen became the favorite matron of Greenwich Village. She took a leading part in the charitable work of the neighborhood, and her generosity had the attractive quality of impulsiveness. The Village history is replete with illustrations of

this trait. Once she gave away her husband's shoes to a beggar, and Walker, who had to wear them at a banquet that night, hopped about frantically in his socks from room to room in search of the footwear. On another occasion young Mrs. Walker had finished baking what was technically known as an eight-hour cake—one of those massive compositions studded with all the fruits in the orchard and requiring a full day to reach maturity. While it was cooling, Mrs. Walker listened to a tale of hardship told by a poor woman who came to her door, and when the tale ended the cake changed hands. Her favorite method of dispensing charity was to hand out gold pieces from the money William Walker drew for his workers' wages. At the last minute he would find the payroll short. Without questioning, he knew that Ellen had met someone in difficulties.

In a later day Mrs. Walker would have probably been an active feminist, for besides her other qualities she had a strongly developed sense of diplomacy which enabled her, as her relatives still recall, "to meet any situation." She possessed also a marked insight into the politics of the period. But in the eighties, the outlet for her talents could be only social and welfare activity.

### III

INTO this family James John Walker was born on May 1, 1881, at 110 Leroy Street. The site of this house, on the edge of the Hudson River, is now occupied by a bonded warehouse. A few doors away there still stands the old elevated railroad structure under which the boy played.

James John was vocally assertive from the moment of birth, crying so much that his anxious family feared his lungs might burst. Yet by nature, and quite in harmony with his surroundings, he was a cheerful child.



One of the first laughs he caused was when he fell down the cellar steps of his home. An uncle who was within range rushed down and returned with Jimmie crying vigorously. There was a mark on his scalp which looked like a gash, and the parents were seized with apprehension. But investigation showed that the boy was screaming merely because his uncle was holding his hand too tightly.

Quite early in life James developed such an aptitude for conversation that Father Salter, the pastor of St. Joseph's, dubbed him "Jimmie Talker." Another of his accomplishments was to jump on the washtub in the cellar and give a competent imitation of an Italian matron in debate while marketing.

But Jimmie Walker is generally remembered by those qualified by their age as a little gentleman who wore trim suits, looked elegant in them and was rather bashful. He had a robust fondness for athletics as well as an artistic sense which manifested itself in a keen feeling for music and the theatre. He took to the piano so naturally that his mother had no need to use coaxing or compulsion or any of the other devices invented for the purpose by desperate parents. Exercise and repetitious study as a part of piano mastery, however, did not appeal to him. He would grasp a piece quickly and thereafter refuse to bother with it, preferring rather to tinkle along by ear or memory. At about the age of ten he became extremely fond of one piano teacher and settled down to diligent and earnest study. But soon afterward this teacher died, and with him went Jimmie's serious pianistic resolutions.

In 1885 the Walker family moved from Leroy Street to No. 6 St. Luke's Place, now one of the historic spots of Greenwich Village and still the residence of the Mayor. It is a large, three-story brick house with spacious living and dining rooms. These were made use of continually. Neighbors called the Walker place a "half-way house" because every one who passed would step in

either for a chat or a meal. On Sundays the dining room would be taxed to capacity, and it was even more crowded on New Year's day, when the tables bore their heaviest load of refreshments.

So many happy memories cluster about this house and so reverently is it enshrined in the hearts of the Walker clan that the Mayor has refused to part with it, even though he has been offered large sums for its purchase.

As her family grew and as she advanced in maturity, Ellen Walker did not change. She was as gay and fun-loving and witty and sharp as before. But she had one great aversion—to questions about her age. Her devout belief was that youth was one of the dearest things in life, and she tried to preserve the spirit of it by surrounding herself with young people. It was the usual thing for her to gather a group of ten or fifteen people of her own age or younger and go to the country with them for a week-end. Even winter could not prevent these excursions.

William Walker was now considered an important member of the community. His joviality, hearty good-fellowship and ready tongue brought him popularity among the masses, while he won the esteem of the thoughtful among his neighbors by a native intelligence which surmounted the handicaps of the meager education he had received in his youth. For a man of his type he had an unusual liking for reading. He had two favorite studies: Shakespeare and Irish history. After he had established himself in New York there was always a shelf-full of Shakespeare's works above his desk. For some reason he liked "Macbeth" best, possibly because of its Celtic character and incidents of rugged patriotism. His fondness for Shakespeare may have been due to an instinctive flair for oratory, for rounded and ornamental phrases taken from the poet's works rolled off his tongue easily and were appropriately employed in some of the public addresses he made later in his life. The Village

carpenter was also considerably well-read in the speeches of classical orators, and his remembrance of them was so good that on one occasion, after having listened to a particularly learned speech delivered by a politician, he calmly reminded the speaker that his address had been borrowed without credit from Burke.

As his business prospered Walker's opportunities for leisure increased, and his interest in civic affairs, originally inspired by his eager adoption of America, brought him into politics.

One evening a committee of neighbors called at his home with a proposal that he run for the aldermancy. His friend Farrell advised him against taking so responsible a part in politics. "You have a neighborhood trade and you are doing very well," he cautioned. "You must take care of your business."

Walker replied: "But those same people who give me their business are asking me to represent them in City Hall. They won't go back on me."

He consented to be the Democratic candidate, and thus began the process by which Jimmie Walker became so intimately identified with New York political life.

That was in 1886. William H. Walker was elected to the Board of Aldermen, representing the Ninth Ward, and served four terms. In 1892 he was sent to the State Assembly for a term, at the expiration of which he was appointed Superintendent of Public Buildings in New York City.

During his entire political career his paramount interest was in the improvement of his home district and of the other neighborhoods of the city populated by working people. One of his achievements was the conversion of St. John's Cemetery, in the center of the Village, into a park. Immediately after his first election to the Board of Aldermen he said to his neighbors: "We need more breathing space down here. There isn't room enough in the streets of Greenwich Village for a baby to have a good healthy cry in. I'm going to make the city

fathers tear up this old cemetery and make a city park of it."

It took him five years to carry out this bit of local improvement. To the rest of the world it might have seemed a small enterprise, but to Billy Walker, representative of the Village, it was a matter close to the heart and it took on the importance of a true ideal. At the end of five years, with the help of the State Assembly, the ancient patch of land of the dead was turned into a small, but handsome park, with flower beds, fountains and a bandstand. Billy Walker beamed with happiness as he watched his constituents and their children parading through this garden spot.

The legislation necessary to create the park served to focus attention on the need for playgrounds, which, though viewed today as among the usual provisions of city life, were novel luxuries then. It was that early legislation which was instrumental in the building of the many neighborhood parks now enjoyed by the city.

Another of Alderman Walker's plans which, originating in the needs of the Village, subsequently benefited the entire city, was the erection of recreation piers.

With the present transportation facilities in New York its inhabitants can conveniently and cheaply ride out to any park or beach for a day in the open; but forty years ago a trip to Coney Island was a troublesome undertaking, and Bronx Park was still a wilderness. In the hot, humid days and still more uncomfortable nights the population of the congested sections was forced to suffer in unrelieved discomfort and often distress. Parks being an expensive proposition and barred by official fences, Walker conceived the idea of having large structures built over piers on the banks of the rivers, resembling roof-gardens and jutting out into the water. These structures would be cool and attractive places, within easy reach of the people needing them most.

Walker was successful in realizing this project, and the first recreation pier was erected at the foot of Barrow

Street. It is still there, though rather dilapidated and rusty, and frequented only by a few waterfront characters. But in Walker's day the pier became the Village clubhouse. It contained a bandstand, swings, games for the children, and benches from which one could watch the moon over the Hudson and the dark, high woods of the Jersey shore opposite.

The idea of a recreation pier was original and betokened imagination. It quickly caught the attention of the city, and soon there were more of these piers on the banks of both the Hudson and the East River.

In the Assembly William H. Walker sprang another new thought on his colleagues. He told them that the truckmen on West Street were forced to spend many weary hours without compensation waiting until the railroads and steamship lines were ready to load the freight they had brought, and he proposed that legislation be enacted to fine such transportation lines as did not promptly receive freight consigned to them. He was so forceful in his arguments and painted so graphic a picture of the unnecessary hardships imposed on the river truckmen that the law was passed despite the considerable opposition of the railroad and shipping companies. From then on he received the title: "The Truck Driver's Friend."

In 1902 Walker plunged into a fight to win the Democratic leadership of the third Assembly district. The political situation made it an important battle. His opponent was Patrick J. Ryder, a nominee of the notorious Richard Croker, who had long ruled Tammany Hall with an iron hand.

Walker had aligned himself with the Greater New York City Democracy, which, in the preceding municipal election, had helped to dislodge Croker from the leadership of Tammany Hall. Ryder was on the side of the former leader, who was then on a diplomatic vacation in England but carefully watching New York City politics. It was said that Croker was awaiting an opportunity to

return to the helm, and Walker, adopting the battle-cry "Tammany Hall Without Croker!" was one of those who sought to prevent his recapture of the city. In fiery tones Walker exhorted his neighbors: "Croker's domination of New York's political affairs from his English estate must and shall be destroyed!" And the committee sponsoring his candidacy sent out broadsides ending with the appeal which, in its suggestiveness, is not wholly unfamiliar to New York's present citizenry:

"If every honest voter but does his duty by voting and urging his friends to vote for William H. Walker, victory may be easily achieved and a death-blow given in this district to 'Crokerism.'"

It was a bitter fight. Ryder tried to win over the neighborhood sentiment by advancing extravagant and often ridiculous claims as to his record in welfare improvement. Once he announced to a crowd that he had been responsible for "music in the parlor," meaning that he had provided bands to play in Hudson Park (the converted cemetery), and therefore, by a stretch of the imagination, music in the surrounding homes. Walker met this claim in the style to which his opponent was accustomed.

"Pat Ryder says that he gave us music in the parlor," he declaimed the next day. "Why, he can't even play the drum!"

On the night before the voting a grand parade through the neighborhood took place on behalf of Walker. As the parade started people began to join it until in a little while the procession was swelled by half the neighborhood, everyone cheering and shouting the name of Billy Walker and waving flags and Chinese lanterns. But despite this enthusiasm Walker was defeated. Some of the wits of the Village said the next day: "Walker's parade cost his opponents an extra ten thousand dollars."

The expense of his own campaign had nearly emptied Walker's purse, and on the morning after the election

he was shocked to find how low his finances were. He went to his wife with the disturbing figures. She examined them carefully, listened to his story, then handed him a substantial sum of money in savings.

"Here, take this," she said, "and let it be a lesson to you."

With the practical foresight which was part of her nature, she had saved up the money for an emergency. There were a number of emergencies of one kind or another in the Walker home, but in every crisis Ellen Walker was there to help out, if not always with savings then with sound advice and affectionate encouragement.

Throughout his political career Mrs. Walker was his able ally. Ostensibly she took no active part in the mechanics of politics, as a woman of her type might do today, but merely helped her husband by entertaining his friends and taking part in the social affairs of the community. But behind the scenes hers was a more definite influence. She had a shrewd and comprehensive view of the political situation, and was adept in evaluating people. It was usually she who uncovered deception, her William being too trusting and amiable to always know when he was being imposed upon. He did not hesitate to acknowledge her guidance, and when his intimates would jocularly call him, "Boss" Walker, he would point a thumb in the direction of his wife and say: "There's the Boss!"

#### IV

**D**URING the height of his father's political career Jim was emerging from childhood. Throughout his youth his friends were boys, and he seemed to be diffident with girls. He was always agreeable and courteous to them, but his interests were completely with the group of youths with whom he chummed.

At home, however, it was his brother Bill who was considered the potential head of the clan. Bill, who had decided to be a physician, was a studious, earnest boy, always engrossed in books. Jim, on the other hand, took his studies lightly, and his family often wondered how he ever mastered his lessons.

The Walker children had what the neighbors never tired of calling a perfect home. It contained a harmony and contentment still unforgettable to old friends of the family.

"It was one of the happiest homes one ever put one's foot into," Mary McCready recalls wistfully. This lady is one of two sisters who were intimate members of the Walker family circle and with whom Jim frequently used to take bicycle rides to Coney Island. "There were no moods in that house. One did not have to fear that Mr. Walker or Mrs. Walker, or the children when they were older, would be in a blue mood when one came to see them. The entire family was always genial and cheerful. We had the best times of our young lives with them."

"At the family table," says Nan Burke, the Mayor's sister, "we had one laugh after another until the meal was finished. My brothers never missed a lunch, and later in life, if they were prevented from coming home, they would always telephone. In the afternoon the Walker house seemed like a rendezvous. I rarely got back from school without running into a houseful of people being entertained by either mother or dad.

"Mother was very fond of parties, and birthday anniversaries particularly were great events in our home. She would never tell how old anyone was, but you could always have a birthday party. She favored the young people so much that she invariably invited the older relatives in the afternoon of the festive day, knowing that they would not come again in the evening.

"We children appreciated our home fully. Mother



and Dad were everything to us. We would have gone through anything rather than disappoint them."

An even better picture of the Walker home than recollection can draw is provided by a Christmas card sent by Nan Burke to her parents when she was a little girl. It is one of those large folders with a gold-stamped "Merry Christmas and Happy New Year" and bearing on the front page a pasted female hand holding a bouquet of flowers. Inside, on the light blue lines ruled for writing, is inscribed in a careful, round, childish hand:

Christmas, 1896.

"My dear Papa and Mama:

"I thought it would be nice to write you a Christmas letter. It will have to be short as I do not know very much. But if it only tells you how much I love you, I am sure that you will be pleased.

"I will make one little promise which is that on Christmas morning, I will ask the infant Jesus to bless my Papa and Mama and give you all you need.

"Wishing you a Merry Xmas and Happy New Year.

"Your loving child,

"ANNA."

A letter from the pastor of St. Joseph's, written to Mr. and Mrs. Walker when Nan married, adds another detail to the picture of Mayor Walker's home surroundings:

June 28, 1911.

"My dear old-time Friends:

"I received your kind invitation to the bridal reception of the little girl that I used to know and tease—Anna. But alas, I am cooped up here in retreat and will be unable to attend it. It would be very pleasant for me to offer my congratulations to her and to yourselves and to pray a blessing upon her and her husband for a long life and a happy one together.

“What changes the whirligig of time brings. I think I baptized Anna and now she is a bride and it seems such a short time since she was a baby girl—one that had a strange taste in hats, much to the chagrin of her mother.

“Well, you have had your troubles, like other people, of course, but many blessings from on high, not the least of which is that you have reared a most excellent family.

“May your blessings increase, and, as the Scriptures have it, see your children unto the third and fourth generation.

“Your old-time friend and priest,  
“J. B. SALTER.”

The childish Christmas greeting from Nan, the nostalgic note from an old priest in retreat from the world are but two small, dim items taken from the crowded panorama of two generations of living; yet with what affecting realism they tell the story!

Jimmie Walker's early life in school was not colored by any unusual events. His education was divided between St. Joseph's Parochial School, where he received his primary education, and St. Francis Xavier College, the institution on 16th Street where so many prominent New Yorkers of Catholic faith have obtained their schooling. Later he took a business course at the La Salle Academy, on Second Avenue, and completed his vocational training at the New York Law School.

He was a clever pupil, but not one to hearten the spirits of his teachers. He learned by grasping, not by studying. It was almost sufficient for him merely to listen to an explanation or to skim the pages of a book in order to understand a subject. This method, naturally, was not calculated to find official approval, and he was often sadly reproached by the teachers, who otherwise found him a likeable and well-behaved boy.

But he was proficient in one subject: elocution. Dr.

William A. Boylan, who taught this subject at St. Francis Xavier College, recalls that at the age of eleven Jim already showed an especial interest in all speeches that had a political aspect, and that if the lesson referred to some phase of politics Jim needed no urging to learn it. Dr. Boylan required his pupils to memorize certain portions of famous addresses, and he was told by Mrs. Walker that Jimmie could often be heard heroically declaiming for long periods in his room upstairs.

He was known among his schoolmates for his ability to argue and win his point. Nevertheless, although he would dispute readily whenever a debatable subject came up, he had the characteristic of never directly refuting his opponent. He would say, "yes, that's so," and then proceed to subtly infuse his own opinions into those of his opponents and so convert them to his own point of view.

In athletics Walker shone at St. Francis Xavier, being a member both of the football team, a very much coveted honor there, as in other colleges, and of the baseball team. He distinguished himself in military drills, for which he received a medal, and was a major in the fife and drum corps.

He excelled in baseball. On Saturdays the playground for all youngsters of the neighborhood was the "Farm," a large stretch of ground covered with cobblestones on West Street, between the Houston and Christopher Street pierheads. Here baseball was ardently played, and Jim became a ranking outfielder and batter. He attracted the attention of a semi-professional team from Hoboken, across the Hudson, which sent a scout to investigate. The report being favorable, Jim was invited to join the team for week-end games. He accepted, and thus began his practical interest in professional baseball.

The new baseball star played for one season with the Hobokenites. At that time all professional sporting activities were prohibited on Sunday; and as the public was keen to see games on its sole day of leisure, profes-

sional baseball was played in private parks to which admission fees were charged in the form of membership dues. This subterfuge disgusted Walker, to whose mind baseball was an ideal and wholesome form of recreation. It was the memory of these "bootlegged" games that spurred him on, when a member of the Legislature, to seek the passage of the Sunday baseball law.

Next to baseball and football Walker's favorite sport was fishing. Most of the rod work was done in the Catskills, whither Mother Walker—her popular nickname—sent her own brood and some of the neighbors' every summer.

It was during these summer vacations that Walker tried his first case. One of his friends, Frank Punchard, drove a farm nag with more zest than caution through the village, with resulting property damage. The next day a constable called at the Walker's and placed Master Punchard under arrest. The trial was held in the East Durham courthouse (located in the blacksmith's shop), which thus gained a certain fame, for the prisoner's defense counsel was none other than Jim Walker, and this was his first case at law.

Jim knew nothing of legal procedure, but he was convinced that his friend had been prosecuted unjustly. He made a stirring defense, his point being that the nag was balky, unreliable, unfriendly and otherwise intractable, and that the accused, Frank Punchard, a lad of good character and hitherto clear record, and a "darned good horseman" as well, who had seen more horses attached to trucks and fire engines than East Durham was likely to see for the balance of its history, was not responsible for the animal's behavior.

The Justice of the Peace (the village blacksmith), in doubt as to how to proceed after this plea, stalled for time by saying, "Will the defendant arise?"

The defendant arose. The chair on which he sat had been previously repaired on several occasions, and the heat of the day had melted the glue in the joints. As the

boy stood up the chair moved with him, clinging firmly to his trousers. Jim quickly seized upon this incident and exclaimed dramatically: "You see, your honor, everything sticks to him in this village, like this false charge."

The justice acquitted the defendant, but left unanswered the question as to whether it had been Jim's words or the chair's glue that inspired his leniency.

When Walker was only seventeen he was shunted into politics by accident.

While the elder Walker was running for Alderman a sudden illness prevented him from speaking at an important open-air meeting. Jim was sent to explain his absence. When the chairman of the meeting relayed his message to the audience and pointed to the candidate's son as the messenger, someone in the crowd shouted: "Make him speak!" The suggestion caught on, and cries of "Put him on!" "Come on, Jimmie, speak for your father!" forced the youth to mount the back of the truck serving as the speaker's rostrum. This was the first time Jimmie was asked to make a public address, and that, together with the circumstances under which he was to make it, filled him with a deep emotion.

His previous oratorical efforts had been restricted to occasional exercises at school. He had no notes for a speech, of course, and was too immature to formulate a definite argument in his mind. But as he faced the crowd he launched at once into an improvised address regarding his father's virtues as a candidate.

Young as he was, he seemed to know intuitively that first principle of successful oratory, an appeal to the emotions, and in closing his remarks he said with dramatic vigor:

"And the day will come when you and I and every other good Irishman can go back to that dear green isle of ours and sit upon its shores at the blue ocean and sing 'Home Sweet Home.'"

It was an extravagant notion, but it forcefully con-

jured up before the mental eyes of the listening sons of Erin the picture which was flashing through Jimmie's mind as he talked—the picture of an Irishman, who, having earned a comfortable independence in the new world, was back in his old home in Ireland and living out his days in paradisaical ease.

The crowd applauded and cheered, and James J. Walker had scored his first political success.

## V

WHEN Walker reached his twenties he entered a period of activity wholly different from that of his major career.

As a boy he had always been fond of the piano, but upon reaching adolescence he became greatly attracted to the music of the variety stage. No sooner was supper finished at the Walker home than Jim would sit down at the piano to play the latest songs. He would sing them, too, but this was not so agreeable to the family, Jim's voice being better adapted to talking.

His chief associate in those musical sessions was a youth named Phil Hickey, of about his own age and build. Mr. Philip A. Hickey is now a supervisor of the Postal Telegraph Company, in charge of the firm's operations in Wall Street, but in those days he thrilled to the sounds of a theatre orchestra.

One evening an entertainment was held at St. Joseph's Church for which a number of vaudeville actors had volunteered their services. The hall was crowded. The Walker family was among the audience, and Jim was there particularly to act as accompanist to his aunt, Margaret Roon, who was quite well known in the neighborhood as a singer.

Father O'Flynn, of St. Joseph's, had hired a pianist to accompany the performers, but just as the entertain-



*The fife and drum corps of St. Xavier Academy. Young Walker is the second boy on the left pyramid line.*



THE HONEYMOONERS

*Walker and his bride, Janet Allen, photographed while at  
Atlantic City.*



ment was to begin he discovered that the musician had not come.

On the accompanist depended the entire show. Father O'Flynn made a quick decision and sent for Walker.

"Jim," he said, "you'll have to play for these people. The piano player hasn't shown up."

"But I can't play," Jim protested. "I don't know their music."

"You're playing for your aunt, why can't you play for them?"

Jim was not bashful, but he could not read music readily; and to play accompaniments at sight is a difficult matter even for an experienced musician. But Father O'Flynn merely repeated:

"You've got to play, Jim," and went off to attend to other important matters.

Walker was left stranded on the platform. A sheaf of music was thrust into his hands. The curtain went up, and he found himself confronting an audience as the accompanist to a team of singers and dancers named Higginson and Connolly.

Jim regained enough composure to ascertain the key in which the music was written. Beyond that the printed pages were of not the slightest assistance to him. He watched the actors, faked some chords until he caught the rhythm and style of the songs, then improvised an accompaniment.

Higginson and Connolly seemed startled as they heard the unfamiliar music, but kept on with their songs. When they came to a stop Jim discovered that there was to be a dance, too. With a man singing loudly one can bluff at the piano without attracting too much attention from the audience; with two men singing loudly the deception is easier. But with two actors silent and dancing to what is expected to be vivacious and intricate music the deed involves the risk of mayhem.

But there was nothing the substitute accompanist

could do. He therefore launched into another improvisation.

The actors had swung into a buck and wing. One of them was patting the floor with his feet while balancing a glass of water on his head. The feat required rhythmic support from the piano. A jarring passage might cause the glassful of water to be converted into a cascade about the dancer's head and send the audience into hysterics.

But the act went through without a mishap, and as the men danced off the platform Walker bolted. To his amazement he was cornered by the team.

"That was a fine tune you played for our dance," Higginson said. "Where'd you get it?"

"I don't know," Walker replied, truthfully enough, and explained the situation.

"Well, we like the tune," Higginson declared, "and we're going to use it in our act instead of the old one. My partner and I would also like you to write a song for us. Think you'd care to do it?"

Walker was thrilled. Here was the glamorous dream-world of the theatre opening up for him, and he did not even have to find the key. It was being presented to him on a cushion.

"Sure, I'll write it," he replied eagerly. "What kind of song have you in mind?"

"Well, we thought of doing one about a girl called 'Cook.' You could say her name was Cook and she was a mighty good cook, too. Get the idea?"

Walker did. A few days later he called on the actors in their hotel room and sang "Mary Cook," words and music by James J. Walker.

The actors listened carefully, and Higginson said: "To tell you the truth, kid, I don't know if it's good or bad. You've got a terrible voice. Let's get to a piano."

They went to a nearby music hall, and Walker gave the manuscript to Higginson to sing while he played the tune.

This time the vaudevillians were enthusiastic. It was just the song they wanted.

A few days later the new number was given its public première at a music hall. It was well received, and Walker and Hickey, sitting in the balcony (forced to that height by limited spending money) were entranced by the applause. The theatre had two shows nightly. After the first performance was over the happy composer returned to the entrance and told the doorman he was going in for the second show.

"Where's your ticket?" the man asked.

"I don't need one. I wrote 'Mary Cook.'"

"You wrote what?"

"'Mary Cook.' The new song Higginson and Connolly are singing."

The man grinned and pushed the two youths aside to make room for the paying patrons who were coming in. When he had a moment to spare he said: "Buy yourselves tickets or get out."

No words could move him to relent, and Walker received his first lesson in the relative value of fame. But he went to sleep that night with Union Square—then the Broadway of New York—at his feet.

Thus started, Walker diligently pursued a songwriter's career. He was an earnest sentimentalist who had a faculty for turning his sentiments into verse that caught the attention and lingered in the memory. In music he had some facility for inventing the waltz and ballad type of melody so popular at that time.

But it was not easy to acquire a reputation, even after a fair beginning. Jim made the usual visits to the publishers and was told that his songs were pretty good and that he might come around again when he had "something else." But when he did come again with that something else he received the same encouraging reply.

This interminable and painful round continued until he became acquainted with a young song writer named

Ernest Ball, who was working as a piano player for Witmark, the Broadway publisher. Ball was a competent musician, with considerable talent for ballad composition, but possessing very little initiative and still less capacity for making friends. He always seemed lonely and neglected, and Walker, who appreciated the man's potentialities, would often ask lyricists whom he met at Witmark's to employ Ball. "That Swede?" they queried contemptuously, and that ended the matter.

But whenever Walker saw the patient, plodding figure of the plugger, he felt sorry. Almost mechanically he began to think of possible lyrics with which to provide an opportunity for Ball.

Presently a bright line flashed into his mind—"Will you love me in December as you did in May?"

"What do you think of this as the first line of a chorus?" he asked Ball, quoting his inspiration.

"It sounds good," Ball replied. "What about it?"

"Would you write the song if I finished the lyric?"

"Me?" exclaimed Ball, as if the query were unnatural.

Assured that he it was who was meant, Ball agreed cynically. Walker went home at once, and that same afternoon, sitting in the kitchen, he wrote those now famous words:

Now in the summer of life, sweetheart,  
You say you love but me,  
Gladly I'll give my heart to you,  
Throbbing with ecstasy.  
But last night I saw while a-dreaming,  
The future, old and gray,  
And I wondered if you'll love me then, dear,  
Just as you do today.

*Chorus*

Will you love me in December as you do in May?  
Will you love me in the same old-fashioned way?  
When my hair has turned to gray,  
Will you kiss me then and say  
That you love me in December as you did in May?

Ball immediately set the verses to music, and Witmark forthwith accepted the finished work. Walker was so overjoyed that he even assisted in preparing the cover for the published song and had his friend Joe Collins pose for its sentimental design.

“Will you love me in December as you did in May?” proved an instant success. It was sung, played and whistled throughout the city and then throughout the nation. In music halls before audiences with a faraway look, in beer palaces before patrons who wept into their steins, in workers’ households and in drawing rooms it was presented with a dozen varieties of emotion.

For Ball this song was the foundation of a famous career. He followed it with his two outstanding hits, “Love Me and the World is Mine” and “Till the Sands of the Desert Grow Cold,” and his place as a popular balladist was fixed.

The immense success of “Will you Love me in December as you did in May?” might have established Ball and Walker as a popular and lasting team of song writers, and might also have changed Walker’s subsequent career. But Walker at this time was offered a contract by another firm of publishers, Marks & Stearns, and because Mitchell Marks had become a friend of his he could not refuse. Thus he broke off his relations with Ball, who was under contract to Witmark.

Marks & Stearns published mostly songs from musical comedies, which were usually of a topical or satirical nature. This was a type of composition unsuited to Walker, who inclined strongly to ballads, particularly

those with a plaintive theme. The new association was a comparative failure and helped to bring Walker into what proved to be his natural course, politics.

But it was through his work for the publishers that Walker met his wife. Marks & Stearns were to bring out the music of a new show coming to New York, "The Duke of Duluth," authored by George Broadhurst and starring the comedian, Nat Wills. The "Duke" had been visiting the provinces and sinking rather rapidly through general debility. The producers, however, had faith in it and thought that some rewriting might pull it through a New York run. Walker was given the job of injecting a number of new lyrics into the production and Max Witt, a composer perhaps remembered today by his song, "The Moth and the Flame," was to set them to music. Three songs from the Walker pen were used: "I Like Your Way," "So Long, Jasper," and an automobile number, in which the chorus girls appeared in the famous period dusters, bonnets and swaths of tulle wound around the head and neck. "So Long, Jasper" had a bit of biographical content. In it Walker set down the lyrical portrait of a dapper New York gentleman and for certain characteristics drew upon his own personality. The title, too, is revelatory. For some reason the youthful Walker disliked to sign his name, "James J." and would adopt some other forename beginning with the letter J. The most popular of these was "Jasper."

It was the automobile song that introduced him to Janet Allen, the future Mrs. Walker. Miss Allen was an understudy in the show, and at one of the rehearsals she was assigned to leading the girls in this number. Walker was seated in the dimly lit auditorium of the old Park Theatre, in Columbus Circle, now the Cosmopolitan, luxuriating in the company of the stars of a Broadway musical comedy. As he listened to his own song and watched every movement of the chorus with zealous and proprietary interest, Miss Allen caught his attention. She smiled. So did he.

After the rehearsal had been adjourned for lunch the stage manager made the two acquainted. Walker invited the young woman to have lunch with him, and she consented. They went around the corner to Reisenweber's, one of the leading cabarets in the city, and thus the romance began.

From then on "Allie," as Miss Allen was called by the Walker compatriots, and Jimmie were inseparable. She was affectionately welcomed by his family, and Mrs. Burke, the Mayor's sister, voiced their sentiments when she said recently: "Mrs. Walker made our house very much happier by coming into it. No one could have been more devoted to Mother and Dad than she."

Seven years passed before "Allie" and Jim were to marry. It was a long engagement, necessitated by Walker's protracted studies and interrupted by the uncertainty as to what career he was to adopt.

"Allie" was extremely popular within the neighborhood of No. 6 St. Luke's Place, and she and Jim sang and played at a good many entertainments. Their talents were especially featured by the unique Father Magrath, at the Seamen's Mission, on West Street.

Father Magrath was a picturesque cleric who could have been a product only of New York. Brought up in the gas-house district of the East Side and a born scrapper, he was at the same time possessed of a remarkable spiritual faith. He could knock a sinner unconscious, souse him in the horse trough and then pray for his soul. Because of his devotion to the church of his neighborhood, which he opened for mass every morning at six, the priests took notice of him and detected an evangelical spirit. He was influenced to study for the priesthood and so embarked on a life of vigorous and colorful crusading.

He early established a mission for sailors on the waterside, giving them billiards, concerts and dancing before expatiating on the nobler delights of a higher existence. Monday was the great day at the mission,

a concert and dance being held in the evening. The extent of both entertainments was governed by the number of sailors who happened to be in port.

In those ante-movie days public amusements were scarce, and the neighborhood looked forward with a good deal of eagerness to Father Magrath's offerings. He usually fulfilled their expectations with a considerable display of showmanship. His most famous feature was the Fufu Band. This was an aggregation of seamen who blackened their faces with soot and wore a fantastic ensemble consisting of burlap shirts ornamented with medals cut out of tin and battered felt hats from which chicken feathers protruded. Each man was armed with some home-made instrument designed to produce sound, varying from a comb covered with tissue paper to a piece of iron pipe. The Reverend Father would begin by assembling his crew at one ship, and from there the weird procession would march down West Street, swelling in numbers as new additions tumbled out of holds. Sometimes there were as many as three hundred men in the Fufu Band. They would all stalk up to the mission, give a wild flourish at the entrance and troop upstairs to play cat-music for the dancers.

As a matter of historical record it should be explained that "Fufu" was the nickname given to the grimy shipholds in which coal was stored.

Concert numbers were rendered preceding the dance, and Jim and his fiancée were the most regular of Father Magrath's artists. They performed for the mission for two and one-half years, and Walker's appearances continued even after he had gone to the Assembly. If he was in town and Father Magrath approached him he would merely inquire: "Is Janet going to sing?", and if the answer was "yes"—which it usually was—he would reply "Sure, I'll come," and he never failed to keep the appointment.

Today the mission is a lonely, dust-covered place,



stocked with shrouded billiard tables, ancient magazines and gay memories.

"The Duke of Duluth" played for some time at the Majestic, and Walker tasted the delights of a budding Broadway prominence. All the members of his family went at different intervals to hear his songs and were immensely proud of him; all except his father, who, though he did not object to his son's theatrical activities, would have preferred to see him in what he considered a more serious and useful profession.

After the "Duke" closed Walker wrote a vaudeville act for his sweetheart. It was based on an attractive idea. The "Phoebe Snow" railroad advertisements were then in full flower, and the Walker playlet transferred to life the spotless Miss Snow, as portrayed by Janet Allen. The scene was an observation car in a railroad station and involved, besides Phoebe, a porter, a chef, a tough newsboy and six chorus girls. Walker wrote the dialogue and the lyrics and Max Witt the music.

It was an elaborate act, but the six chorus girls put it out of business. They cost too much.

Miss Allen played in other vaudeville acts, written mainly by Witt. One of them was "The Freshman," in which she was featured with Harry Pilcer, the singer and dancer who later gained considerable fame as the partner of the celebrated Gaby Delys. She also sang professionally at social and fraternal clubs around New York, particularly at Terrace and Palm Gardens, where political gatherings were held, and was in demand at the Sunday concerts given in various Broadway theatres.

What Walker wrote after "Will you love me in December as you did in May?" was of little consequence. His theatrical ambition seemed to have been weakened by the new work he was doing for Marks & Stearns. Besides, Walker at this period was too restless and volatile to be contented with anything for long. He picked up knowledge with trigger speed, but in that very process he was distracted by other matters. He never wrote

for money, the uppermost thought in his mind being achievement, which in turn meant excelling others.

The type of lyric which came most naturally to Walker during this phase of his career is represented fairly well by the following two examples:

*After They Gather the Hay*

While the evening shades are falling, Jennie Dear,  
 All alone I linger by the old mill stream,  
 Many happy days recalling, Jennie Dear,  
 Of our childhood time when you were sweet sixteen.  
 By the stile I stopped to whisper words of cheer,  
 And you said you loved me when I went away;  
 But you soon forgot your promise, Jennie Dear,  
 And the gentle words you loved to hear me say.

*Chorus:*

After they gather the hay, after they harvest the grain,  
 After the roses of summer, we'll be together again;  
 Wait for me, Jennie my own, don't let your heart turn  
 away,  
 Say you'll be true and I'll come to you,  
 After they gather the hay.

*I Like Your Way*

If you ask me to tell you why I love you so well,  
 Why I follow you everywhere,  
 Why my heart's aflame, when I hear your name,  
 And for other girls I don't care;  
 I try to explain, and I find it in vain,  
 But you understand, dear, when I say,  
 I like you the best, for you're not like the rest,  
 I like your way.

*Chorus:*

I like your way and the things you say,  
I like the dimples you show when you smile,  
I like your manner, I like your style,  
I like your eyes,  
You are just my size,  
I'd like you to like me as much as you like,  
I like your way.

As young Walker's familiarity with politics increased through his father's interests and affiliations, his song-writing waned and his thoughts of a career began to change. Walker now desired to be a lawyer, with political leadership as a step beyond. It was at about this time that he confided to a friend: "I want to write a march that will be played by a band leading a procession in which I will be marching as Congressman-elect."

## VI

**D**URING the latter part of Walker's lyrical period he blended song-writing with clerking and the study of the law. A surgical operation interrupted his studies at the New York Law School, and he took a job with the Union Surety and Guarantee Company, of which Frederic B. Esler was Vice President. Esler was the man who conceived the idea of building a vehicular tunnel to connect the Manhattan City Hall with the Borough Hall in Brooklyn, which was as far as the public imagination of that day could go in the way of subways. Walker worked with Esler on this project, but it never emerged from the diagram stage. After a year with this firm he returned to the law school and added to his finances by acting as secretary of the Catholic Club.

His legal studies were conducted in the same fashion as were his studies in his earlier schooldays. His usual

method was to sprawl on the bed while one of his cronies read to him from a textbook. After listening to a chapter or so, the reader would catechize him and be surprised to find that his listener had assimilated the subject perfectly. Information which others acquired by laborious concentration came to Walker with a snapshot flash.

By this time Walker had developed into a spruce young man-about-town, though the range of his about-towning was limited. His friends were all of the neighborhood, and it was within the local circle that he usually made his rounds. He was always well dressed. He might not have had a nickel in his pocket, but the suit of which the pocket was a part was of the best quality and of smart appearance. One of his vanities was a cane, but as carrying a cane would have imparted to its owner an air of suspicion in Greenwich Village, it was his custom to park the stick in an up-town cigar store, from which storage place he would retrieve it for a flourishing walk on Broadway.

With his father so deeply in the political swim, it was natural that young Jimmie should understand the arts of the politician. But he never at this time took politics seriously. He was rather interested in the spectacular side of political life. The parades, the exhortations of the speakers, the intense spirit of rivalry between candidates—all this appealed to him strongly. Having been brought up on Democratic milk, he, of course, eagerly took sides against Republicans on principle, and was usually the ringleader in the favorite election-time sport of the Greenwich Village youth—breaking up Republican meetings.

But as he grew older he was drawn more intimately into politics, due to his participation in his father's campaigns as a speaker. His forensic powers had developed to a point where his oratory was well known and admired in his district. He had now shed some of his early rhapsodical style, and his speeches had taken on

more depth and meaning. In addition, he showed signs of a faculty for adroit generalship.

Almost all his speeches were made outdoors. Of his formal indoor addresses one of the first was given at the wedding dinner of his friend Phil Hickey, an elaborate affair attended by many Village notables. His speech of felicitation on this occasion indicated unmistakably the oratorical graces of the later Walker. His closing words were:

“And the good friend must make a good husband, and as no man ever had a better pal or better friends I am sure that no bride could ever have a better husband than he who sits as the groom at this festive board to-night.”

In 1909, the year in which the elder Walker retired from political life, his district, the Fifth Assembly, was preparing to elect a new assemblyman. The incumbent, John C. Eagleton, was serving his third term and the leader of the district, Charles W. Culkin, who was only thirty-two and the youngest Democratic leader in the city, believed in elevating young men to high positions in the party. It was then customary with some leaders to limit legislators to three terms in office on the ground that they had obtained the necessary opportunity for laying a foundation for a career and should step aside to give others a chance. Culkin had already planned Eagleton's departure from Albany and was looking around for a promising young man to take his place.

Politicians in the neighborhood began speculating on the most likely candidate. This same kind of speculation was indulged in at a Village gathering one Saturday night at which were present a number of Walker's friends. The political situation in due time came up for discussion, and the young men, having no great regard for either the dignity or the judgment of their political elders, began exchanging satirical comment, particularly on prospective candidates for the Assembly. In the midst of the sallies one of them, Pete Higgins

jumped on a chair and spiritedly launched into a stump speech proposing their honored friend, James J. Walker, for the post. His auditors at once broke into cheers, and these cheers, given with such rousing mock enthusiasm, reached the ears of Culkin and immediately set him to thinking.

Culkin, of course, remembered the elder Walker's affiliation with the New York County Democracy in its fight against Tammany Hall on the Croker issue. It now occurred to him that if young Walker ran on the County Democratic ticket he would be a menace to his own candidate. Therefore he shortly afterward let it be known that Jim Walker might find favor with him as the regular Democratic candidate for Assemblyman.

As a matter of fact, after Pete Higgins' mock nomination others had taken up the suggestion seriously, and there quickly developed a movement among his friends to send Walker to Albany. A few of the bolder souls even suggested an independent ticket, if no other way was possible.

Walker himself had been but mildly interested in what was going on, but when Culkin's attitude became known he began to regard the matter with more seriousness. His uncle, James Roon, a shrewd political observer, urged him to take advantage of the situation and so one evening, accompanied by Mr. Roon, Walker came to Culkin's home and formally asked the leader for the nomination.

Culkin took his request under advisement, and Walker left somewhat in a daze. Heretofore whenever he had injected himself into local politics he had done so partly to help his father, partly as a lark, and partly because the public platform attracted him as the next best thing to the stage. But law-making in the State Capitol was something else. This no longer meant merely the use of effective phrases, a play for the applause of the crowd, the basking in the prominence of an elevated board floor. He saw the larger implica-

tions in his possible election and understood that if he went to Albany he would have in his care the communal welfare of an important segment of the national population. This rather awed him.

Shortly afterward the Assembly Convention met to select a candidate. The meeting was held at 214 West 14th Street, an old four-story brownstone building. Walker was waiting quietly in the house next door to get the message that he had been chosen.

The convention was called to order and a committee appointed to select a candidate. It came back with a recommendation that young James J. Walker be named.

The nomination speech was made by Arthur J. W. Hilly, now the Corporation Counsel of the City of New York. He told of the education and training of the nominee and the splendid part that had been played by his father in civic affairs. He predicted that the young man would be an able assemblyman, ever appreciative of the obligation of representing his constituents, and that every man who that night took part in nominating Walker would be proud of his work because he would share in the inauguration of a splendid career.

Great applause greeted Hilly's words, and a committee was chosen to bring the candidate before the convention. The surprised Jimmie was led in. He looked about timidly, and when he began his speech of acceptance he was nervous and hesitant. There was none of the gay carelessness and ready wit which had marked his previous public appearances. He said that he did not wish so much for a public career as to follow in the footsteps of his father, who had also been a legislative representative of the same district, and promised that all his efforts would be devoted to the interests of his constituents.

After that ceremony Walker embarked on his campaign work in earnest, but he was no longer timid or nervous. At the same time that he was picked for the Assembly the assistant leader, Joseph W. Hannon, now

the Deputy Fire Commissioner, was nominated for the Board of Aldermen. Hannon was about Walker's age, and the two joined forces to conquer their district.

Since neither Walker nor Hannon had the funds for campaigning, Culkin gave them one thousand dollars in cash. In those days there were two principal methods of electioneering: from the end of a cart at street corners, and by visiting saloons. Saloons were the clubhouses of the men of the neighborhood. Here they gathered nightly to mix gossip and discussion with draughts of beer, spiced with free offerings of pickles, delicatessen and sharp cheese. It was customary for a candidate, particularly one who was a neophyte, to visit the saloons to get acquainted with his prospective constituency and to announce his policy. The latter was usually a simple one, consisting merely of the promise that, when elected, the candidate would do everything in his power to be of service to all the members of his constituency. (Note that the phrase "when elected" was used. In Culkin's district it was never "if elected.")

It was also the custom for a candidate, once he stepped into a saloon, to stand treat for all the men in the place. The etiquette of the procedure demanded further that the candidate lay down a bill of substantial denomination on the bar, refrain from asking for change and look on complacently while the bartender served drinks until the potency of the bill was exhausted.

Before the election was over Culkin had to replenish his candidates' exchequer twice, each time with another thousand dollars. Even so, the Walker-Hannon combination made the money go farther than their predecessors had done. Hannon, as assistant leader, knew all the saloon keepers in the district and had an uncanny faculty for sizing up the numerical strength of a saloon crowd by merely glancing at it. This enabled him to work out an economical method of spending the campaign fund. Before he started out with his partner for a night of electioneering he filled two pockets with two and five dollar





*Walker when he entered the New  
York State Legislature.*



*Walker in the Village Days*

bills, respectively. As they entered a saloon and with genial greetings made their way to the bar Hannon took a swift glance in the mirror in front of him. He then made a lightning calculation and fished out the proper bill to cover just one or possibly two rounds of drinks.

The same method was applied successfully when the candidates had to treat the crowds that listened to their corner speeches. As almost each street corner had a saloon it was incumbent on the candidate to invite the mob for a drink after his address. Hannon took care that these drinks should not exceed the minimum allowance.

Culkin had impressed Walker that the "gin mill" campaign was essential, but this sort of electioneering was disliked by Walker and after briefly trying it out he let his partner do the saloon visitations alone. "If I cannot be elected without this," he said "to hell with it."

Despite the certainty that the organization candidates would be elected Walker and Hannon had to work hard. New York winters in the first decade of the 1900's seemed to have been much more rigorous than now, and the weather during election time was usually cold, made doubly uncomfortable by strong north winds. When a candidate mounted a street platform tradition required him to shed his coat and hat, and as there were a number of speeches to be delivered every evening the unfortunate prospective office-holder would make his final oration through chattering teeth. Walker's frail physique would have given way under the strain had it not been sustained—as it is now—by a dynamic personality.

Candidates were also supposed to be benefactors of the neighborhood fraternal and social clubs. All these organizations made it a point to hold their annual affairs just before, during, or immediately after election time; and what candidate could refuse to buy a wad of tickets when he had been invited to attend? Here the canny Hannon was discomfited. His astute mind could devise

no stratagem to circumvent to any appreciable degree these raids upon the campaign treasury.

The Fifth Assembly District was the result of amalgamation of the Fourteenth Street section and Greenwich Village (the old Ninth Ward). Although the two neighborhoods adjoined, they were, at the turn of the century, virtually two different villages, with the inhabitants of each comparative strangers to the other. The Walkers were consequently but vaguely known in the "uptown" section of Culkin's bailiwick, but as soon as Jim made his first public speech he won the district. His new listeners were unaccustomed to candidates of his dash and wit. Walker had the poise and gestures of an actor, and the crowds found his personality immensely attractive. People began to talk about him, and seasoned politicians foresaw that there was a young man who had a prominent career in store for him.

The Democratic organization was pushing him strongly, and Culkin spread his name on posters over the slogan—"The Young Man's Candidate." Banners with the same inscription were carried high in the torchlight processions that warmed the hearts of the voters of that still romantic period.

Walker was elected and obviously proved a popular choice. But Egelton, the assemblyman whom he displaced, was resentful. At the next primary he opposed Culkin for the leadership of the district. Culkin, naturally enough, asked Walker to stump for him, but the latter for some reason or other seemed disinclined to do so. One morning, on leaving his home at St. Luke's, the new assemblyman met the old, and as they were walking along Egelton said something which offended Walker. The latter replied angrily. Egelton was an aggressive person, and before many more words had passed he took a swing at Walker.

Walker was furious that an old friend should have lifted a hand against him. He was very much upset that day, and after thinking it over decided that revenge

was sweeter than forgiveness. As a result, he jumped with great zeal into the fight for Culkin, the latter winning by a considerable majority.

This was one of the rare instances in which Walker bore a grudge. He and Egelton had had various arguments before, but they were all settled amicably. Walker had even taken good-naturedly an abusive remark made by Egelton. They had been discussing something with growing heat when Walker said impatiently: "You talk like a wooden man." To which Egelton flashed back: "That's the way to talk to a blockhead!"

Walker burst out laughing and clapped his opponent on the shoulder. "You put it over on me that time!" he exclaimed and kept chuckling for many minutes.

When he went to the Assembly Walker was still studying law and still only engaged to Miss Allen. It was to be some years yet before he was graduated both to the bar and to the altar.



ALBANY





## I

QUITE early in his legislative career Walker's facility for delivering speeches that enabled newspapermen to brighten their reports with happy paragraphs became marked. Within a few years of his coming to Albany he was already a popular speaker, and newspapers of New York City considered him good enough copy to devote considerable space to his remarks.

One of his earliest public addresses that stamped him as a desirable speaker was delivered at a dinner given by a New York hotel association. He was then what is known as a "young Assemblyman," with all the downy qualities this appellation implies. The function was an elaborate one. Gold and silver covered the expensive white linen tablecloths, bouquets of flowers perfumed the heavy cigar smoke, and a romantic collection of wines sparkled under the brilliant light refracted and reflected by the cut-glass.

Preceding Walker was a lawyer who, in the midst of the after-dinner lassitude, had made a surprisingly good speech. The guests applauded him loud and long and thus provided no small handicap for the speaker who followed. The lawyer's address had come near the end of the program, and the diners were wearied. As the hand-clapping subsided the toastmaster, in a few kind and tolerant words, introduced Assemblyman Walker as a young legislator who, despite his youth, had gained the respect of the community, etc.

Walker rose slowly. He surveyed his audience and noticed an obvious disinclination on the part of many to listen to him. Some of the diners were even picking up their souvenirs, preparatory to a stealthy leave-taking. He was in the position of the closing act on a

vaudeville bill which follows the "star" performance. Swiftly he set his course. After briefly explaining his disadvantage in talking after the brilliant speaker who had preceded him, he remarked: "But we cannot always be first—" he made an oratorical pause long enough to intrigue his listeners—"for after all, even the immortal George Washington, who was first in war, first in peace and first in the hearts of his countrymen," here came another pause during which the now curious diners listened attentively, "married a widow."

A crescendo of laughter greeted this line. Delighted applause followed and the souvenirs were replaced on the tables. Walker spoke for forty minutes and sat down amidst a storm of hand-clapping.

The reputation established on this occasion brought him an invitation the following year, when he was a Senator, to be the main speaker at the annual dinner of the New York State Hotel Men's Association. The "New York Times" gave a long account of early Walk-erisms brought out on this occasion, among them these:

"There was a storm of laughter when State Senator James J. Walker, hailed as the Borough President of Greenwich Village, facetiously referred to the Legislature as the 'steal works at Albany.'

"Senator Walker began his talk with an alarming confession. He said that he had been asked to prepare his speech in advance, and he had done so. But the speech he had dictated to the stenographer he had given to the Hotel Men's press agent and then lost his own copy. There was a smile when he spoke of the number of times he had walked up the hill in Albany, but, he added before the laugh died away, that 'though on a hill, the State Capitol was on the level.'"

Walker was in the State Legislature for sixteen years. His career there was colorful and distinguished, and one which his picturesque activities as Mayor of the greatest city in the world have somewhat obscured. There is no doubt that it was his experience with law-

making and law regulation on a larger scale than is afforded by a municipal government that contributed largely to his ability to conduct the business of his native city.

From the first day he came to Albany, Walker seemed to fit into the life of the Capitol with the easy smoothness of a correctly dimensioned and finely turned part of a machine. He "belonged" there, and the years he spent in Albany were, he has often wistfully confessed, the happiest in his life. His chief virtues as a legislator were an extraordinary aptness of speech and a most delicately balanced sense of parliamentary propriety. He was not a great orator, but he was persuasive, eloquent, entertaining and could hold his hearers' undivided attention. His speeches were delivered with an emotionalism and a dramatic emphasis that made even platitudes and stock phrases sound exciting, and he could employ gibes, mild invectives and sarcasm in a manner that hurt but rarely embittered. His speeches at the Monday night opening sittings became famous and were among the main attractions of the State Capitol. People came to hear him as they would a musical or theatrical star. Since he left Albany the Monday night sessions, so far as the public is concerned, have become largely occasions for recalling the days of Walker.

As a parliamentarian he had mastered the tactics and devious diplomacy of legislative halls. All political groups agree that there never was or has been since a legislator who could find so many stratagems in the political bag at the Albany Capitol as Walker did. To this shrewdness of parliamentary strategy was added an ability—which he has demonstrated in all his work—of quickly grasping a problem or situation and seeing, as in a flash, all its current phases and probable future development.

Personally he was one of the most popular figures in the State Legislature. He was generally known as an

amiable and witty companion, loyal to his friends and generous to his opponents. He was never spiteful or scheming, nor was he self-seeking. It was the glamor and the drama of championing either a winning or a losing cause and exercising his nimble faculties that appealed to him. He was for a number of years the leader of his party in the legislature, and the greatest moments to him were when he stood poised on the floor of the Chamber, about to set in motion the machinery for battle or defense. He was then the artist who appears on the platform before an audience that is tense with expectancy. But with this difference: "A legislator," Walker has often said, "is like an actor thrown on the stage without any lines." And it is this thrill of extemporaneously meeting a situation—particularly if the situation is a tight one—that affords him the keenest satisfaction. His conception of a legislative leader shows perfectly his natural leanings. The duty of such a leader generally, he explains, is to jockey for position, through strategy or otherwise; if he is a minority leader he must annoy and harass the majority and if he is a leader of the majority he must assert the superiority of his party and refute the minority charges. He himself followed these precepts most aptly.

When Walker came to the Assembly in 1910—officially recorded as a lumber dealer from the Fifth Assembly District—he had the company of men who were later to gain considerable prominence. Charles E. Hughes was Governor and James J. Wadsworth Speaker of the Assembly. Among those whose presence was conspicuous in the legislative halls at Albany were Alfred E. Smith, a rising Assemblyman, and already close to forty; James A. Foley, the studious and gentle legislator who became the Democratic leader of the Senate as a sort of incongruous prelude to his present position of Judge of the New York Surrogates Court (a standard anecdote in Albany about him was that if you saw a studious light burning in a room at the Ten Eyck Hotel

very late at night that room was Jim Foley's); Seymour Lowman, later Lieutenant Governor of the State; Caleb H. Baumes, author of the noted (or notorious) Baumes Law; Alvah W. Burlingham, later a prominent lawyer and Republican leader; Thomas F. Grady, a well-known orator of his day; Aaron J. Levy, the Democratic leader of the Assembly and now Judge of the Supreme Court; Edgar Truman Bracket, a picturesque figure in Republican politics, and Robert F. Wagner, who preceded Foley as Democratic leader of the Senate.

Together with these men were such rough-hewn but interesting personalities as James Oliver, better known as "Paradise Jimmy" Oliver; Marty McCue, the ex-prize fighter, characterized by Walker as one who carried the Marquis of Queensbury rules into the Legislature, and made famous by one fervid speech on patriotism; Tim Sullivan, or "Big Tim," one of the pillars of Tammany Hall; and Thomas J. McManus, more easily recognized by the title "The McManus."

From these men Walker received an expert tutoring in practical politics which complemented his own intuitive knowledge. Smith was his mentor for some time. The future Governor and William H. Walker were very friendly, and upon Jim's election Smith said to the father of the neophyte, "Billy, you had better let me take that young fellow and tip him off at Albany." Thus Al Smith may be said to have led Walker by the hand into Albany.

During the five years that Walker served in the Assembly he introduced no less than 152 bills. Many of these were measures handed to him in the course of political routine; but the majority were of his own devising and ranged through an extraordinary variety of subjects. Most of his own bills were based on ideas that flashed through his mind as he listened sympathetically to people in trouble, or were inspired by a situation that challenged his inventiveness. He was

undergoing a period of tutelage during which the shrewdness of his later years was germinating.

It was in this period that he learned the meaning and political import of the so-called "striker" bills. There was then a class of legislation, usually favoring some monopolizing device or plan, which certain lobbyists were exploiting for their personal advantage. They would approach a newcomer to the Legislature and convince him that the adoption of their bill would be a contribution to public welfare and add political lustre to his name. The recruit would bite and introduce the bill, whereupon it would be either killed by his fellow members in the natural order of things or the same lobbyists would manipulate its withdrawal. In either case the bill would be reintroduced at the next session by another trusting young lawmaker, and the lobbyists would collect another fee from their clients. So long as raw and ambitious young men were in the Assembly there was no lack of sponsors of this type of bill.

Once Walker was made a victim of the racket. This was in 1911. The bill he consented to father provided that all elevators in the State were to be equipped with locking devices to prevent them from starting while the doors were open. It was really a meritorious measure, and today most elevators have such safety attachments; but in 1911 the idea was sufficiently novel to attract fake promoters. Walker knew little about elevator mechanics, and he would have had no interest in this bill but for the fact that the lobbyists told him a pathetic story of how an old lady had fallen down a shaft because of an open elevator door. This at once aroused his sympathy and enlisted his support.

Walker soon enough lost this legislative naïveté and learned to recognize "strikers," as these bills were dubbed (from their intention to "strike" at something or someone). But he still smarts at the recollection of how he was duped in his cub days, and is fond of saying that the

political beach is strewn with the wrecks of men who were given "strike" bills to handle.

Among the important measures introduced in the Assembly by the cub legislator was the first bill which had for its object the removal of the "Death Avenue" (Eleventh Avenue) tracks in New York City, an improvement which did not reach the inaugural stage until many years later, when it was to be one of his principal efforts as Mayor of the metropolis. The bill was given to him for sponsoring by Mayor Gaynor himself.

## II

IT was while he was serving his apprenticeship in Albany that two important things happened to Walker in his private life: he was admitted to the Bar and he was married.

After his election to the Assembly in 1910 he had applied himself with greater diligence to his legal studies, but it was not until 1912, when he was 31, that he took his Bar examination. Faced with a political future, he appreciated the benefits which the title Counsellor-at-Law could give him, and indeed, so anxious was he to receive his law certification that for one of the few times in his life he was not only prompt, but early. On the day he was to take his examination he parked himself on the steps of the State building in Albany an hour before the janitor appeared to open the door.

With his admission to the Bar he felt free to terminate his seven year courtship of Janet Allen, and their wedding was celebrated with all the pomp which Greenwich Village could give to the rising son of a prominent resident. The ceremony was held in St. Joseph's Church, the spiritual anchor of the Walkers and of the Irish colony below Fourteenth Street. The bride, who was a

member of the Christian Science Church, adopted the Catholic faith.

At the time of his marriage Walker had not yet acquired his reputation for tardiness, but even then he could not escape the fate that was to dog him afterward. It had been arranged that Joseph M. Hannon, the partner of his first political campaign, should call for him at St. Luke's Place with the ring and bring him to the church. While Hannon was on his mission his path was crossed by a fire engine furiously drawn by a team of foaming horses. He halted, changed his course and set off at a run. He could never resist fire engines.

Meanwhile the groom was pacing desperately about his room. At St. Joseph's Church Monsignor Edwards was glancing impatiently at his watch. In an ante-room the bride's imagination was conjuring up traditional scenes from melodramas.

About an hour after the time set for the ceremony Hannon appeared. What Walker said to him in no way erased the benign expression from his countenance. It had been a grand fire.

Scores of prominent persons were in the church as the organ began to sound. But as the bride was escorted to the altar, blooming in a gown of white satin and Duchess lace and carrying a magnificent bouquet of orchids and lilies-of-the-valley, many of the guests remarked that the organ, presided over by the present Judge Edward McGoldrick, was playing strange wedding music. The melody flowed out in sonorous and hymnlike chords, but possessed a haunting character which Monsignor Edwards could not quite recognize. At the first opportunity he whispered to the altar boy: "What aria is that being played?"

"It is not an aria, Monsignor," the boy replied. "It is Jimmie Walker's song, 'Will you love me in December as you do in May?'"

The Monsignor frowned. "It may be a good song," he said, "but see that it is not played at the exit."



McGoldrick had been struck by the idea that this song was the one appropriate piece of music for the occasion and had attempted to disguise it with liturgical harmony.

After the ceremony and a popular reception at St. Luke's Place, the couple departed on their honeymoon. Walker announced that they were going to Old Point Comfort, but that was merely to throw their friends off the scent and avoid the affectionate but inconvenient pranks usually played on newlyweds by their loving well-wishers. They went to Atlantic City instead and honeymooned in rolling chairs.

On their return the couple took up their residence in the family home at St. Luke's Place, where they occupied the upper floors. Custom to the contrary, the young wife lived in perfect accord with the groom's parents.

Some time before her marriage Mrs. Walker suffered from a throat trouble which injured her voice and forced her to retire from the stage. She had no regrets on leaving Broadway. Her theatrical ambition had never been very strong and her inclinations were all in the direction of home-making.

### III

**I**N 1914 the political leaders of the Thirteenth Senatorial District rewarded Walker for what was considered a successful apprenticeship in the Assembly by nominating him for the Senate.

His name was brought before the convention by the outgoing Senator, James D. McLelland (a gentleman noted for the inverse ratio of the importance of his speeches to their length) who spoke feelingly of the value of the Walker family to the community and in particular of young Jim. When the candidate was led to the platform, his remarks were somewhat of a novelty in that they expressed wistful regret. He was

glad of the opportunity of occupying a seat in the upper chamber of the State Legislature, he said, but he had made many friends in the Assembly and felt a sadness in leaving them. This was a sentiment, incidentally, that was and is characteristic of Walker. He has always been deeply regretful of the severance of old ties. And there are indeed few ties that he has prized so much as those which bound him to both the Assembly and the Senate of New York.

As an organization man in the predominantly Democratic district in which he lived Walker was, of course, elected, and when he took his place in the Senate he was again in the company of men who had either achieved or were later to achieve distinction. There was Charles C. Lockwood, a noted Republican and now Supreme Court Justice; Ogden L. Mills, who was elevated to a place in President Hoover's cabinet as Secretary of the Treasury; William M. Bennett, another well-known Republican and Franklin D. Roosevelt. Aside from these, there were his old colleagues, Robert F. Wagner, James J. Foley and Bernard Downing.

Walker had now entered fully into the political life of the State and was recognized by all influential legislators as a potential leader. The traits that had lain hidden when he was swinging a cane on Broadway pushed their way to the surface. The Republicans, as well as the men of his own party, were fascinated by his ability as a debater, his dramatic presentation of problems, and his skill in parliamentary procedure. They were also favorably impressed by his lack of malice and his perfect agreeableness out of the Senate Chamber. Then again, quite apart from these ingratiating qualities, he was a novelty. His smart grooming and easy bearing, blending appropriately with a never-failing aptitude for repartee, marked him as a personality that stood out in colorful relief against the aggregation of stolid lawyers, farmers and manufacturers that made up the State legislature.



WALKER'S MOTHER



WALKER'S FATHER

## IV

Soon after Walker had completed a year's service in his new office his father died of a heart condition. He was sixty-seven years old.

William H. Walker had always placed himself in the keeping of the Catholic Church, and he remained a devout adherent of it to the end. When Mrs. Walker said to him tearfully, after a painful attack, "It's terrible you should suffer so!", he replied gently, "You must be willing to suffer until the Lord is willing to take you." And later to a friend he whispered: "I will soon meet her in Heaven!" All his last thoughts were of the woman with whom he had passed a lifetime so happily; and perhaps his vision was so clear then that he was able to imbue his words with prophecy.

He died on the afternoon of May 15th, 1916. The spring sun lit up his bed as his wife and children grouped about him to listen to the prayer which was his last utterance. Only Jim was not there. He was trying a case in Mineola, Long Island. When the telephone message reached him that his father was dying he was excused by the judge and raced home. But he was too late. His mother met him with the simple words, "Your good father has gone."

Fifteen months later, as her husband had foreseen, Mrs. Walker went to meet him. William's death had left her a completely changed woman. All the old vivaciousness, the love of companionship seemed to have gone out of her; she became practically a recluse and found no enjoyment in anything that she did or that was done for her. Her despondent condition culminated in a stroke. For two days she was unconscious and then died in a coma. Jim's epitaph for her was: "She's gone. But she's been dead since father died."

In his last days William H. Walker presented a remarkable picture. Illness had ravaged him. He was

gaunt and his eyes were sunken. A three or four days' growth of beard was usually on his chin. On his head he wore a skull cap and a long robe was wrapped around his wasted body. He had the appearance of a venerable patriarch, and as he sat huddled in his chair, or strode about the room, he talked to himself. What he spoke was a commentary on life and living, according to his lights. His son often hid himself in a corner to listen and was overawed by what he heard. Jimmie Walker rarely quotes anyone in his conversation or speeches, but when he does so the words are invariably his father's.

Perhaps the chief characteristic that the elder Walker transmitted to his son was a sentimental loyalty to friends. When William H. Walker gave his friendship it was complete and without reservations. His friends, to him, were good and he would refuse to listen to criticism or disparagement of them; and when he was forced to listen it was with the conviction that those criticized were not properly understood.

From his mother Walker inherited principally a zest for life that is so dominant a trait in his personality and which in her was unduly restrained by a strict upbringing and the limitations of environment.

## V

ONE of Walker's major battles in the Senate—battles because most of the legislation introduced or sponsored by the Democrats, except on rare occasions, had to be bitterly fought for—was that against ratification by New York State of the 18th Amendment. He was completely opposed to the prohibition law. It was an opposition not unusual in a New Yorker, but the ground on which he based it anticipated the basis for all intelligent antagonism to Volsteadism today. "This measure," he told the Senate, "was born in hypocrisy and there it will die."

He also predicted that prohibition would bring a great increase in drug addiction, a prediction amply borne out by the records today which prove the vice to have increased 1000% since 1918. His arguments brought a denunciation from a Senator named Ross Graves, who dramatically read a letter from two little girls whose father was confined in Dannemora Prison for committing murder while drunk. In their letter the children urged the Senator "to help bring papa home, for he was a good papa." Moved by these messages, Graves condemned the liquor traffic as "murderous." "Our prisons and madhouses are full of its victims!" he exclaimed. Walker was out of his seat at once, and striding up and down the aisle, he said: "I do not like to hear men who sell liquor denounced as thugs and murderers because it is unjust and because in this place we who have recognized and taken revenue from the traffic have no right to do so. Crooks do not drink rum; they are more careful. I would like to go with the Senator to Dannemora 'to bring papa home' if the Senator would go with me and bring home from Bloomingdale the host of religious fanatics and cranks who have never tasted liquor in their lives and yet have committed the most atrocious murders."

As the end of the debate drew near the Republicans called a caucus to decide their vote. The Republican leader then was J. Henry Walters, now the attorney for Radio-Keith-Orpheum. Though of opposite political faiths and bitter opponents on the Senate floor, Walker and "Hank," as the former called him, were good friends when they stepped out of the legislature. Walters was not a prohibitionist, and he was disgusted with the tactics of the Anti-Saloon chief, William H. Anderson, and his group, who were attempting to force through ratification by all means possible. He had until now managed to keep himself clear of commitment to the dry cause, and the caucus was maneuvered by fervid up-State dries especially to force his hand.

The day before the caucus was held Walker had an intimate talk with Walters and told him that if he, Walters, entered the caucus chamber he would be brought into a position where he would have to promise to support ratification or resign his leadership. He counselled his friend to refuse to attend, thus reversing the situation for the dry faction and forcing it to his will.

Walters replied that he could not take the chance. He said that for many years he had striven to become the leader of his party in the Senate and now that he had obtained that position he could not bring himself to do anything that would jeopardize it. Walker replied that no one would dare to remove him from the leadership if he failed to go into the caucus, but Walters could not agree. Finally, Walker tried to move him with the argument that even if he were removed, his removal would only prove that he was a greater man in defeat than in victory, for he would go down fighting for the cause he believed in, instead of supporting the cause he despised. And in saying this Walker's face grew bright with enthusiasm. "You will be a bigger man, 'Hank!'" he said.

But although "Hank" caught something of the fire of Walker's words, he quickly cooled. It was useless. He couldn't do it. "Once you're out of the party," he said with cynical wisdom, "you are out of it forever." So Walters went into the caucus. When he came out Walker saw that what he had anticipated had happened. From the unhappy expression on the Republican leader's face he knew that his friend was pledged to vote and battle for ratification. He saw him go through all the necessary motions and then slump into his seat, gloomy and dispirited.

It was Walker's turn to speak. He strode into the aisle. His first impulse was to scourge Walters as a wet Democrat should a wet Republican turned temporarily dry. But as he looked at the crestfallen figure of his adversary the sarcastic words would not come to his lips. Instead, he muttered some conventional opening phrases



and began making an address. It was meant to be fiery, but he had not spoken thirty seconds when he realized that what he was saying was water-weak and without effect, without any touch of drama. His words, he felt, would never arouse a storm against ratification. Yet he found it impossible to hurt "Hank" more than he knew his opponent already had been.

So he paced about the aisle for a minute or two, fishing for thoughts. In the course of his perambulations he glanced up at the gallery. Leaning on his arms over the railing was Anderson, with the smile of the cat who had swallowed the canary on his face. Walker talked on. Suddenly inspiration came. He brought his random remarks to a quick conclusion and pointing at Walters said emotionally:

"Here sits poor old Uncle Tom Walters, my old friend, though my political enemy, forced into doing the thing he hates, crushed and beaten; and here is Little Eva, the State of New York, betrayed into shame and humiliation, about to cross the Hudson on the cakes of ice dropped from the hearts of bigots; and there, above"—he threw his hands into an accusatory motion towards Anderson,—“sits Simon Legree Anderson, who, though he hasn't a whip in his hand, bears one in his heart. . . .”

He continued this remarkable peroration with so many dramatic details that the Senators and the gallery were aroused to a high pitch of excitement and actually seemed to feel the lash of Simon Legree Anderson's whip on poor old Uncle Tom Walters' bleeding back. He finished off by paraphrasing an effective line from the play he was quoting; the line uttered by Uncle Tom when Simon Legree, after the whipping, asks him sneeringly to whom he belongs now. "My body belongs to you, massa, but my soul belongs to de Lawd." Pointing at Anderson, Walker thundered: "Your body belongs to the Anti-Saloon League, but I hope your soul still belongs to yourself."

It was a thrilling speech and Walker had achieved the object of both lambasting his opponents and arousing sympathy for Walters. (Walker has since learned how correct Walters was in his judgment of party politics. He cites as proof the case of Senator Wadsworth, a great and courageous Republican wet leader, who today is almost forgotten. "Walters was right and I was wrong," he admits.)

Walker had another set-to with Anderson some time later, when he was active in sponsoring a bill to legalize 2.75% beer. At the same time Colonel Gillett, of Columbia County, introduced a 3.50% beer and 10% wine bill in the Assembly. This was in March, 1920.

Anderson was, of course, vehemently against these bills and used such violently domineering methods in lining up legislators behind him that he was refused the privilege of speaking before the Senate Judiciary Committee and the Assembly Excise Committee, the joint body which was examining the proposed legislation.

Anderson's friends smarted under the rebuke, and a Senator, Frederick D. Pitcher, protested against the Committee's action, saying that he was disgusted with its proceedings.

Walker defended the Committee. He expressed regret that Anderson's bulldozing tactics should have necessitated his exclusion and added: "Anybody who was not insulted by Anderson's statements is not capable of being insulted."

The remark drew sparks. Senator George F. Thompson, of Niagara, a dry, arose, his face red and angry:

"What *did* Anderson say," he demanded.

"If you don't know," Walker replied coolly, "it is the first time that his message hasn't reached you."

This reply brought an outburst from Thompson which culminated in the word "liar."

Walker jumped up. "Do you mean that?" he cried, and clenching his fists, advanced rapidly towards

Thompson. When he was two seats away from him Thompson said, "Well, I'll take that back."

"You just took that back in time," Walker retorted and returned to his seat. Though Senator Thompson does not know it, Walker was later very grateful for his apology. It prevented him from "disgracing" himself, as he expressed it.

It was one of several threatened physical encounters in the Legislature which Walker, however, never permitted to come to pass, but which his quick and cutting retorts and his suave ability to render an opponent vulnerable often invited. An apology, however, or a generally-framed reply, would always restore his equanimity.

Walker continued his attack on Anderson and said of him: "If his cause is so weak, if it depends on his arguments, if he is a fair example of it, then it is dishonest. There is more honesty in the outburst at this hearing than there was in that sulky, sneaking, snake-like hypocrisy that he represents, and I'll say that to him outside of this chamber, where I am not protected. When he referred to Col. Gillett as a booze agent and a fake war hero he did an injustice to a colleague of mine and a partisan of yours that warranted his being prevented from being heard yesterday."

In view of the fact that Anderson was later convicted of a crime and sent to jail, Walker's judgment of the dry leader at the height of his career and influence, when he had all the church people and other dry sympathizers of the State at his feet, was a good instance of Walker's instinctive insight into character.

Another line of attack which Walker adopted against the 18th Amendment was built on a seeming flaw therein, upon which many wets later based hopeful action. On January 20, 1920, he introduced a resolution asking for a legislative committee to determine what percentage of alcohol renders a beverage "intoxicating in fact."

"Some people say," he stated, "that four percent is the amount; others say eight percent, and some say

twelve. The Federal Statute says one-half of one per cent. Now what is it? I believe the State, which has concurrent power with the national government in enforcing national prohibition, has to determine the question for itself."

He proposed that the committee be guided not by its own deliberations but by the opinions of scientists, a plan which has so far seemed too sensible to be followed.

Of all Walker's efforts to annihilate the 18th Amendment only the 2.75% Beer Bill was temporarily successful. This bill was passed, but was declared unconstitutional by a decision of the United States Supreme Court.

One of Walker's last attempts on behalf of the anti-prohibitionists was a dramatic success in the literal as well as figurative sense. It was on March 27, 1923, that the showdown on the repeal of the well-disliked Mullan-Gage State Enforcement Law was to take place. The Senate was controlled by the Democrats by a ghostly margin of one vote, the division being 26-25. One of the Democrats was a sick man and could not be relied upon.

March 27 was the final day of the session, and the crucial vote was to be taken on whether the State of New York would continue officially to assist the Federal government in the enforcement of the Volstead Act. Walker was the Democratic leader and President pro tem. He had marshalled his army to the limit of its strength, which was just enough to put the Mullan-Gage Act out of existence, when it was discovered that one Democrat, who had been classed as doubtful but who it was hoped would swing along with his party, was missing. He was Mark W. Allen, a Staten Island teacher and a dry in a wet constituency. Allen had decided to escape from his dilemma by departing for home before the vote was taken.

Peter Higgins, son of Senator Pat Higgins, who was in the chamber, frantically reported that Allen was seen

cranking his car. Walker rushed up to Jerry Sheehan, the Sergeant-at-Arms.

"Bring Allen back, even if you have to arrest him," he commanded. "Tell him the Senate is still in session and he can't run away."

Jerry, a faithful gentleman, obeyed instructions to the letter. He corralled Senator Allen just as he was about to close the door of the car and settle himself in relief into the upholstery.

"You're under arrest," he said.

The Senator grew red in the face.

"You can't do that to me," he shouted. "You can't arrest me!"

Jerry was unmoved. "You've got to return, Senator. Come along."

When a Sergeant-at-Arms is in the throes of duty there is no arguing with him, or at least no resisting. This was especially true in the case of Jerry. Senator Allen continued to argue bitterly all along the path to Walker's office, which was to serve as a jail pro tem. When he was finally in the room he tried to make a forcible exit. Jerry planted himself in front of the door.

"You'll never get out alive, Senator," he said calmly.

Allen slumped into a chair, glaring banefully at Jerry. In a few minutes Walker came in, accompanied by Edward Stanton, his secretary. There was shocked amazement in his eyes as he took in the scene.

"Why, Mark, what's happened?" he asked.

Senator Allen pointed at Jerry and said in a choked voice, "That fellow arrested me—arrested *me!*"

"Arrested you?" Walker exclaimed. "Arrested—?" He turned furiously on Jerry. "Do you mean to say you arrested the Senator?"

"And he assaulted me!" Allen added.

Jerry began an explanation, but Walker cut him short. "I don't care what your reasons are. You can't treat a member of the Senate like that. You're discharged! Get out of here!"

Stanton caught hold of the non-plussed Jerry and hustled him out, whereupon Walker said with the utmost solicitousness to Allen: "Come on, Mark, I'll stand by you."

Allen stood up in confusion, a prey to the conflicting emotions that were surging within him: anger at his arrest, bewilderment at the situation, pleasure at having gained revenge on the Cossack-like sergeant-at-arms and gratitude to Walker for helping him.

He left the room together with Walker, who held him affectionately but firmly by the arm. He was thus led into the Senate Chamber. Walker now had the "body," but he had to have his vote. Allen's name would alphabetically come up first. There was little time in which to work on him, but Walker swiftly unloaded a boundless amount of sympathy with Allen for his mistreatment. And between his remonstrances against the shame of it he attempted to persuade the Senator to vote with his colleagues.

"You were elected by people who do not believe in prohibition, Mark," he said, "you can't go back on them now. It would be dishonest to vote dry when you were elected on a wet platform. You can't be dishonest, Mark."

The time was now nearing for the vote. Walker began to talk faster and more pressingly, fairly forcing his will upon the distracted Senator.

"Remember your oath of office," he urged. "You swore to be of service to your constituents. Remember the platform on which you were elected. And remember that you will have to go home and face your family. You are an honest man!"

Allen succumbed. He voted for the repeal of the Mullan-Gage Act and then haplessly spent the rest of the day framing a statement to explain himself to the drys.

All the newspapers commented on Walker's brilliant victory, but the reporters did not know why Jerry was

fired. (He actually was, though since this was the last day of the session the discharge did not matter.)

A series of bills which absorbed a great deal of Walker's attention and entailed a fight that was tremendously to his taste was that dealing with movie censorship. All policing of thought was detestable to him.

The original bill imposing censorship on motion pictures in New York State was passed in the Republican-controlled Senate in 1921. It became law despite every effort which Walker and his Democratic minority made to defeat it.

In closing the debate on the bill which gave to three men the power to refuse a license to exhibit a film if it did not conform to a specified moral code, Walker said:

"This is the most un-American bill ever introduced into the Senate. You—" he pointed a finger at Senator Clayton R. Lusk, who, as Republican whip, had played a large part in putting the legislation through—"You are only a step behind the crackaloo who has written a pamphlet advocating a twentieth century amendment to the United States Constitution, abolishing religious liberty in this country."

It required much courage on Walker's part to oppose so vehemently the passage of the censorship bill and later on to advocate its repeal with the same zeal. Lusk had presented to the Legislature a telegram from a group of prominent clergymen, asking to be placed on record as favoring the bill. Walker is a faithful member of his church, yet he fought the passage of the measure because he considered censorship of motion pictures a restriction of both free speech and free artistic expression. This action of Walker's might serve as a commentary on the view expressed during Alfred E. Smith's presidential campaign (or campaigns) that a Catholic statesman in an executive position would inevitably be dominated in his public service by his church.

After the bill was passed and its proponents were gloating over their victory the Rev. O. R. Miller, well

known as a lobbyist and editor of the "Reform Bulletin," wrote in his journal:

"Undoubtedly Senator Lusk could have sold out to the movie men for \$100,000 and more not to have pushed this movie censorship bill through the Senate. He knew this as well as anyone else but he was not for sale."

It was an unguarded statement written by an elated and none-too-scrupulous victor, quite similar to scores of other statements which are bandied about at the Capitol verbally or in print. But Walker saw in it an opportunity to embarrass the opposition. How he did it is an illustration of his political tactics. At the opening of the next session one of his first acts was to rise and demand of Lusk that he inform the Senate whether anyone connected with the motion picture industry had attempted to bribe him to the extent of one hundred thousand dollars.

This demand suddenly put Lusk and his party on the defensive. Walker had a pretty fair notion that Miller had written his statement from hearsay and that there were no facts to back up his charge. For Lusk to admit that the statement was true would have been foolish; to deny it would make a liar out of Miller. There was also another factor calculated to add to Lusk's discomfiture: Lusk was known to have accepted during the previous session a gift of a silver set worth \$1,100, after sponsoring a certain bill, and the incident had aroused a good deal of comment.

Walker's move was an adroit one. He directed his attack not at Lusk, the leader of the opposition, at whom it was really aimed, but at Miller. In fact, he appeared to sympathize heartily with his honorable colleague, for he said:

"I would pay no attention to this man (Miller) who gives his reputation as a lobbyist engaged in promoting good and defeating bad bills, this man who claims to be a minister of the gospel, although he cannot remember by whom he was ordained, were it not for the fact that he published in the Reform Bulletin this charge. I have no



criticism for the moment to make of the Senator. He is personally responsible for his personal conduct. But I do hold it is somebody's duty, once and for all—and it is for the Senator to say if that duty belongs to him—to tell the Senate whether or not anybody did offer him \$100,000.

With all the appearance of great indignation Walker continued: "These things cannot stand. I would no longer want to be a member of this body if it were just to be the target for every sharp-shooter, whether he comes in God's livery or in a jumper and overalls."

At this point another idea occurred to him. A referendum to increase the legislators' salaries had been defeated a short time previously. He made capital of the incident: "Why, it was due to reptiles of this kind, who have removed from the minds of the people any respect they had for members of this Legislature, that the amendment proposing increased compensation for the members was defeated at the polls."

It was a thrust touching the pockets of the legislators and consequently a thrust to be felt. Lusk, through his friendship for Miller, was now made one of those responsible for the legislators' insufficient pay!

After a pause to permit this thought to sink in, he resumed: "I want the Senator to testify that this man lies in his teeth and that no such bribe ever was attempted. I think the Senator owes this to the Senate and I have every confidence in his ability to say that no one ever approached him in an illegal way to influence legislation. I hold"—his voice took on the warmth of trusting confidence—"That the Senator's reputation alone was enough to keep away a bribe-giver such as this man describes. I am not willing to admit that the Senator carried a reputation questionable enough to warrant anyone daring to make a proposition of that kind. But I hope there will be found some method that will once and for all prohibit these charlatans and fakers to prey upon and sell their

wares out of the ruined reputations of absolutely good and decent American men such as sit in this body."

What could the Senator, whose reputation had been so nobly championed, do? He was a little dazed. A half-hour before he had been a hero who had refused a hundred thousand dollar for his influence. Now he was suddenly converted into a defendant, and one who had been victimized by his own associates! He could only take refuge in fencing and ambiguity, and the next half hour was for him a period of embarrassed oratory.

It was tactics of this sort that made Walker feared in the legislature and brought from newspaper correspondents the stock comment that the Republican legislators passed their nights trying to divine what Jimmie would be up to the next day and how to outwit him.

Once Senator Lusk determined to put a stop to what he termed Walker's theatricalism.

"Hold on"—he interrupted when Walker was about to make one of his humorous retorts during a debate with a Republican member. "Is this a vaudeville show?"

"Yes," Walker snapped back, "and you are the prestidigitator. But you can't move your fingers so quickly that I can't see what you have up your sleeves."

Walker energetically continued to oppose censorship and carried the battle to other parts of the country. In a speech before the Civic Club of Cleveland, he defined his view on the subject:

"A motion picture censor sets himself up to prescribe the information that you and I shall have. If it is right for a celluloid sheet, it is right for newspapers, books and magazines. How are we to prevent the evils of licentious films? If the police are neglectful it is no more than they sometimes are in the case of other laws. The offender ought to be taken into the courts and tried there by legal methods as to whether he has offended against a statute. Public opinion is the surest judge. A motion

picture man will not continue long in business who offends the majority of the public.”

The year after the censorship bill was passed a measure to repeal it was introduced into the Legislature. It was passed in the Senate but defeated in the Republican-controlled Assembly.

It was in this year that Walker appeared in the Senate as leader of the Democratic majority. It was a majority of one only, but to him that one vote was a suit of armor in which he galloped with tremendous exhilaration to bring the colors of his party, in the form of bills, into the statute books. The repeal of the Censorship Bill was one of his pet causes.

Although Walker created and captained much legislation of importance to New York State and fought for principles of national interest, as in the prohibition and censorship laws, it was through two lesser bills that he gained most of his popularity as a legislator. These were the bills legalizing Sunday professional baseball and permitting boxing to a 15 round decision.

In the scale of legislative importance these laws were of a minor order, but to the mass they were of primary significance. The safeguarding of the waters of Niagara for state use, the citizen knows, should concern him deeply, but sport is within the program of his daily routine, and anything affecting that affects him primarily.

Therefore Walker became a hero of New York State when he helped to make it possible for the workman to watch a game of professional baseball on Sunday. And he became a hero of double stature when he brought real boxing within the law.

Many men had tried for years to put Sunday baseball and decision boxing on the statute books. They all failed. Walker succeeded only because he loved both games and because he had the winning personality and conciliatory skill to turn aside the obstacles which stopped the others. These two measures later influenced

similar legislation in the other states—particularly the boxing bill—so that it may be said that when New York legalized Sunday baseball and boxing the sport lovers of the entire country were benefited.

The history of the Sunday baseball law began on a Sunday afternoon in August, 1918. The Cincinnati baseball club, led by the revered Christy Matthewson, and the New York Giants, under John J. McGraw, played a benefit game for the families of the 69th Regiment at the Polo Grounds in New York City. Money was charged for admission, and forty thousand people crowded into the park to witness the contest.

The New York Sabbath Society, watching with hawklike keenness for any demonstration in favor of Sunday baseball, promptly invoked the law, and the police arrested McGraw and Matthewson on the charge of violating the Sabbath by selling tickets for a ball game.

It had not been McGraw's and Matthewson's intention to make a test case of this game; they merely wanted to raise money for the wives and children of service men who were in need, and no less a believer in the sanctity of the Sabbath than Monsignor Lavelle was present to throw the first ball. In order to preserve appearances the admission charged was ostensibly for a band concert which preceded the game.

The case came up in the Washington Heights court. The presiding judge, Francis X. McQuade, was known to have no sympathy with the prohibition of Sunday baseball, but he stunned the prosecutors by not only dismissing the case but saying:

“Instead of Messrs. McGraw and Matthewson being summoned here to a charge of this kind the public owes each of them a vote of the highest commendation for lending their services gratis to the patriotic cause. Playing baseball on the first day of the week, when not amounting to a serious interruption of the repose and religious liberty of the community, is not a violation.”

The case and its outcome created wide discussion. The newspapers published many editorials, and the public seemingly became convinced that now was the time for a fight to a finish over Sunday baseball. Other magistrates dismissed charges of a similar nature. This encouraged Senator Robert F. Lawson, a member of the Republican majority, to introduce a bill legalizing baseball playing on Sunday for an admission charge.

Before anyone knew just what had happened the bill was reposing in that legislative morgue known as the Rules Committee.

At the following session of the Legislature Walker took over the fight for Sunday baseball. He pointed out the flaws in the Lawson bill, which aimed to legalize the game on Sunday for the entire state, and introduced another measure, containing a local option clause. This gave to each community the right to permit or prohibit Sunday baseball, as it wished. He knew that New York and the larger cities in the state wanted Sunday baseball; therefore this provision would help those legislators who wished to conciliate the reformists in the smaller communities and cause no inconvenience to the urban citizens. A copy of the bill for sponsoring in the Assembly was given to John Malone of Albany, a Republican friend of Sunday baseball.

Despite this modification an intense battle now began. The Sabbath Society brought out its heaviest artillery, for it knew Walker and his tactical skill. It is hard to realize today the length to which the pious gentlemen who led the opposition to the bill went to defeat it. They even took advantage of the war and brought an entirely irrelevant racial prejudice into the situation. They widely circulated a pamphlet in which the following argument appeared:

“There are three kinds of Sunday:

“1. No work, no play—Puritan. Long since discarded.

- “2. Commercialized holiday—Berlin way.
- “3. Individual and domestic rest and recreation—the American plan.

“Which do the people want? Possibly a few may advocate the first. There are a large number of Germanizing people who are clamorous for the second, but their noise is all out of proportion to their number. The substantial citizenship of all faiths and occupations who give character to our country uphold the third. . . . If our Legislature gives us commercialized baseball on Sunday it would mean that we should have a Germanized Sunday. The question then is: Shall we let a Berlin Sunday replace our New York Sunday?”

Walker demolished this piece of blatant demagoguery and whipped the Senate into a mood favorable to the bill by his sincere enthusiasm for baseball as a wholesome sport.

Still the opposition was intense. The measure would be the first actually to legalize a paid amusement on the Sabbath, and many of the legislators were feeling chill about the toes. Though he put all the fervor of his dramatic and biting eloquence behind the bill and confounded his opponents with the lashes of his cutting satire, there was still a doubt as to what the members would do when the test of voting came.

Walker had quietly observed one of the opposition delegates, a clerical gentleman named Dr. Harry Bowlby. Bowlby was the secretary of the Lord's Day Alliance, a young organization which, though having the same aims as the historical New York Sabbath Society, differed from the latter body in that it frankly came out for a closed Sunday on religious grounds, while the Sabbath Society stoutly maintained that it fought to prevent the workman from being forced to labor more than six days a week.

Bowlby was zealous, impetuous and unschooled in the diplomacy of the rival Society. Walker generously

encouraged him to voice his opinions and at the crucial moment had the satisfaction of hearing Bowlby speak the words he had hoped for. "I represent seventeen church denominations," he said belligerently, "and I demand that this bill be defeated."

A dismal groan came from the ranks of the opposition. Dr. Henry Ward, an old campaigner for a closed Sunday, murmured to a colleague sitting next to him: "That does it."

It did. The antagonists of Sunday baseball had built up their case on the principle that it legalized Sunday labor. Now Bowlby had suddenly injected the religious issue. Some legislators resented the implied threat in the reformer's statement; others feared the effect on public opinion of this prospective church domination. Between them Walker could extract a majority for the bill, and it was passed.

Certain of the Senators made great sacrifices in voting for Sunday baseball, moved entirely as they were by the persuasiveness of and friendship for Walker. One in particular was N. Munro Marshall, a picturesque gentleman of the longish hair and goatee class. Marshall was converted to Walker's baseball credo despite the fact that he came from a Methodist country district that was entirely opposed to all forms of Sunday recreation, and because of his vote in favor of the bill he was refused a renomination to the Senate. He was saved from political obliteration only by the action of his legislative friends who procured for him the post of State Treasurer.

With the baseball bill as a precedent Walker in the same year sponsored the Sunday movie bill. Movies were shown on Sunday in New York communities before the enactment of the new law, but this was done under a cloak of subterfuge and under the threat that the theatres showing them could be closed any hour. Walker's bill gave Sunday movies legal protection.

In the same year, too, Walker introduced the boxing bill.

As with the baseball legislation, many unsuccessful efforts had been made to legalize fifteen round boxing to a decision. Walker became interested in such a measure through an Englishman named William Gavin, who established in New York the National Sports Club, an athletic institution modelled after the famous sporting clubs in England. The club was located at 41st Street, between Sixth and Seventh Avenue, ten blocks below the present Madison Square Garden. Gavin had the backing of such men as Major Anthony Biddle, and Walker was often invited to the boxing matches. He became so convinced that professional boxing as a sport would meet with general approval, if conducted on a sportsmanlike basis, that he agreed to introduce a Legislative bill.

This measure proved unpopular because Walker, in his effort to make boxing a thoroughly clean game, placed the sport under a Board of Control consisting of representatives of the Army and Navy and of civilians.

The following year he introduced a new bill which is today considered a model of its kind. It was backed by Biddle and Admiral Sims and provided for decisions by a referee and two judges. It also extended state licensing—and therefore control—to all persons officially connected with boxing bouts, such as referees, judges, boxers, managers, trainers, seconds, physicians, etc. Three commissioners were to act as an executive body.

But though a model measure supported by distinguished men and popular opinion, its passage appeared very doubtful. Walker had a conference with Major Biddle and expressed his fears.

"However, there is one thing that might be of great help," he said. "And you can do it."

"What can I do?" Biddle asked.

"Find out if the clergy approve of this bill," Walker replied.

Soon after that the Major sent telegrams to all the Biddle bible classes and about a thousand responses



from clergymen and those having church influence were received, all expressing the thought that boxing was a fine, clean sport. In addition, a number of ministers came to Albany to personally testify to the merits of boxing as a sport. Incidentally, they were so impressed by Walker that they asked Biddle if there was anything else they could do to help him.

With this backing Walker was finally able to pass the bill and make it into a law.

The Walker boxing bill created not only a new public recreation but a new industry in the State of New York, the extent of which is realized by few. Speaking at a dinner in the Hotel Commodore in 1925, Walker touched on this phase of the sport:

“The revenue from boxing was the last word, the last letter in the argument, for the reduction of the State income tax. After the legislation had gone over every possible source of income, had cut every penny, and the reduction hung in the balance, it was the revenue the State derived from boxing that made it possible to balance the books and enact the tax reduction legislation.”

Undoubtedly the most important work in which Walker participated at Albany was the passage of the child welfare bill, first promoted by the late Sophie Irene Loeb and introduced into the senate by battler Marty McCue. It is his least known achievement, for it was not accompanied by the acclaim that usually follows the passage of a more spectacular law.

The welfare of children has always interested Walker, perhaps to a large degree because his marriage has been childless. As early as 1916 he introduced a quixotic bill into the Senate which prohibited owners of apartment houses from discriminating against tenants with children. Four years later he helped to pass that humane measure which compels municipalities to create child welfare boards with appropriations for the support

of widows with dependent children. It is a law which enables a widow to keep her children at home and support them from municipal funds, instead of being forced to see them removed to an institution. One of Walker's speeches expresses his views on this problem:

"Orphan asylums have been of immeasurable service, but they cannot take the place of a home. It is trite,—but all great truths are trite—that to the child no one can take the place of its mother, and to the mother there is no one to take the place of her child. When you consider what it costs to maintain a child in one of those institutions you wonder why communities did not adopt the plan of merely paying the mothers enough to permit them to rear the children in their own homes."

This conviction Walker later carried with him to the office of Mayor of New York City, and largely through his efforts widows' pensions in that city have been increased to almost double the original amount.

Walker's name was associated with a great deal of other important legislation. He was engaged enthusiastically in the repeal of the infamous Lusk Laws which took away liberty of belief from school teachers. He bitterly fought book censorship. He opposed private utilization of State water power and introduced the bill that forced the members of the Klu Klux Klan to unmask, thereby creating an insurmountable obstacle to its existence. In connection with the latter measure he said:

"If I must choose between a Communist and a Klansman (there was at that time a great agitation in the legislative halls of Albany over the reputed activities of a Red Ogre) give me the former. The avowed opponent of our American institutions operates in the open. He proclaims the fact that he is against the government as it is. On the other hand I have no use for the alleged simon-pure American who traces his ancestry back

through several generations of native stock and puts on a hood of the Klu Klux Klan. He does more to subvert American institutions than a host of Communists."

Walker was active in securing legislation giving the so-called Home Rule to New York City; he proposed the dollar gas measure (limiting public utility companies to charging no more than a dollar per thousand cubic feet of gas) and introduced and sponsored bills safeguarding workmen from accidents, providing city employees with fortnightly paydays instead of monthly; curbing loan sharks, increasing the penalties for drug vending and creating a stricter supervision of drug addicts than was heretofore known in the State, insuring civil servants against removal, and providing membership for women in party committees.

As in his later Mayoralty work, he gave much of his attention to hospitals. Medicine has always appealed to Walker; he has an intuitive sense which enables him to grasp problems associated with hospitalization that would be obscure even to a cultured layman.

During Governor Nathan Miller's administration the appropriations for the maintenance of the state hospitals were submitted to the Senate for approval. As he examined this budget item it seemed to Walker that it was insufficient to provide for proper nursing service. Assurances by administration spokesmen that the patients had all the necessary care did not satisfy him, but there was no way of disproving them without definite information. He thereupon delved into the statutes and dug out a law permitting a legislator to subpoena a state employee to the floor of the house during a hearing.

The Republican leader, Elon R. Brown, was surprised when Walker requested that Fred Higgins, head of the Hospital Commission, be summoned for examination. The leader maintained there was no authority for such a hearing. Walker explained the law. "I never heard of it," retorted Brown.

Walker was tempted to reply that neither had he, but he sent for the code instead, and Brown learned something new about his legislative privileges. He had to agree to call Higgins, and that gentleman duly appeared.

"Commissioner Higgins," questioned Walker, "do you believe that the State hospitals are being furnished adequate nursing service?"

Mr. Higgins replied slowly, "No."

"And do you believe," continued Walker, "that the appropriations under consideration are insufficient to allow for an adequate nursing service?"

"Yes," replied the Commissioner.

The next day Governor Miller asked for Higgins' resignation, and the following Sunday Walker, accompanied by Senator Donohue, afterwards Supreme Court Judge, and State Budget Director Wilson, appeared as an unofficial investigating committee at the Wards Island hospital, that institution being nearest their homes.

The superintendent received them affably and invited them to a nice lunch, but when at the end of the meal Walker asked that he and his colleagues be shown through the buildings the official refused to accommodate them.

"I like you very much, Senator," he said, "but I like my job more."

"What do you mean?" Walker asked.

"Well, you know what happened to Commissioner Higgins."

Against such an argument there was no reply. On the following evening, when the Senate resumed its sessions, Walker rose to a question of personal privilege and made one of his ringing Monday night speeches. He alluded to the Governor as "Nathan the First," an autocrat who removed public officials for stating the truth and instilled such fear into the hearts of other incumbents that they refused the elected representatives of the people even the opportunity of visiting state insti-

tutions. He then related his experience at Ward's Island.

The speech caused a flurry in Albany. The appropriations bill was put over for a week, Miller denied Walker's charges and said he was free to visit any state hospital.

The next Sunday Walker again came to Ward's Island and was readily escorted through the institution.

"So long as the Governor okayed your visit and the matter is known," said the superintendent, "it's all right with me."

The result of this investigation brought an improvement of the nursing facilities in all state institutions.

\* \* \*

More than any other man who served in the Legislature of New York Walker colored its record with anecdotes. Every Senator and Assemblyman who served with him, and every old Capitol attendant, brightens with mellow memories when the name of Jimmie Walker is brought into conversation.

One of the best-remembered incidents in the Walker saga was in connection with a spectacular display of resourcefulness which occurred during the session of 1923-1924, when the Democratic Senators had a majority of one and Walker was President pro tem.

How this majority was obtained is in itself a unique story. On the rolls Walker had twenty-six men against the opposition's twenty-five, but it seemed impossible to get them together at one sitting. During this 1923-24 session Walker was startled one day to find that he had succeeded in congregating no less than twenty-five of his colleagues. Hastily emissaries were sent out to discover the twenty-sixth man. They returned with the report that he was John H. Hastings and that he was at the moment laid up in his Brooklyn home with an attack of the grippe. In desperation Walker sent a message begging him, if only possible, to take the train and

come to Albany. Like a good legislative soldier, Hastings wrapped himself in woolens and departed for the battle-field. Arrived at the Ten Eyck Hotel in Albany, he became worse and was forced into bed. Still he insisted on obeying orders and was brought into the Senate chamber on a stretcher.

Walker now had his majority. It so happened that Lieutenant Governor Lunn was also ill and remained at home. This made Walker President pro tem, and he took an unusual advantage of the situation. Invoking the Cloture rule, which barred every member from leaving the chamber without the approval of the President pro tem, he proceeded to pass every bill that had been promised in the Democratic campaign platform. To do so he kept the Senate in session until dawn and hung a weight on the clock to prevent the hands from moving beyond the legal limit of twelve o'clock, midnight. Hastings was kept in an ante-chamber when he was not required to vote, and the sight of the sick man being trundled into the chamber periodically to mutter an affirmative aye or weakly raise his hand was long remembered by every legislator. Walker was deeply impressed by Hastings' fortitude.

The grind was so merciless that first Minor Wellman, the reading clerk, and then Ernest R. Fay, the deputy Clerk, lost their voices reading the bills. When Fay began to croak hoarsely and then went silent Walker left the presidium and took his place, thus performing three functions at the same time—that of majority leader, President pro tem and reading clerk. Eventually he, too, lost his voice, but not until the sine die had been reached.

This remarkable feat won the admiration of Governor Smith, who, while holding a hearing the next morning on an application for the reprieve of a murderer sentenced to death, turned to a group of New Yorkers present in the reception room with the remark:

“What do you think of Jimmie last night? He pulled

off a coup unequalled in the history of the Legislature."

One of Walker's Albany friendships had its inception in a curious incident. During his second year in Albany the Senator in question was stopping at the Ten Eyck Hotel and heard one evening the desk clerk inform a new arrival that all the rooms were occupied. He recognized in the stranger James A. Higgins, a newly elected Senator and hurrying over, invited him to share his room, an invitation which Higgins thankfully accepted.

The next morning the Brooklyn Senator, who was a devout Jew, woke up with an embarrassing thought: how was he to go through his morning prayers in the presence of a stranger? The Jewish matutinal ritual requires the donning of phylacteries—yards of leather thongs which are wound about the forearm and the head—and is a ceremony which must seem peculiar, to say the least, to one not knowing its significance.

As he lay staring at the ceiling, wondering what to do, Higgins woke up. Noting that his bedmate was awake, he greeted him with a cheery "good morning," hopped out of bed, and calmly kneeling down by the side of the bed, clasped his hands and bowed his head in a Catholic prayer.

Much relieved, the Brooklynite began his own prayers, and anyone coming into that room would have been startled by the strange sight of a Catholic and a Jew engaged in prayer, one on his knees and the other with his face to the East and his bare left arm encased in leather.

The incident was reported to Walker by Higgins. Walker has a great admiration for anyone remaining loyal to his principles, be it religious or ethical, and he was immediately attracted to the Jewish Senator.

Walker's strategical moves in the Legislature were usually made through sudden inspiration. On one occasion he was talking on a bill when he heard Senator Billy Campbell ask: "Will the Senator permit an interruption?"

Interruptions were always welcomed by Walker, for they granted him a pause during which to gather additional mental ammunition. But he did not like Campbell's request. Campbell was a Senator from the Niagara district, a very small man physically, but possessed of a fine intelligence. Walker knew that Campbell interrupted only when he had something to say, and that his interruption usually proved embarrassing to the man interrupted.

Walker therefore availed himself of his right to deny an interruption and went on with his address. Campbell's voice again broke in, with greater insistence. Walker paused. An idea suddenly came to him and he turned to the chair.

"Mr. President," he said, "I never refuse an interruption unless the honored member has failed to subscribe to the rules."

"What rule am I breaking?" inquired Campbell.

"The Senator has failed to stand when addressing the chair," Walker replied.

"But I *am* standing," retorted Campbell.

Walker looked at him. Campbell was indeed standing, but Campbell on his feet was no taller than a normal man sitting.

Walker shook his head: "It's no use, the Senator has been disrespectful to the chair." And he went on with his argument for the bill.

Campbell protested that he was standing and finally jumped on his chair, but Walker blandly ignored him and went on in a louder voice to finish what he had to say.

It was a comical scene and the Senators were laughing, but the fact remained that Campbell did not get a chance to interrupt.

Although Walker has a vast knowledge of the rules of the New York Legislature—which are contained in a book of about six hundred pages—he seldom studied them. Often, to meet an unexpected situation, he



invoked a certain rule. No one had ever heard of the rule, nor had Walker, but when the manual was brought out some such rule was there. In the keenness of his comprehension of governmental procedure he simply thought that such a provision should have been devised. He learned the legislative rules—as many of his father's countrymen learned to fiddle—by ear.

An example of this faculty occurred one day when, after great difficulty, he succeeded in having a certain bill passed. Under the rules of the Senate it is possible to ask for a reconsideration of a bill even after its passage, if a motion to do so is passed within reasonable time after the vote. After the bill was passed and Walker sat down in relief he noticed the leader of the opposition scurrying around the chamber talking to this and that Senator. He immediately surmised that his opponent was trying to change a few votes preparatory to asking for a reconsideration.

Without letting anyone know what he was about to do, and without knowing whether it was permissible to do what he intended doing, Walker rose from his seat and walked leisurely around the chamber to the back of the clerk's desk.

"I should like to have that bill certified at once and transmitted to the Assembly," he said. The clerk looked up from his work. It was an unusual request and he was too rushed with more immediate business to favor it.

"What's the hurry?" he asked.

"I want to get it over to the Assembly quickly."

"Well, can't it wait until the session is over?"

"It can, but I prefer to have it signed now."

The clerk had no inkling of what was in Walker's mind, but he disliked to be interrupted in his work and said the bill could wait.

"I want it signed now," Walker insisted firmly. "I am the leader of my party and I have the right to demand immediate certification."

The clerk told him with annoyance that he had no such right, whereupon Walker asked him to look in the manual. A hasty search through the book revealed a rule concerning just such a contingency. The bill was retrieved from a mass of documents and signed, thus putting it out of the President's jurisdiction.

In the meantime the opposition leader had obtained what he thought was a sufficient number of votes to defeat the bill and called for a reconsideration. Walker was at once on his feet.

"Is the bill still at the desk?" he inquired. The clerk reported that it had been signed.

"With this knowledge," said Walker, "I consider the motion made out of order."

His opponents stared at him in bewilderment.

"The point is well made," the President's voice broke the silence. "The bill having passed out of the possession of the President, the motion is out of order."

A string of goddamns from the opposition violated the sanctity of the Senate chamber as Walker sat down beaming.

If needed rules were not in the manual, Walker, when he was the majority leader, put them there or liberalized existing ones, even though in doing so he helped the opposition.

His expertness in getting legislation through was the largest thorn in the side of the Republicans during Walker's service in Albany. Elon R. Brown, the Republican leader, made this the subject of a speech in the Senate.

"If he were to introduce a bill to take these beautiful Italian pillars to Tammany Hall," he said, "he would find enough votes to pass it."

Odd as it may seem, Walker was one of the few Albany legislators who received a good measure of praise from the Citizens Union, a watchful and hard-boiled organization, which has its guns trained continuously on Tammany.

“He is a resourceful and partisan minority leader,” was one of its reports, “with an excellent record of votes, who performed important service in effectively attacking much legislation against the city’s interest.”

Another of the reports reads: “A majority leader of unusual ability and adroitness. With only one vote to spare succeeded very well with a difficult job. Although better fitted histrionically and temperamentally for minority leadership he performed many real public services in handling difficult measures well. Somewhat too much inclined to adopt a partisan attitude on measures which should have been non-controversial. His record was marred by his slender support and the knowledge of what was likely to happen to his legislation in the Assembly. Record of votes on city measures excellent.”

And one of the last commentaries was: “He made a good record of votes and deserves credit for frequent personal descent on bad bills and short roll-calls. Continued to contribute services of useful character.”

When he left Albany to become the Mayor of New York City he deprived the Legislature of a brilliant figure and created a void within himself. If there is one thing to which Walker’s diversified talents unquestionably lend themselves, it is to the technique of parliamentary battle.



COUNSELLOR-AT-LAW



## I

**D**URING his services in the State Legislature and up to his election as Mayor of New York City Walker kept up his practice of law, though that practice was rather intermittent.

As an attorney he was hampered by his political activities. His long absences in Albany and his intensive work there, particularly as Democratic leader, precluded the possibility of establishing his personality firmly in the courts.

Walker's gifts as an attorney are specialized. He is essentially a pleader and a strategist; a trial lawyer, as his type is known, but with the limitation of being irked by legal details. He prefers coming into court with the spadework finished for him by others.

Walker always practiced alone, though he was associated on various cases with others. Such an associate was Joseph Warren, mistakenly regarded later as his partner.

Although limiting most of professional work to court trials, Walker would have been a good corporation lawyer had he been able to divorce his feelings from the business aspects of the law. If he can be included in any class at all Walker's class is that nearest the masses. Corporations did not altogether harmonize with his sympathies.

He served, however, for many years as counsel to packing companies and to the Motion Picture Theatre Owners of America. The latter organization, while possessing a corporate character, was not precisely in the corporation class. Theatrical interests, in general, no matter how extensive, are removed from the rigid objectivity of pure money enterprises. They have to some degree what might be called artistic temperament.

For the M. P. T. O. A. Walker was more an organizer than counsel. It was in the early days of the movie trusts when the producers were beginning to branch out into theatre owning and either crowd out or absorb at their own terms existing theatres. The organization was formed to protect theatre owners, and Walker, together with Charles O'Reilly and Sidney Cohen, assumed the work of bringing theatre-owners into the organization. Walker accomplished this purpose by lecturing to the movie men at meetings and other gatherings all over the country.

To Walker the task was akin to campaigning at election time, a work for which he was, of course, eminently suited. So successful were he and his associates, that the organization grew to large proportions. At one time it was possible for the three men to place themselves in a position where they would be the dominating force in the entire industry. But dissension due to personal feelings broke up the triumvirate, and eventually Walker left the field.

With the packing companies Walker's association began when White and Case, the well-known attorneys, retained him to defend one of the sanitary cases brought against Swift and Co. by the Health Department.

These cases originated in faulty refrigeration of freight cars and were at first handled by a noted firm of attorneys. Walker felt so confident of his ability to win the case that when he was asked what his fee would be he replied cockily: "I'll win for as much as you have paid to lose."

And he did win. He was, in fact, so successful that he soon had practically all such cases, not only from Swift, but from Cudahy, Wilson and other packers. Since he was paid a flat sum for each action his earnings were quite large.

This golden flow was halted however by Walker himself through one of his inspirational ideas.

The representatives of the packers one day came to



him with the complaint that they were spending too much money on the sanitary cases and would prefer to put Walker on an annual retainer. Walker replied that that would suit him, and then added airily that if they wanted to save money he could show them a still better way.

He pointed out that each district manager working for the packers was held strictly accountable for all wastage in his stock. If therefore meat became spoilt under his care he was prone to smuggle it through into the orders rather than risk an explanation to his superiors as to why the meat had deteriorated. The managers had found by experience that the heads of the company were inclined to view explanations of this nature with doubt, since they suspected that the deductions of "spoilt" meat in the shipments were to cover shortages arising from petty pilferings by employees.

Walker claimed that infractions due to the passing of defective stock would be eliminated if the district managers were given a leeway of ten per cent in their accountability and placed on their honor.

The packers adopted his plan. From then on Walker did not have another case. He was for a time paid a retainer but this formerly lucrative business dropped away altogether.

During the early part of his legislative career, when he was not quite so heavily involved in political leadership, a good deal of his legal time was taken up with free cases brought to his office by admiring constituents.

In one of those early trials Walker had fought what he suspected would be a losing battle to obtain from the city compensation for an elderly woman who fell on an ice-coated street.

Time after time word was brought in from the jury room that the men would not agree. They wrangled until late in the evening when the judge at last discharged them.

As the talesmen lined up before the bench they were

asked by the court what their difficulty had been. Eleven of the jurors replied they had been for the plaintiff but the twelfth man had said he would hold out against a favorable verdict until "hell froze over."

The obdurate jurymen was questioned by the judge. He replied: "Well, I know now why we are going to get 2.75% beer."

The judge was puzzled. In explanation the man pointed at Walker. "That Senator can certainly talk. He talked all these men into wanting to give the plaintiff damages, so I guess he can talk the other Senators into giving us beer."

"But why did you hold out?" the judge wanted to know.

"Well, the man from the weather bureau testified it rained, froze and thawed on the day the woman slipped. No one can keep sidewalks clear in such weather."

That was quite true. But the significance of this testimony had completely escaped everyone on the jury except this man, so distracted were they by Walker's verbal maneuvers.

Walker did some interesting work in criminal cases, and a number of these stand out in the record. They were marked by adroit defence tactics, quite in harmony with his motivating characteristics. It was in these trials that he really enjoyed himself as much as he did when he was on the floor of the Senate springing some new move to bring victory to a measure or to fluster his opponents. It was when he was defending an apparently doomed person, when he had what seemed a hopeless case on his hands, that he was spurred automatically to an achievement which often had all the color of stage drama.

One such case brought a new law to the state. Walker was defending a man named John Burton, indicted for extortion. Burton had practiced his art on a

large corporation and was so palpably guilty he had refrained from entering a defence.

Walker looked up a definition of the word "extortion" and found it to be, as near as the law agreed upon, "a threat to do an injury to or instil fear in an individual or member of a family." That was explicit enough, but Burton's crime had been against a *corporation*. An individual or member of a family was not a corporation. Could Burton be held as a law-breaker under the existing statute?

When the case came up for trial in general sessions before Judge Mulqueen Walker asked for a conference with the Judge. In chambers he outlined his defence and pointed out that Mr. Mulqueen could do nothing but acquit the defendant since the law did not cover his offense. Burton had been guilty of a moral wrong but not a legal one.

The Judge saw the point and was forced to agree that Walker was right.

"But you can't ask me to dismiss Burton on this ground," he said. "Why, if I were to make such a decision I would issue a license and grant immunity to every crook to prey upon corporations!"

"That's true," Walker assented, "but your Honor can do this: reserve decision until the Legislature opens (this was between sessions) and I'll introduce a bill changing the law covering extortion to include corporations."

The judge agreed. Decision was reserved and finally handed down when Walker effected the required change in the statutes. Thus the defendant went free and corporate bodies received a new legal protection from the state of New York.

Then there was the McMullin case. Stewart N. McMullin was a prohibition agent and a former stool pigeon on narcotic cases, who was employed by the Federal government because of his knowledge of the underworld. One afternoon, as McMullin was standing

outside the Cadillac Hotel on Broadway, he was approached by a chauffeur named Harry Charlton, who thought him a genuine dope peddler. Charlton acquainted him with the news that there was now a better racket than dope—liquor.

McMullin expressed interest, whereupon Charlton told him he knew an Italian who could sell him all the whiskey and brandy he wanted at a reasonable price. McMullin promised to raise the money for a large purchase. He then went to his chief and revealed the conversation.

A raid was planned. McMullin was given another agent named Yasselli and about eight hundred dollars in cash with which to effect a legal purchase of the contraband, but he was warned that the government expected every dollar back. A certain class of prohibition agents had developed the habit of reporting losses of such decoy sums, and McMullin was a consistent member of this class. "If this money is not turned in," McMullin heard in lieu of farewell, "you'll make it all up yourself."

The two agents met Charlton and together they drove to a pioneer Italian speakeasy conducted by Carlo Carini in an upstairs flat located in East 76th Street. There a deal was made for the sale of whiskey for the sum of \$736. Carini was delighted and treated the agents to free drinks of his best. Then the removal of the cases to the car began. Just before the final load was carried out Charlton demanded the money. McMullin said he would pay him in the car. Charlton objected. Finally the sum was paid over to Charlton, who gave the wad of bills to Carini's eighteen-year-old daughter, Malvina, for safekeeping. As he did so the agents drew their guns and ordered Charlton and Carini to "throw them up."

Mrs. Carini was standing nearby. Her husband muttered an order in Italian to get help. Mrs. Carini ran off, followed by the girl. McMullin, seeing the \$736 disappearing from his sight, and remembering his chief's

warning, leaped after the girl. He overtook Malvina as she was making a get-away through the fire-escape in the living room. The girl clutched the money tighter and screamed. Charlton came running in, with his hands still up. As he neared McMullin the agent lost his head, and his revolver went off, killing Charlton instantly.

McMullin, reporting the killing to the police, claimed Charlton was about to attack him with a knife and that he shot in self-defence.

A peculiar situation now developed. According to the Internal Revenue Act McMullin, as a Federal enforcement agent who had committed an offence while discharging his duty, was entitled to legal defence by the government. Since the state of New York had decided to consider McMullin a murderer the state District Attorney became the prosecutor and the Federal District Attorney the defence counsel.

This was the first time that such a paradox had come up in the New York courts, and the case attracted considerable attention. The trial was presided over by Federal Judge Mayer, who appointed Walker as associate to Federal District Attorney Caffee in the defence of the accused. The New York prosecutor was the former judge Alfred J. Talley.

There seemed to be considerable evidence that McMullin had killed Charlton needlessly. It was doubtful that the chauffeur had any intention of attacking a Federal officer who was holding a gun while his own hands were reaching for the sky. However, McMullin's story was that he shot in self-defence, to escape Charlton's dagger, and Walker had to make the best of it. He had been engaged by the government and was duty-bound to save McMullin if he could.

When the case went to trial the prosecution derided McMullin's tale and asked for the knife with which Charlton was alleged to have rushed at him. No such knife had been found.

There was also the testimony of the speakeasy proprietor and his daughter, who proved formidable witnesses against McMullin. The girl, particularly, testified that Charlton had been unarmed when he rushed into the living room in response to her screams.

Against this discouraging background Walker re-created a convincing version of McMullin's story of the shooting. He told how Charlton ran into the living room with dagger in hand and how McMullin, holding the girl on the fire-escape, warned him not to advance, a warning which the chauffeur ignored. Charlton reached the fire-escape and was about to attack the Federal officer. What could the latter do? He could not retreat beyond the railing. If he failed to use his gun he would fall a victim under the enraged bootlegger's knife. Therefore he fired. As to the knife, of course it could not be found in the room. How could it when it fell through the slats of the fire-escape floor? Unfortunately, no one had thought of looking for it on the street after the killing.

McMullin therefore had not committed murder, but justifiable homicide.

McMullin was in the employ of the United States government and the defence sounded plausible. Walker felt sure of winning his case when the prosecution, half-way through the trial, revealed that the prisoner had a past black enough to warrant his being put out of the way on principle. He had served jail terms for no less than manslaughter, forgery and highway robbery and most of the forty years of his life had been spent in prison. His last sojourn behind bars had been in Sing-Sing, but he had obtained his release through sending a letter to the Federal authorities predicting the famous Black Tom explosion in New Jersey. His message was ignored, but after the catastrophe occurred he utilized it in an application for parole, stating at the same time that he was a West Point graduate and had formerly served with General Pershing in the Philippines. After his release he was given a job as a Federal spy,

though how he got the Black Tom information was not explained.

Following the spreading of this record Prosecutor Talley informed the court, as a final tidbit, that neither West Point nor Pershing had ever known McMullin.

Walker went home after this remarkable session feeling that he was defeated. With such a record no jury would believe McMullin's testimony. There seemed to be but one way to corroborate it, and that was to prove that the shooting did take place on the fire-escape.

All night long Walker worried about the case. The next morning he appeared before his chief, Caffee, smiling and cheerful. He asked that he be allowed to summon a pistol expert. The permission was granted.

At the resumption of the trial Walker put on the stand a man who was an authority on the type of Belgian army service pistol with which McMullin had killed Charlton.

The state prosecutor observed this proceeding with surprise. "What are you trying to prove?" he asked Walker. "If you want to prove this pistol belonged to McMullin we'll concede it. Don't let's waste time."

"What I want to prove will develop," Walker told him and calmly began to examine the witness. What he wished to avoid most was Talley's learning his purpose.

"When a weapon of this type is fired," questioned Walker. "What happens?"

"Why, the pistol explodes."

"And what happens to the shell?"

"It is expelled."

"In what direction?"

The expert considered. "At right angles," he said finally.

Walker beamed and said that would be all.

The expert stepped off the stand and Walker dropped this part of the testimony without a word of explanation. Talley was puzzled. He suspected Walker was up to something and could not figure out what it was.

He was finally enlightened when Walker began summing up.

"Every time they ask you what became of the knife," he said to the jury, "ask yourselves what became of the *cartridge shell* fired by McMullin. If McMullin killed Charlton in the room, as the prosecution charges, the cartridge should have been found there; for, as you heard the expert testify, the shell would have been expelled at right angles, which means, within the room."

The inference was that Charlton had been out on the fire-escape to attack McMullin and that the shell fell through the slats, as did the knife.

Despite the accused's extremely nefarious record he was acquitted.

While Walker won a victory for the Internal Revenue service it was a disappointing victory for his bankbook. Because there had been no appropriation for such an unforeseen expense as this trial Walker was not paid the \$7,500 which was to have been his fee. He has not been paid yet.

Walker was also active in a trial growing out of one of the most celebrated killings in the history of New York's gangland. As in the McMullin case, a bullet was one of the prime factors in the defence scheme.

In the summer of 1923 the New York police received a tip and raided the Putnam Building in Times Square, on the site where the Paramount Theatre now stands.

The haul brought into the clutches of the law a score of criminals and among them a prize catch, Nathan Kaplan, better known as Kid Dropper, the king of the East-side racketeers.

Between the Kid and Little Augie (Jacob Orgen), another gang leader, there was a standing feud and it was assumed that the tip had come from the latter. The important thing, however, was that Kid Dropper was now behind prison bars and the police set themselves to keeping him there as long as they could.

The last-resort charge of carrying concealed weapons



was lodged against him and an accomplice, George Katz, and in due time both men were brought into Essex Market Court for trial. But to the intense disappointment of the police the gangsters were discharged for lack of evidence.

The problem now was to get the two "innocent" men away without creating trouble. A number of flashy youths with well-known faces were hanging around the court and the police were apprehensive. A squad of fifty detectives and many uniformed policemen were ordered out and placed at strategic points around the building. They were under the charge of Captain Peter Tighe, an old and trusted hand at such gatherings. In command of the escorting of the Kid and his partner to the waiting taxicab was Captain of Detectives Cornelius Willemse, another veteran of criminal warfare.

When all preparations had been made the procession from the courtroom started. With Kid Dropper was his wife Irene Kaplan. Capt. Willemse led the way. Mr. Kaplan was delighted with the outcome of the trial and smiled and nodded approvingly as he noted the state of siege in which Essex Market Court had been placed for his benefit.

When they reached the curb Capt. Willemse placed the Kid and Katz into the cab and then stepped in himself. As Mrs. Kaplan was about to follow him a little runt of a fellow, drab and undistinguished, ran to the back of the cab and before anyone could do more than gasp fired three shots through the window. The Kid collapsed in his seat and the neighborhood of Essex Market Court was thrown into an uproar.

Mrs. Kaplan shrieked and leaped at the assassin. But after she had seized him she stupidly let go and continued shrieking. At this very moment Detective Sergeant James Marron was coming out of the court after having arraigned a prisoner. He saw the shooter drop his pistol and run. Tighe shouted to him: "You get the gun—I'll get the man!"

Both the gun and the man were retrieved. By that time it was found that Kid Dropper had passed on to a quieter life. No one could believe that the execution had actually taken place in the open street, amidst an army of policemen and detectives. It was an astounding crime. Only a madman or a person stupefied by drugs could have attempted it.

The killer was Louis Kushner, alias Louis Cohen, an insignificant member of Little Augie's gang and a truck driver for a laundry when he was ostensibly working for a living. Cohen freely admitted that he had killed the Dropper because he knew it was either his life or the other's. How he could have hoped to save his life by a public killing and thereby invite the penalty of a march to the electric chair was unexplained.

Cohen was probably the most unheroic figure in gangland and lived with his mother, three brothers and a sister in a squalid tenement at 164 E. 7th Street. It was obvious that he had been induced to kill the Kid. He was very proud of it, too, but when brought up for arraignment he was shocked to find that his good friends were all absent. He had been abandoned, and not even a lawyer was there to safeguard whatever rights he might still have under the law. Thus he was thrown on the protection of the court and Senator Walker and Hyman Bushell were appointed by the judge to defend him.

The trial took place in December of 1923. Cohen, the forsaken, still remained faithful to the gangster code and stuck to his story that he had killed to save himself. He related that a day before Kid Dropper's trial he had been told by a friend, Willie Silverman, that the Dropper believed it was through him, Cohen, that the police had been tipped off for the raid.

"He said," Cohen testified, "that the Dropper told him he would get me and I became so frightened that I went to a Turkish bath that night but couldn't sleep. I went out and walked the streets, went back to the baths but couldn't sleep. The next day I went down to the

court to see the Dropper arraigned. I heard the Judge say 'discharged.' The Dropper gave me a look when he reached the sidewalk. I went behind the taxicab and began the shooting."

Mrs. Kaplan, however, testified that two days before the killing she had seen Cohen in company with Little Augie and two other members of his gang near the court room, evidently planning the murder.

The defence work at the trial had been left largely to Walker. It was practically a water-tight case—water-tight for the prosecution. The best Walker could do was to obtain a second degree murder verdict. But how was this to be done with a self-confessed murderer, and one who readily repeated his confession whenever asked? His one loophole, Walker decided, was in the law itself, which makes it impossible to convict a person of first degree murder, even if a confession is obtained, unless the murder is proven.

Walker carefully planned his defence. First of all he built up a foundation of testimony to prove that the Dropper was one of the most blood-thirsty ruffians in the history of American crime. He described his favorite method of branding his enemies—a slash across the face with a can-opener (such a slash as Little Augie was stamped with for life), and went into details about the disappearance of several men imputed to him and the vicious cruelty of his rule, which created terror even in the underworld. Thus the jury could understand that little Cohen, under the circumstances, had ample cause to fear for his life.

Now he made use of something that had been ignored by everyone connected with the case. Three bullets had been found in the cab: one in the body, one in the floor and one in the ceiling. The ways of bullets, Walker observed, were stranger than that of women and jewels, but why should one have climbed to the ceiling and the other buried itself in the floor when all three were fired at close range by Cohen? The merest

pistol novice would have had a straighter aim. Still, that was more or less beside the point. There was a more important fact. Captain Willemse, the officer who guarded the gangsters in the car, reported that a bullet had passed through his hat. In proof, he exhibited a straw hat which did have a bullet hole drilled through it. Consequently, argued Walker, there were *four* shots fired, not three.

Four shots fired and only three bullets found. Where was the fourth bullet? And who fired it? It could not have been Louis Cohen, for he was seen and heard by several people to have shot only three times.

With fine, dramatic eloquence Walker bombarded the jury with that fourth bullet. Who was the man that fired it? Who killed Kid Dropper?

"We know Cohen *attempted* to kill the Kid," he declared. "But to sustain a charge of first degree murder you must prove it. If you convict him of second degree murder, or"—he took a chance—"manslaughter, we will concede it. But when you consider first degree murder—there was a man sitting next to the Dropper in the cab; four bullets were fired and only three of them by Cohen. The bullet that went through Willemse's hat might have come from Cohen's revolver—but from whose revolver came the fourth shot? The shot that may have killed the Dropper?"

The jury reacted as Walker had hoped and brought in a verdict of second degree murder.

The judge presiding at the trial was the same Alfred J. Talley who was the unsuccessful prosecutor in the McMullin case. He was outraged by the verdict and denounced it bitterly. The evidence, he told the jury, had been clear enough to send Cohen to the chair. But he was helpless and so imposed on the murderer the limit sentence of twenty years to life.

As to the mystery of the fourth bullet, it was unsolved. Some of those familiar with the details of this case were mean enough to suggest that Captain Wil-

lemse fired the shot through his hat in the alley after the murder was committed, as a prank, and boasted afterward how narrowly he had escaped death.

Walker's legal career reached its climax when he went to California to plead for Mooney's release, in the winter of 1931.

Few things Walker has done in his life aroused such intense interest as this, or such speculation as to his motives. From the moment his proposed mission was announced—a tabloid first broadcast the news through a midnight edition distributed to startled New Yorkers in the subways—there were rumors that Mooney's release was "in the bag" and Walker was being groomed for a national office; that Walker was using Mooney for a magnificent publicity stunt; that this was all part of a deep-laid scheme, the object of which would be brought out fully later. Governor Rolph's decision, however, has belied these suppositions.

During the summer of 1931, Frank Walsh and Aaron Sapiro, accompanied by Senator John A. Hastings, journeyed to California to ask Governor Rolph for a new Mooney hearing. All three had been interested for many years in the Mooney case. Hastings had been drawn into a study of reactionary movements in the United States through his fight in the New York Legislature against the notorious Lusk laws, a series of measures aimed at the restriction of the freedom of speech through disenfranchisement of school teachers sponsoring Socialism. Walsh was Mooney's attorney, the successor to Bourke Cochran, the first Mooney counsel, and was noted for his advocacy of liberalism and for his work in association with Taft on the War Industries Board. Sapiro, a California lawyer, had distinguished himself as an organizer of farm cooperatives.

The genesis of Walker's association with this movement to free Mooney may be best told through a statement which Mr. Walsh prepared for the authors. It follows:

“Several months before Mayor Walker, Mr. Sapiro and I went to San Francisco, I had met the Mayor at luncheon time at the Hardware Club; a notice had appeared in the papers at about that time, that I was going to San Francisco in an endeavor to get the Governor of California to fix a time for a hearing in the Mooney case.

“The Mayor remarked he had read that I was going to California the following week or about that time.

“In this way a general discussion of the Mooney case came up. I told the Mayor that I had been in the case for fourteen or fifteen years and gave him some of the highlights.

“At that time I had no idea, nor had anyone else that I know of, that the Mayor could be induced to go to San Francisco; in fact, he had never been thought of in that connection by me or anyone else that I know of.

“He told me then that he had read about it from time to time; that he had not gone into the details, but that he had lately read editorials in the press which impressed him with the fact that Mooney must be innocent.

“About that time the newspapers were carrying stories about Mayors of Cities, Governors of States, and Members of the Senate and House of Representatives, writing letters to Governor Rolph appealing to him to pardon Mooney.

“During this conversation I stated to Mayor Walker that I had spent over two weeks going through the voluminous record of all the trials, and including all the affidavits that had been filed bearing upon the guilt or innocence of Mooney, amounting to thousands of pages; that the only complete record of the case in existence is the one kept by Mooney and thoroughly and officially authenticated.

“I told him that after going through this record I made the following statement to former Governor Young, of California, which has never been denied nor

shaken in any of the investigations, down to the filing of the Wickersham Report:

“Without the testimony of two witnesses (now discredited), Frank C. Oxman and John McDonald, there would not be a shred of evidence to even cast a suspicion upon Thomas J. Mooney as one of the perpetrators of the crime.’

“I also told the Mayor that the Judge who presided at Mooney’s trial agreed with this statement; that he had repeatedly petitioned for a pardon for Mooney on the ground that he was absolutely innocent; that all of the living jurors had joined in an appeal for Mooney’s pardon and that Captain Mattison, present City Treasurer of San Francisco, and the Captain of Police in charge of the investigation into the explosion, had also petitioned successive Governors to pardon Mooney, on the ground that his conviction was based upon perjured testimony.

“I recall that the Mayor remarked that it was incredible that a man could remain in prison for a whole generation in the face of such facts.

“Later on while preparations were being made for Mr. Aaron Sapiro, a New York lawyer, formerly a member of the California Bar, who had become interested in the case, and myself, to go to San Francisco to plead with Governor Rolph to set the matter for hearing, I referred to my conversation with the Mayor herein detailed.

“Mr. Sapiro, who was a friend of Governor Rolph, remarked that he knew Governor Rolph had a very great respect for the Mayor, and asked me if I thought it possible that we might get a letter from Mayor Walker, along the lines of those being written by the public men and officials of the nation.

“I told him that I would ask the Mayor if he would do so, which I almost immediately did.

“The Mayor said that if I pledged him from an in-

vestigation of the record that the statement heretofore detailed about the innocence of this man was correct, that he would gladly write the letter.

"I gave him that assurance and when we went to San Francisco to ask for the hearing we had the letter of the Mayor with us.

"Governor Rolph said that he not only had great respect for the Mayor as a public official but as a lawyer of ability, and that anything coming from him we could be assured would receive his most careful and serious consideration.

"During the occasion of this visit to Governor Rolph I called upon my client Mooney at San Quentin and among the many other things, told him of the letter which we bore to the Governor in his behalf."

Walsh and Sapiro, after informing Walker of their conference with Governor Rolph, suggested that he join them at the proposed hearing. He replied he would be glad to help but did not think it would be wise for him to go. "I don't think I'm sufficiently necessary," he said.

But the movement for Walker's participation was gathering strength from diverse sources. Requests from many persons and organizations, including one from William Green, president of the American Federation of Labor, were sent to Walker, all emphasizing his usefulness in the case.

Finally the plan got into the newspapers and Walker was literally flooded with messages of approval. In one day there was a downpour of telegrams from religious organizations that embraced Catholics, Episcopalians and Jews—the latter represented by Chief Rabbi Margolies.

Walker felt confused. He had never been in such a position before. He wanted to plead for Mooney; Governor Rolph was his friend and he could no doubt obtain a hearing, and a sympathetic one, "but if I do go out, what can I say?" he asked. "What can I add



to what so many others have said, and what Walsh and Sapiro can say?"

The two days following the publication of the Walker-Mooney story were days of excitement for City Hall. The corridors were thronged with committees of various trade organizations urging Walker to go, and the reporters stood around with a tense alertness one would expect of European correspondents awaiting the issuance of, say, an ultimatum from Mussolini. In the press room the telephone wires burned with oral dispatches to city desks of newspapers.

Still Walker could not make up his mind. To his doubts of his own efficacy in the matter were added the objections of political and legal leaders, who foresaw harm to Walker from a possibly unsuccessful plea and from the wrong interpretation his action would receive.

In the meantime messages from Mooney were arriving, pleading for his intercession. As Walker was still wavering a telegram arrived from Mooney's aged mother. Walker was at that time holding a press conference with the City Hall reporters. He interrupted it to read the message. He read the first few lines, then blinked and gulped. He turned his head away and held out the telegram to the newspapermen. "Some of you fellows will have to finish it for me," he said. Irving Pinover, of the Evening Journal, took the message and read it aloud:

"November 18, 1931.

"Dear Mayor Walker:

"I am 80 years old. Afraid am breaking down at last. They want to take me to a hospital tomorrow. In the name of God and his blessed mother won't you come out to help my boy? It is my last chance to put my arms around him before I meet my God. He has been a good son to me. If you do this for Tom, you will have my prayers as long as you live.

"MOTHER MOONEY."

"That settles it!" Walker exclaimed. "Win or lose I go!"

Walker went to California as a private citizen, accompanied by three other private citizens, Walsh, Hastings and Sapiro. Governor Rolph had immediately granted a hearing, but Walker made it definitely understood that he was in no way representing the city of New York, and consequently there were to be no official receptions.

The doubts which had been voiced by Walker's advisers and his own fears were realized as soon as he arrived on the Pacific Coast. He received approval but he also encountered the most bitter antagonism. Many Californians strongly resented any interference with their domestic affairs. Their general attitude towards Mooney was that even though he might not be guilty of actually setting off the bomb in the Preparedness Day explosion he was a bad enough fellow to be kept in jail.

Most of the drama of this chapter in the Mooney case was confined to the events antedating the hearing, which in itself was quite a formal affair. The one sensational feature of it was the reading into the record of a letter signed by the jurymen of the original Mooney trial expressing belief in the prisoner's innocence and of the letter from Mooney's prosecutor, former District Attorney Fickert, in which he said it would be best to release Mooney. Both these documents were secured by the Walker delegation. The Fickert statement was obtained from him after he had been forced to listen to continual reiterations that he himself did not believe in Mooney's guilt.

For the hearing the New Yorkers had divided their task thus: Walsh was to state the facts of the evidence, Walker was to make the argument, and Sapiro was to sum up.

Both Walsh and Sapiro were intimately familiar with the technical details of the case; Walker had

been able to study it only while traveling across the continent and during the few days he was in California prior to the hearing. In addition he was handicapped by the brilliant and complete statement of the case made by Walsh. When he rose to speak, knowing that every word would be broadcast immediately to the world, he felt that there was very little left he could say. Yet he made a plea lasting an hour, extemporaneously and without notes, that moved many in the hearing room at Sacramento to tears and aroused the admiration of lawyers. It was a wonderful exhibition of memory, a supreme manifestation of his power to quickly assimilate a problem and of his mastery of impromptu oratory.

Walsh characterized this feat in these words:

“The thing that impressed me most was that his presentation of the facts in the case was one of the greatest intellectual performances that I have ever heard at the Bar during my entire experience.

“This voluminous and complicated record was replete with names, dates, locations and events, entirely unfamiliar to the Mayor.

“The first time I went through the record it took me over one month, two weeks of which I did nothing else whatsoever, day or night.

“In ten days or less the Mayor had mastered that record, and in his long argument did not forget or misstate a name, a date or a location or confuse in any way the many steps that had been taken to prove Mooney’s innocence.”

When Walker sat down after presenting his argument he looked pityingly at Aaron Sapiro. “I thought I was in an awful hole,” he said, “but you are in a worse one.”

But Sapiro, with the liberty that only a native son could take, launched into a scathing, rapier-like attack that, to the satisfaction of the New York delegation, balanced their necessarily deferential approach.

All that Walker got out of this spectacular act were some gibes at his failure to bring Mooney freedom, plus the antagonism of the considerable section of the population of the United States which still believes that Mooney should be where he is. He foresaw all this and yet decided to take a chance because an eighty-year-old mother had sent him a tearful telegram.

CITY HALL



# I

## A NEW ERA IN GOTHAM

IN 1924 political talk in Albany was enlivened by rumors that the everlasting Hylan would be replaced as Mayor of New York City by Senator James J. Walker. The rumors created no great surprise. Walker's personality caught the imagination of Democratic leaders and the people generally. In the busy scenes of active political life at Albany he was the dominating influence. His adroitness as leader in the Senate, his mental gifts and his loyalty to his party gave him a secure and conspicuous place in politics. In 1925 Al Smith, his colleague and Governor, said of him: "He has served in the Legislature for 16 years. . . . He has succeeded by the force of his personality and by the vigor of his ability in moving forward progressive legislation of benefit to the State and all of the people."

The picturesque legislator, the star of the Senate floor, extended his sway beyond the limits of the Capitol and became one of the most popular figures in the city. Perhaps more than any other man in the State he was in demand for speaking engagements. A wit of the twentieth century who did not follow precisely the oratorical precepts laid down by Webster and Clay and the rest of the forensic olympians, but who knew his neighbors intimately and could bring them to their toes in an outburst of genuine enthusiasm, Walker was a true son of New York, if ever there was one; and after his long and distinctive career in the State Legislature it was logical that he should be considered for the chief magistracy of his city.

So popular a thought was this, that any number of

New Yorkers are now jealously defending their contention of being first in predicting his eventual election. Oddly enough, actors and boulevardiers seemed to have possessed this prophetic vision beyond others. Walker first heard himself publicly heralded as Mayor of New York City at a luncheon held in a rathskeller presided over by S. J. Kaufmann, the pioneer of Broadway columnists. Hylan had then recently begun to serve his first term, and taking advantage of an opening created by one of the speakers, Kaufmann surprised the diners by announcing that Walker would be their next Mayor. George Jessel was another of the prognosticators in the early days. He was master of ceremonies at the opening of the Rue de la Paix, a night club owned by Lew Leslie. Bee Palmer was the chief entertainer—the noted Bee who, according to the best data, originated the shimmy—and her habit was to be late. On this occasion she was true to form, and the harassed master of ceremonies, stalling for time, began to introduce the various personages present, among whom were many celebrities and social leaders.

At a corner table he noticed Walker. Jessel had only a faint notion of Walker's accomplishments, but he launched blandly into an introductory eulogy of the guest and ended with the words: "I now introduce you to the future Mayor of the City of New York, James J. Walker."

By the end of 1924, however, a political situation had arisen in New York which changed the Walker mayoralty rumors into fact. John F. Hylan was serving his second term as Mayor and his wish for a third term caused a division in the party. In support of his candidacy were three Borough leaders — McCooey, of Brooklyn, Connelly, of Queens, and Rendt of Richmond. Coupled with this powerful assistance was the support of the Hearst newspapers exploiting the popularity which Hylan had established with a number of voters who devoutly believed that the Mayor was the city's dyke



against the onrush of the hungry waves of the "interests."

A candidate of unusual personal magnetism and appeal was necessary to supplant Hylan. Of all the outstanding men in the State Democratic party Walker was the one whom the leaders who were opposed to Hylan thought had the best chance to win.

The manner in which Walker obtained the nomination for Mayor is rather unique in political history. There never until then had been a Mayor of New York City who was projected for the nomination with less inclination and effort on the part of the candidate himself. Walker did not aspire to the office, although later his love for New York made him very happy that he was selected. Without a sponsor and without contributing a dollar to the campaign fund, he was chosen with unprecedented unanimity as the standard bearer after only one talk with a representative of his political organization. This representative was Judge Olvany. The interview was held at the latter's own suggestion. It bore no traces of pre-arrangement, and neither Walker nor Olvany had the slightest notion of what the outcome of it was to be. It came about in the following manner: Judge Olvany invited Walker to luncheon to discuss with him the political situation and a list of possible candidates for the nomination. In the course of the conversation Olvany produced from his pocket a typewritten sheet of paper containing the names of the potential candidates and asked Walker for an opinion on each. The latter made the general critical comment that none of the proposed nominees had the requisite qualifications to win the election.

"You need some one to appeal to the imagination of the people, to beat Hylan," he said.

The Tammany leader then asked abruptly: "Would you be interested?"

Walker reflected for a moment. "Yes and no," he replied. "'Yes,' to fight for the organization; 'no' because I am happy in the legislature. 'Yes' again because

I can beat Hylan on his principal issue, the five-cent fare. I can beat him on that because I introduced all the bills in Albany that put the five-cent fare into the contracts."

"That's just the thought we have," said Olvany.

Thirteen days before the primary Olvany telephoned Walker. "Jim," he said, "you were decided upon."

"Alright," said Jim, "if I have to go I'll go and lick that fellow."

Incidentally, Walker was in part responsible for Olvany's election as Tammany Hall leader, as he was for the election of John F. Curry some years later. Upon the death of Murphy the popular choice of the organization seemed to have fallen upon Walker. So strong was the movement to make him leader that Tom Foley telephoned him the anxious request: "For God's sake, don't come down to Tammany Hall or you'll be elected." Later he called him again and in his staccato voice cautioned him: "Don't go. Don't come."

"No, Sheriff," Walker replied. "I've no intention of coming down. I'm too busy."

"This is not your year," Foley added gruffly. "Next year."

That was the first intimation Walker had that he was slated for a higher position. Precisely what it was he did not know.

Meanwhile Hylan had been left in the dark as to his prospects. No one told him that he would not get the nomination and no one told him that he would. It was possible to keep him guessing because this was the first year that party candidates were chosen in the city by a primary election, and decisions could be withheld until a late moment. The organization delayed this moment as long as possible. Olvany and his associates, aided by Governor Smith, were taking no chances. They were determined to re-establish the standing of a Democratic Mayor of New York and it was not their

intention to give important information to Hylan in advance.

When the hopeful Hylan at last learned that he had been loaded onto the Tammany toboggan he made a fierce fight to retain his position. He entered the primary as a candidate and thus split his party.

It was one of the hardest campaigns in which Walker had ever been. He not only had to fight a member of his own party but one who was holding the highest office in the city and could compel support by threatening his appointees with loss of their jobs. In addition to this great advantage Hylan had three of the five borough bosses on his side.

Walker came out of the campaign weighing 110 pounds. He had to rush from one local meeting to another, held in small, stuffy places, and his weak physique almost collapsed. But he had the satisfaction of knowing that he had carried even Brooklyn, Hylan's home territory. Walker was not very well known in Brooklyn and he was greatly aided in conquering that borough by his friend, John J. Curtin, who had charge of the Brooklyn campaign. Curtin developed an ingenious plan whereby a band of volunteer workers combed Brooklyn on Walker's behalf, and without making any political promises, and with less financial expenditure than in any previous campaign in the history of Brooklyn, they turned the formerly antagonistic electorate to the Manhattan candidate.

After the primary he had to plunge immediately into another campaign to fight one of the most publicized names in the world, Waterman, the fountain pen manufacturer, who was the opposing mayoralty candidate. He had not much difficulty in winning, but the drain on his vitality during the two campaigns was terrific.

Walker won under the auspices of Tammany Hall, and he had no hesitation in proclaiming this fact. Whatever others had to say of this organization did not affect him. Far and wide he declared himself a member of

Tammany, and if one did not like it one had the option of not voting for him. He was offering himself on his merits, on his record. Tammany Hall, to him, was a political society which had achieved sufficient strength in the city to enable it to put before the people a set of candidates for office. Any other organization could do the same by complying with the election law. There was no mystery about Tammany. That was his story, and to drive home the point he said, when most of the returns on election night were in and a great crowd had gathered in the wigwam to greet him: "It is gratifying to know that for the next four years the people of New York have placed their affairs in the hands of Tammany Hall." There was no attempt at camouflage, no attempt at fence-straddling. He was a Tammany Mayor and he thought a Tammany Mayor could serve the city well enough to be honest about it.

Just before his induction into office, Edward Stanton, then Walker's secretary, received a telephone call from Sinnott, Hylan's secretary. "Does Walker intend to roast the old man at the inaugural ceremonies?" he asked. "If he'll do that Hylan won't come."

Hylan had not conducted his campaign against Walker on purely political issues. He had bitterly assailed his opponent on personal grounds and had even gone so far as to state at a meeting of a woman's organization that he wouldn't mention Walker's name in their presence. But Walker is constitutionally unable to carry a grudge, and so he told Stanton to convey the message to Sinnott that nothing was further from his intention than to say anything derogatory about the outgoing Mayor. And in fact, in his inaugural address Walker lauded his predecessor.

Later Walker even made Hylan a judge, so that a former incumbent of the highest office which New York City has to offer should have a retirement to some degree commensurate with his past dignity.

There was thus a strange interlocking of the two

men's lives. Because of Hylan, Walker became Mayor, and because of Walker, Hylan could remain in public office after his defeat.

The press of the city seemed happy over Walker's election. After he took office in January, 1926, all the papers carried headlines expressing wonder at the new spirit of harmony and peace and expeditiousness which he had brought to City Hall. The *Times*, in an editorial published on January 23rd, 1926, said:

“At the beginning of Mayor Walker's fourth week in office the good people of New York still find themselves sitting up with a shock and wondering what queer city it is that figures so largely in the morning papers. It is a city whose mayor has developed the most extraordinary habits and practices. When he wants to discuss matters affecting the commercial future of the port of New York he gets in touch with the Chamber of Commerce. When he decides to look into transit matters he makes an appointment with the Transit Commission. When he is interested in streets and traffic he establishes communication with the Merchants' Association. The climax was attained when Mayor Walker, desiring to ascertain what might be done to improve the subway service by enlarging three platforms at local I. R. T. stations, actually invited representatives of the I. R. T. to meet him in conference. What this extraordinary public official will do next is not to be predicted.”

The business men of the city were as emphatic in their approval of Walker as the electorate had been. Soon after he assumed office twenty-five hundred of them gathered at a banquet in the Astor Hotel to honor him. They were leaders in the various fields of industry and commerce and included Morrow, then still merely a partner of Morgan; Patrick Crowley, the former president of the New York Central, and Otto Kahn. It is said that it was on this occasion that Morrow, stirred by the enthusiasm displayed at this dinner and by the

polished skill with which Walker made his address, began to feel the first promptings of political ambition.

The New York *Telegram*, reporting the event, commented:

“Looking over more captains of all sorts of industry than had ever gathered in one place to pledge their support to a new Mayor, Mr. Walker broke with the Hylan tradition when he said, ‘There is no man in any given activity, no representative of any interest, that I’m afraid of and that I do not welcome an opportunity to sit down with and talk over the business of the City of New York. May I not say to you, as I have said to the New York Chamber of Commerce, that I shall always recognize, as far as it is given to me, the representatives of the six million people who go to make up this community?’ ”

Although Walker was naturally unsuited to sit behind a desk, he made a prodigious effort to “systematize” himself, as he called it, and succeeded to an extent that gained the sincere admiration of the most caustic critics of the municipal administration—the civil service employees. These hard-boiled veterans generally agree that Walker can do more in one hour in his office than any other Mayor they have known could accomplish in half a day.

If the City gave Walker an ovation on his becoming Mayor his old associates in the Senate were no less enthusiastic; and what is surprising, their enthusiasm was unanimous, both parties joining in a wholehearted love feast that dazzled the new Mayor and almost brought him to tears.

This reception occurred when, about a week after he had assumed office, he went to Albany to plead tax-exemption for bonds with which to begin building new subways.

He came to the Senate on a Monday night—a night similar to those on which he had for so many years thrilled and entertained visitors to the legislature. He

walked in and took a seat he had occupied as minority leader, considerably left vacant for his use.

The Senate was at the time occupied in debating some measure. But as the members caught sight of him there was a great outburst of applause. A reporter for the *World* telegraphed his paper that "It was an outpouring of expression of friendship such as the old chamber had never before witnessed." This was true. True, too, that on very rare occasions was such honor bestowed upon a guest of the Senate. Theodore Roosevelt, when he was Vice-President of the United States, was accorded it, as was also Elihu Root, as Senator. It was a tribute which a body of legislators feel moved to give only to a man whom they esteem and like enormously. They told Walker he was such a man.

John Knight, the Republican leader of the Senate and a gentleman who by no means had endeared himself to New York City's Democracy, arose when the applause quieted, and addressing himself to Lieutenant-Governor Seymour Lowman, then presiding, said:

"Most of us do not carry our feelings on our sleeves and so we may be pardoned for saying something about one of our fellows in his presence."

Then Mr. Knight plunged into a long eulogy of Mayor Walker who sat nearby blushing, fidgeting and wondering in turn.

"His success did not come by chance," the Senator went on after an outburst of approving handclapping had interrupted his laudatory flow. "What are his outstanding characteristics that are responsible for it? The things that have impressed me individually are these: His geniality—I mean by that his ability to approach and be approached by people with whom he comes in contact; his wonderful ability to grasp and understand problems quickly and solve them rightly; his exceptional wit and ability in debate; and his loyalty and integrity."

When Knight had finished the Lieutenant-Governor

instructed the Sergeant-at-arms to "conduct the distinguished guest to the rostrum," which was done, and sitting next to the presiding officer Walker heard himself addressed by Lowman: "I want to say to you, Sir, that no matter how high on the ladder of fame you may climb, to your old colleagues and associates here in the Senate you are always going to be Jimmie Walker, and we are glad to welcome you here tonight in this House."

Quite dazed as Walker was by this unexpected reception, he was yet sufficiently himself to begin his reply with a joke. "I don't know when, in all my experience," he said, "I have been quite so touched as tonight. The Senator from the 44th (Knight) has moved me before but never to the extent of feeling a lump in my throat."

He paused until the laughter at this sally subsided and then made a confession. "No place that I shall ever go to and nothing that I shall ever experience shall be quite like the atmosphere of this Chamber that I love so much. Here I have spent my happiest days, even to the exclusion of childhood and school days. I love this Chamber and, believe me, I hated to leave it. I can think of no place in the world, no avenue of entertainment, of any agency coupled with service that can ever bring me the same personal satisfaction that I found in that middle aisle. I never served with a man in this Chamber nor the one down the corridor (the Assembly) that I have ever forgotten. It is sort of cloistered here, away from home and away from everything else. We live together—but it is the indication of a Democracy and of representative government that, whether for party, or personal, or some other motive, we may quarrel all day but we do sit down together and have dinner at night and we are still great friends."

In the fulness of his heart he would have spoken on and on if Bernard Downing, Walker's intimate friend, had not called out, "When you have come to a period, will you please sit down?"



Walker broke the thread of his address for a moment, bore down on Downing with that look which all newspaper reporters have learned to call "quizzical," and said:

"There have been some question marks in my life, but never periods."

In his expression of gratitude for the reception was adroitly included a remark that later on he would ask the gentlemen of the Senate to "help his home town" in some problems which were pressing upon it, and it was easy to see that the gentlemen of the Senate would be heartily disposed to meet their old colleague half-way.

This sort of talking from a Mayor of New York was a novelty to the legislators. They had been accustomed to a definite antagonism—and often to rowdy bluster—on the part of the metropolitan Mayors, and Walker's amiable and conciliatory attitude aroused in them a willingness to reciprocate. There was a feeling in the Senate that as long as Jimmie Walker was its Mayor, the City of New York would find the welcome mat out on the doorstep of the legislative chambers. The exigencies of political life were to dissipate this happy feeling later on.

The impromptu reception ended with the presentation of a gift from the Senate of a bronze writing set which Downing said represented the love and regard and good wishes of the Senators, and the debonair blade of the Senate set out upon the career of chief executive of a city which should rightly be called a country within a country.

## II

**T**HIS new career was to be filled with all the excitement, color and achievement which are the natural concomitants of the activities of a leader placed in a large

field, in this case the governing of the Metropolis of the United States. And it is perhaps a paradox that the center of those tremendous activities that affect the lives of seven million people and influence in one way or another the lives of all of the hundred and twenty million inhabitants of this country, should be located in a dainty building, of remarkably pure architecture, built at the time when its rear wall marked the northernmost limit of the city.

The City Hall of New York stands, like a little gem in the setting of towering and lesser skyscrapers, at the very core of the financial, legal and commercial life of the city. New Yorkers have come to accept this hundred and thirty year old building as matter-of-factly as they accept the subway which roars underneath it; but visitors, if they are taken here, and if they have a discerning taste, are charmed by its genuine beauty.

This building is widely known in art circles as the finest example of Italian Renaissance architecture in America. Its fame has extended to the Beaux Arts Academy in Paris, where it is held up as a model of architectural design. Much of the beauty and symmetry with which this building has been endowed is obscured today by the ugliness and prosiness that surround it. Adorning a large public square used originally as a cow pasture, the building was placed at one end and the ground landscaped properly to set off the structure. A hundred years ago there was a lovely park in front of City Hall, with a sparkling fountain and handsome tree-shaded walks. Today the park, despite the efforts made to preserve it as such, is overrun with loungers who loll on the benches and litter it with newspapers, candy wrappings and peanut shells. A fountain designed by Frederick McMonnies—the famous Civic Virtue which set the town by the ears when it was first erected because it represented a heroic young man striding forward over the necks of pretty girls—has taken the place of the old fountain, but in summer it serves as a substitute bathing

beach for hundreds of youngsters from the east and west sides nearby. But the worst blemish is the large, jail-like building housing the post office and Federal courts which was erected at the opposite tip of the park, ruining completely the landscaping plan designed for the City Hall.

The interior of the building is a delight for both the sightseer and the historian. The first thing that strikes the eye as the visitor goes up the old marble plaza steps—the stone for which was hauled by mule teams from Massachusetts—is the most unusual object there. This is the beautiful circular staircase that ascends with the utmost grace in two winged curves towards the second floor. It is unusual because no foundation supports it. This staircase is built on the “keystone” principle, one stone binding the entire construction, giving it an imposing yet lovely effect. There is only one other staircase like it in this country—in the State House of Kentucky. The original model is to be found in the Registry House of Edinburgh.

On the floor to which this staircase leads is the Governor's Room, really a suite of three rooms, which contains the desks of Washington, Jefferson and John Adams, as well as the three unique folding dining-tables belonging to the first President which, when spread open, have a length of 27 feet. The Adams desk, if properly examined, will be found to contain a piping system leading to two outlets on each side. These pipes were connected to a cistern in the desk with fuel for illumination, the arrangement being considered a vast improvement on candles.

The history of City Hall could almost as well be followed in the changes in its lighting system as in written records. Originally the lighting was done by candles, and the architect—Joseph F. Mangin—gave generously of his talent in designing massive chandeliers that would give the effect of mounting jewels of light. Candles were succeeded by whale oil lamps, and so were

the candelabras. Then came gas and the oil lamps had to give way to a new generation of lighting fixtures. The City Hall was the first building in New York to be illuminated by gas, this precedence being due to the intense backwardness of New Yorkers in accepting the new lighting agency. To popularize the new fuel, the gas company promised to provide free gas to the City Hall for a year in order to prove its safety and superiority over oil. The offer was accepted and thus the old building became of service in promoting progress. Still later gas was replaced by electricity and new fixtures had to be installed again. This time it was possible to build chandeliers that would be replicas of those first designed by Mangin, the candles being replaced by electric stalks.

New lamps for old has actually been the story of City Hall.

The walls of the Governor's suite are hung with full-length portraits of governors of New York and distinguished statesmen, painted at a fixed price of \$500 each. Including the half-length portraits of Mayors on the ground floor lobbies, there are about ninety of these pictures in the entire building. Today their value is estimated at six million dollars. But this valuation may be increased considerably should some interest be aroused in any of the artists responsible for them. Little known artists of by-gone days have a way of suddenly developing prominence among collectors. At present the most notable painting is the portrait of Lafayette by Samuel Finlay Bresse Morse, the inventor of the telegraph, a versatile gentleman who combined in himself the artist and the scientist and who was the founder of the National Art Academy. There is only one piece of sculpture in City Hall, but it is an exceptionally fine one, a bust of Henry Clay by the American artist M. Pruden. An antique of great historic as well as artistic value is the bronze mantle-clock presented to the city by Lafayette when he returned to New York on a visit. That was in 1825 and the clock still keeps time correctly and

without a stop. In his speech at City Hall, delivered from the balcony facing the Governor's room, the Marquis made the significant remark that when he left America all the people were poor; and when he returned they were rich.

Although the Governor's Room was intended to be used by the chief executive of New York State during his visits to the city, no modern governor actually made it his office except Alfred E. Smith, who, for two years after his election, held an audience there every Saturday morning for those with grievances who could not go to Albany.

On the same floor is the Aldermanic Chamber, a handsome, mahogany-panelled hall with a modern mural, somewhat out of character with the building, and the suite of rooms used by the Board of Estimate. The main room of this latter division is a large auditorium seating about five hundred; a charming, gay, cheerful cream and mahogany chamber, with a high ceiling and glistening crystal chandeliers. Originally it was a court room, and a well located below the half-circle of raised seats for the officers, was once used by attorneys. Today newspapermen occupy it. This room provides a strange setting for the tumultuous, exciting and often very colorful proceedings which take place there.

In going down from the cheery loveliness of the upper floor of the building to the basement one notices an abrupt change in the appearance as well as the prevailing mood of the interior.

Lack of space has compelled many officers and their staffs to occupy rooms with windows at street levels. The view of walking feet from these offices is probably the best in New York. There is also a collection of dungeon-like rooms with iron-barred double doors and without windows or air. In these cells were kept the prisoners of the war of 1812. Iron trap doors in the floor, fused with grime as if they had not been opened for the last hundred years, give the impression of mysteries lurking under-

ground. It is in the dismal corridors of this basement that squads of policemen are stationed in reserve when a reception of political significance is held upstairs, or when a radical invasion of the Board of Estimate or the Board of Alderman is threatened. In this basement, too, is a slab of stone imbedded in a wall, bearing ancient and mute evidence that politics played its role in City Hall even at the time of the laying of its cornerstone. On this slab is inscribed the name of the architect, John McComb. In reality the architect was McComb's partner, Joseph F. Mangin, a Frenchman, who prepared the designs for the building. McComb was merely the building agent, a fact borne out by the minutes of the Common Council, of 1784-1831, which state: "Joseph F. Mangin drew the plan which done credit to this superstructure."

It is on the first floor, however, that the hall is really that of the City of New York. For here is the office of the Mayor. This floor is divided into two sections: to the right is the suite of the President of the Board of Aldermen and to the left, the official home of the "Chief Magistrate of New York," as Walker always designated his position. Between them is the untidy and paper-strewn room of the reporters assigned to City Hall, with a battery of desks, typewriters and telephones.

One could always tell when Mayor Walker was in his office by the crowds that congregated in the corridor and waiting room (also by the number of faces one involuntarily classed as plain-clothes "dicks"). When he was out the place reverted to the gentle languor more appropriate to its physical appearance. The crowds were composed of as variegated a set of people as the population of the city itself can boast: politicians, scholars, bankers, doctors, club leaders, idlers; people with causes, missions and dreams; people with shabby clothes and empty pockets, placing their last hope for assistance on the Mayor; people with hallucinations revolving around the Mayor and the City; people who had

calmly decided to override the cumbersome government machinery of 180,000 employees and personally bring a matter directly to the attention of their Mayor. It was an amazing gathering, replete with pathos and drama. Here was an old lady who wandered hesitatingly through the crowd with a story about her furniture and other necessary articles being six months in storage and no money to take it out; there another woman who heard something about city money and wanted the Mayor to pay her rent; yonder a foreign laborer unable to make himself understood about some grievance he had against somebody; here a young woman who held a well-paying position in a Wall Street brokerage house as an expert stenographer and whose employees did not know that she was insane until an incident revealed it and made her one of the unemployed haunting the City Hall in the hope of relief; here a woman who wanted a divorce from her husband and thought that because the Mayor can marry people he can also separate them.

These people could throng only the lobby, the waiting room and the large, parlor-like reception room that adjoins it. They could also sit on the cream and brown benches which are saved from being worn through only by the fact that they are made of stout mahogany. But to walk through the closed ornate double door with the filigreed handles they had first to pass through several ranks of custodians of the Mayor's sanctum. First there was the squad of three police officers to whom they stated their business. Those were headed by the handsome, elegant, diplomatic and traditional Captain O'Connor, known by the uninitiated as Mayor Walker's body-guard and by the initiated as his police aide. Occasionally his work was varied by ushering in a visitor through the ornate door. But only very occasionally. When the Mayor traveled, in the City or out, O'Connor was always with him. His ingratiating profile has been snapped in many a newspaper, usually taking precedence over the Mayor's because, being seated in front of

the car, he would get into the foreground of the picture.

Next to O'Connor was Captain Howard, who knew the Mayor as a boy, and who held the position of a confidential, plain-clothes aide. The third officer was Perrin, who clipped the newspapers for the Mayor's voluminous collection of scrap books—about eighty gigantic volumes at this writing. Perrin was a middle-aged, patient soul, with a policeman's heart forced into the mold of a diplomat, and bearing up as well as he could.

Beyond these three were the Mayor's confidential secretary, Miss Evelyn Wagner, a niece of U. S. Senator Robert F. Wagner; his personal secretary, George Collins; his executive secretary, Judge McAndrews; and finally, the Mayor's assistant, Charles F. Kerrigan, the least known and the most influential of the staff, a keen executive and astute advisor, who is high up in the councils of Tammany Hall.

Miss Wagner had charge of matters not having directly to do with executive work; Collins was in command of the Mayor's business and official calls, and McAndrews was in charge of executive arrangements.

Having run the gauntlet of these people, one finally came to the sanctum of the Mayor. This is a rather plain room at the end of a short corridor, reached through a large ante-room with a throne-like chair which serves as a smaller reception room for notable visitors. There is nothing particularly to distinguish the Mayor's office from thousands of other offices belonging to executives. The only unusual feature is a little rustic garden of live plants, installed by the Park Commissioner. During Walker's incumbency there were only three photographs in the room, one each of his mother and father, standing on his desk, and one of Governor Smith, hanging on the wall facing the desk. Although Walker sometimes dressed in his office for an evening function, there is no dressing room, bathroom, or any of the modern facilities in Room 9, City Hall. The desk is of walnut. Its surface is usually scattered with papers, as is the



average business executive's desk, and the chair is a plain swivel covered with black leather.

A simple office and a simple desk, but what lines of control lead from them!

### III

#### THE MUNICIPAL THEATRE

FOR an adequate picture of the dynamic qualities of Jimmie Walker as an executive and a proper appreciation of all the facets of his sparkling personality, one had to visit the sessions of the Board of Estimate.

The Board of Estimate chamber is the theatre of the City administration. It has a stage and an auditorium. On the stage are the members of the city cabinet, headed by the Mayor; in the auditorium (seating about four hundred) are those smart New Yorkers who have discovered the Board of Estimate. The performance is put on by the cabinet, and, under Walker, was richly provided with entertainment, information and dramatic situations; in other words, ingredients of a perfect theatrical performance.

It is in the Board of Estimate chamber that the business of the city is really transacted. All other divisions of the municipal government merely carry out the orders issued by this Board. At the same time incidental complaints are disposed of and disputes settled, in almost all cases, by the Mayor.

The Board meets every Tuesday and Friday at eleven o'clock and continues in session until any hour in the afternoon or evening. All the items on its three or four hundred page calendar are open to discussion (argument might be a better word) both by the officials and by the tax-payers and citizens, and thus the opportunities for a "show" are provided. While it has become almost tra-

ditional with the average New Yorker to display a prodigious amount of apathy to his city government, it is truly surprising how many citizens feel it their bounden duty to appear before the Board of Estimate to express their opinions. Between these expressions and the reaction of the Board (concentrated vocally, during Walker's administration, largely in the Mayor) flows a tingling current often having an exciting effect on the spectators. And when factional friction develops there take place explosive outbursts from the auditors.

The Board is vested with the responsibility of spending huge sums annually (in 1932 the budget was almost seven hundred million dollars), and that is no matter for levity. It is these tremendous expenditures which keep the million wheels of the city moving, and the manner in which they are applied concerns the welfare of each one of the over seven million inhabitants of the metropolis.

During Hylan's administration the Board of Estimate chamber was the scene of fierce battles, generally confined to the small area on the circular platform provided for the chairs of the Mayor and the Comptroller. Hylan and his secretary of the treasury, Charles Craig, were the star performers in those days. Their most telling line was, "Send for Dr. Gregory!" enunciated by one or the other, according to the exigencies of the situation. The doctor thus metaphorically appealed to was Menas Gregory, the well-known head of the psychopathic ward of Bellevue Hospital.

With the advent of Mayor Walker, the Board of Estimate returned to its normal function to which, however, Walker's picturesque personality lent warmth and color. His assumption of the chairmanship also brought with it a more liberal attitude toward the public, citizens being given a greater freedom of appearance than was customary under the arbitrary conduct of previous administrations.

It was in the Board of Estimate sessions that Jimmie

Walker became the "natural" Mayor of a great city and a leader of unusual force. Here he revealed an astonishing grasp of all the multitudinous subjects brought up for consideration; here, too, he was the wit who rarely missed an opportunity to make an amusing or pointed remark, the orator who gave completely impersonal and erudite disquisitions on some phase of city government; the parliamentarian who kept a body of legislators working toward a desired objective with a dispatch that would make the hearts of the compilers of Cushing's Manual glow with gratitude and admiration, the strategist who got what he wanted in the face of the most violent opposition, the conciliator who never let anyone get away with a brown taste in his mouth.

Here in the Chamber one began to appreciate the reasons for the popularity and the influence of this slender man of medium height in the expertly tailored business suit. Here one saw not alone the Jimmie Walker who scattered wisecracks and had an apt word for every occasion, but the many-sided executive who had a thorough mastery of the mechanics of the government of the largest city in the world and the precious ability to lead men.

Let us drop in at some typical session of the Board of Estimate during the Walker administration. There sits the Mayor in the centre of the platform, a gavel by his side, a sort of King Solomon of Gotham. At his left is Comptroller Berry, his consistent opponent; at his right, Aldermanic President Joseph V. McKee. Flanking on each side are the Borough Presidents and secretaries of the Board of Estimate. His assistant, Charles Kerrigan, is behind his chair in the semi-circle. Both the Mayor and the Comptroller have their own police aides, who rush glasses of water or messages to them with the faithfulness of bodyguards of two rival families. The Mayor's policeman is Charlie, known throughout City Hall for his good looks. Before the Mayor, on his desk, is a microphone, which magnifies the sound of his

remarks for the benefit of the auditors in the large chamber, and the same device is used for the readings of the Secretary of the Board. The Mayor's voice is a sort of baritone, of a rusty timbre. He gesticulates excessively with his right hand, holding his palm outstretched, and has a characteristic habit of jerking downward for emphasis. He moves his chair every fifteen minutes or so and often rises when he speaks, not for effect but to relieve his physical tension. He is one of the few men in the world capable of that almost legendary feat, cocking an eye. In his manner toward those who ask for a hearing he is unfailingly polite, accommodating and attentive. He will never utter the brusque "yes" in answer to a request but will rather say "surely," or "certainly." When a speaker has finished he invariably nods his head approvingly and says: "Thank you," or "Thank you very much." He does not hesitate to show this courtesy even to the group of hecklers who have become a fixed institution in the chamber. Chief among these is Stewart Browne, a "spiritual" type of gentleman with an almost Oxfordian accent who represents an organization called the United Real Estate Owners Association. Mr. Browne is famous for his tilts with the Mayor, in which the latter is amazingly tolerant. Mr. Browne may be the butt of the unfeeling comment of other gentlemen waiting to be heard and balked because he is monopolizing all the time, but the Mayor is usually as gentle with him as one is with a petulant person who must be humored.

The Mayor appears to enjoy the Board of Estimate sessions more than any other part of his official duties; for they provide him with the zest of battle which he loves and restore to him, to some extent, his fondly-remembered rôle in the State Legislature.

With all these configurations, participants and observers in the Board of Estimate firmly fixed in our minds, let us proceed to catch some flashes of Jimmie Walker at this, his favorite job.

A gentleman from Flatbush, a Mr. Tavaloro, appears to complain that another gentleman from Flatbush has erected a garage in the middle of a site that was expected to be opened up as a street. Says Mr. Tavaloro: "I don't think he has got a permit for that garage. He bought two lots for the purpose and he knew quite well a while ago that we were going to get the street opened. He deliberately built the garage right in the middle of the street."

This is no doubt a burning question for Mr. Tavaloro and his friends in Flatbush but hardly one for the Board of Estimate of the City of New York to take up. As a matter of fact, the Board has nothing to do with the building of a garage without a permit. But Walker does not turn Mr. Tavaloro away with a cold reminder of this fact. Instead, he says to him amiably:

"What should we do about it?"

Mr. Tavaloro is a bit stumped by this frank inquiry. He thinks, then replies helpfully: "We ought to stop these people."

The Mayor now offers a solution. "Go to the station house," he says, "and make a complaint. If he hasn't a permit the police will stop the man. The Board appoints you a committee of one to report back. We will close the hearing and lay it over for one week."

Mr. Tavaloro goes away happy, and the Mayor proceeds to the next item.

This turns out to be a squabble between two opposing delegations in connection with the plans for widening Allen Street, one of the notable improvements forming a part of a later project to remove the East side slums. One of the committees holds that the west side of Allen Street should be condemned; the other that the East side is more suitable for demolition. The root of the controversy, of course, lies in the fact that the owners of whatever land is condemned will profit by it.

"There is one thing I have found out about the

street," comments the Mayor judiciously, "and that is that they vote the same way both sides."

The delegations laugh and some of the bite is taken out of the controversy.

We pass on to a gentle passage at arms between Walker and John Lynch, Borough President of Richmond, who supported Hylan in the election which made Walker Mayor. An error seems to have been made in the printing of the budget which affects the payment of salaries to a number of employees of the District Attorney of Richmond. Lynch asks that a correction be made.

"Will that be of some help to the faithful?" inquires His Honor.

"I don't know," Lynch replies curtly. "It is a correction and it would help the people who are doing hard work for the city."

"By faithful," the Mayor remarks, "I of course mean faithful to civic duties."

"Naturally," gruffly, from Lynch.

"It was so hard for me to tell for a while," continued the Mayor, "who was faithful down there and who was not."

"That is over the dam now," Lynch assures him, "and we are working together."

"It was a large dam," concludes Walker smilingly, "and it had me wet for a month. Call the roll."

("Call the roll" is, of course, the call for a vote on the matter considered.)

We now observe Charles S. Hand, former Sanitation Commissioner, asking permission to use \$1,600,000 for the purchase of mechanical equipment for coping with the coming winter's snowfalls. The Comptroller, represented by Deputy Prial, objects to the use of this money because it was intended for the payment of snow removal by laborers. Hand, a former newspaperman and used to dealing with logic, cannot understand the differ-

entiation. The Mayor does understand it, but he is in sympathy with the bewildered commissioner.

"The fact remains," he says, "that the Board is now advised that the money cannot be used. But the snow must be removed next winter. Technicalities won't remove. It is only trucks and sweepers and man power that will. I don't believe that the Sanitation Department wants to waste any time—I know the chair doesn't—arguing over the technicalities as to what kind of money shall be used to do this work. The work is going to be done. Is the Board of Estimate going to refuse to appropriate the money and decide to let the snow remain on the grounds?"

The Deputy Comptroller states that this expenditure should have been included in the budget.

"It wasn't," replied the Mayor, "like a great many other things. The question is what are you going to do about next year's snow and not about last year's budget."

It is suggested that an existing emergency fund of two million dollars be tapped for the purchase of the necessary equipment. The Mayor objects:

"That was put there for a special purpose," he explains. "That is money necessitated by the lack of food in the hospitals and the lack of some necessity of life. I am going to ask the Secretary to draft a resolution that will buy this equipment. I don't know what is going to happen to the resolution but I am going to propose it now, before the snow falls next winter and the question will be asked why we have not got this equipment."

There is disagreement, but the resolution is passed.

While this talk of snow removal is going on, a June sun is shining benignantly through the tall windows and lighting up gloriously the naturally cheerful room. The benches are half-full. The newspaper reporters are slouched listlessly in the well, below the officials' platform. Policemen stand on guard at the entrances. The lobbyists occupy the front bench, peering at sheets in

their hands or looking with weary familiarity around them.

The Mayor leaves the chamber for a while. During his absence a committee of citizens from Staten Island appears to protest against being charged \$13.50 per foot for the laying of a sewer on a certain street when the estimated cost before the construction began was \$8.00 per foot. The complainants are bitter and want relief. John A. Lynch, the President of the Borough of Richmond, which is Staten Island, is officially fathering the delegation and consequently favors the requested reduction. There is a protracted argument. In the midst of it Mr. Walker appears. He looks smilingly at the delegation and at once puts them in good humor with the greeting:

“Meet the Mayor!”

He then asks: “What is all this about? This eight dollars?”

Mr. Lynch: “This is a question for the relief of a sewer assessment.”

The Mayor: “What are the recommendations?”

Mr. Lynch: (as if the question were superfluous) “I recommend relief, of course.”

The Mayor: “Of course you do. But what are the reports of disinterested persons?”

Mr. Smith (the Chief Engineer): “The Chief Engineer recommends denial. The only relief that can be had is to put part of the cost on the entire city. This is strictly a local sewer and I don’t think that the city-wide relief is warranted.”

The Mayor (to the delegation): “Have you had a hearing?”

Voice from the delegation: “Yes.”

The Mayor: “Has everyone been heard?”

There is a general assent. The Mayor goes into conference with his assistant, Mr. Kerrigan, who is at his side. It is brought out that the total cost of the sewer



was \$12,380, a sum exceeding the original estimate. The Mayor inquires:

"What is the excess cost? Can you estimate it?"

Mr. Smith: "I should say \$1,100."

The Mayor: "That will amount to about ten percent reduction in the assessment. What was the cause of the excessive expense?"

Mr. Lynch: "The high tides, slow work. Remember, that is down at the seashore. We did not think it was necessary at first to have pile foundations but then after studying the proposition, it was apparent that the pile foundations were necessary, and then after that there was a blanket put over the sewer to protect it from the high tides."

The Mayor: "A provision applicable to the situation say: 'The Committee on Procedure of Assessments is going to recommend that in such instances as this, where there were excessive engineering costs, these costs should be adopted by the city, if they were due to circumstances over which nobody had control, like the high tides.'"

Mr. Lynch: "If possible, give them some relief."

The Mayor: "They will get relief, and they should get relief to maintain the principle and follow the reasoning of the Committee of Assessments. The question occurs upon the motion to deny the original application, but to grant a reduction of as much as the Chief Engineer estimates was the excessive costs in the engineering charge. You will have to estimate that, Mr. Chief Engineer. Call the roll."

The motion is passed upon calling the roll and the Staten Islanders are sent away, if not entirely satisfied, at least partially so and convinced that everything possible has been done to give them relief. It seems an insignificant matter, this question of a sewer in a remote part of the city, but coupled with the problem presented by the anxious group of home-owners how should it be resolved? The expense has been incurred, whether in

accord with the estimate or not; the extra cost cannot in fairness be put upon the entire city. Yet to these people this added sum seems unfair and is a burden. It requires an unusual knowledge of all the ramifications of municipal government to dig out, without notice, a distant committee ruling that would offer a solution to the problem.

Mr. Stewart Browne now comes forward, abstractedly examining a bundle of notes in his hand. He raises his head and launches into a strenuous protest against what he claims to be the excessive cost of a motor speedway. He objects particularly to certain items, the charges for which he says are abnormal.

The Mayor examines these items and discovers that they were placed in the wrong category of the itemized costs of the job, which, of course, alters the situation. He at once orders a corrected schedule to be made, and as Browne appears to be inclined to fight the matter out there and then, the Mayor tells him:

"The Commissioner of City Planning will show you the revised report and explain in detail just how much money is to be spent and what for. We can't stop everything that the city has to do today to cure something in this public way that can be done in a report. Wait until the report is corrected. That looks to me the better way to get by on a hot and long day."

Mr. Browne (belligerently): "I am somewhat handicapped in a public discussion like this. But I am not handicapped at all when it comes down to brass tacks and talks across the table."

The Mayor (amiably): "That's just where I want to put you—on the brass tacks."

Mr. Browne (losing sight of the subject in his wrath at Walker's punning retort): "Some of your commissioners I could buy up on one hand and sell on the other. I won't mention any names."

The Mayor: "That's a good way to go home healthy."  
At this point Mr. Browne quiets down.

A delegation now appears, not to protest but—a miracle!—to approve. It is led by Mr. Max Tachna, who is President of the Civic League of the Rockaways. He wishes to commend the good work done by Mr. Leonard A. Wallstein, a Republican and frequent critic of the administration, whom the Mayor appointed as a special Corporation Assistant Counsel in the matter of acquiring a public beach at Rockaway. The result was a saving to the city of about four and a half million dollars. In the course of his address Mr. Tachna comments on an editorial which appeared in the *World-Telegram*, praising the Rockaway Beach project. He says:

“Now that editorial should not have ended there, if Your Honor please. That editorial should have added a further statement that when an administration does a commendable piece of work the civic organization should be prepared to come forward and commend the official, even if the public is willing to cry for a victim.”

The Mayor: “You understand that newspapers are not sold for boosting!”

Mr. Tachna: “I do.”

The Mayor: “It is only bad news that is good news for a newspaper. They can sell nothing but knocks. At least they seem to think so.”

Walker here gave voice to a resentment against the press that was rare in his earlier mayoralty career. His belief always has been that criticism of public men is inevitable and useless to combat. But obviously, despite this philosophic attitude, he was beginning to feel the sting of newspaper disapprobation.

We now come to the budget hearings. On October of each year the Board of Estimate receives a gargantuan volume of about seven hundred twelve-inch pages in which are listed the proposed expenditures of the city for the following year. These items have been investigated and approved by the budget director and must now be sanctioned by the Board of Estimate. From the Board of Estimate the budget goes to the Board of Aldermen

who customarily adopt the decisions of the former body. All the fireworks attendant upon budget hearings are therefore confined to the Board of Estimate. It is here that the numerous leaders of citizens' organizations appear with vigorous speeches about the size of the budget and suggestions for cuts. Usually the suggestions are either too general to be seriously considered or are applied to expenditures made mandatory either by State legislation or fixed obligations, such as the interest on and amortization of bonds, which comprise about one third of the budget; or the Personal Service items, which cover positions and salaries made into law by the Board of Aldermen.

The 1932 budget is the largest in the history of the city, amounting to almost seven hundred million dollars. The spokesmen for the tax-payers are there with bared teeth and cutlasses in the form of notes gleaming in the brightly sedate chamber. The Mayor is defending the budget with all his power. His policy has always been that the growth and progress of the city must necessarily be reflected in its increased expenditures, and that while political circumstances might make it expedient to keep this mounting cost within the bounds of economy at the time of budget-making and to cover future shortages by issuing special bonds, the procedure is to admit all the needed outlays frankly and even take pride in them as indicative of the city's advancement.

An item in this 1932 budget that has incurred the bitter opposition of almost all property owners is the method of financing the new subways which the city is building. The cost of construction is immense, and the obligation of the city is to keep the fare down to five cents. John H. Delaney, the transit commissioner, has evolved a plan whereby the five cent fare can be preserved without creating, as he claims, deficits which would have to be added to the assessments on property annually. This plan is to finance the subways by short-term bonds instead of the more customary fifty-year

bonds. The proposed method, of course, necessitates huge payments of the principal within the next few years, but reduces the equally huge payments of interest extended over a period of years. The Mayor is completely in favor of the Delaney "pay-as-you-go" plan, as is the foremost opponent of his administration, the City Affairs Committee.

Mr. Doyle, the chairman of the New York Real Estate Board, is appearing in an effort to convince the Mayor that the city should adopt the long term financing, which would reduce the budget and consequently the tax rate. He stresses the point that the depression has given the real estate business the worst blow it has ever suffered and that property owners have great difficulty in maintaining their holdings. The colloquy that follows turns into a debate, in which Walker illuminates a complicated city problem in a manner that would be vastly surprising to those who know him only as a Brummelian wit. He replies to Doyle with a question:

"We are both satisfied that a dollar's worth of work must be paid for by the City?"

Mr Doyle: "There is no doubt about that."

The Mayor: "But if we are going to pay \$1.15 for \$1.00 it is a little different than paying \$2.00 for it?"

Mr. Doyle: "No doubt about that, too."

The Mayor: "What is the reason men lend money? It is to make money, is it not?"

Mr. Doyle: "That is right."

The Mayor: "If we can save at least 85c on that dollar's worth of work it is well worth doing it the Delaney way?"

Mr. Doyle: "Fundamentally and basically you are absolutely right. But you are talking to a man who has just put fifteen free tenants in his house."

The Mayor: "That is not the fault of the Delaney plan but of the economic condition of the world."

Mr. Doyle: "I would rather see that extra money

you are talking about a few years later than have to pay it today."

The Mayor: "You are frank about these things, as a rule, and maybe the Chair can learn something. You know, besides these payments being just deferred, the abandonment of the Delaney plan means one of two things, in the opinion of the Chair: it means the abandonment of the five-cent fare—because it would become impossible, or the mounting of a debt service upon the City of New York that will render property in this city useless fifty years from today. On the fifty year basis property will eventually have to pay \$2.00 for a dollar's worth of work. The cumulative effect would amount to confiscation at the time these bonds became due.

"In the budget today about \$200,000,000 is for debt service. This accumulation came about through a practice you are familiar with. Time was when salaries of the Water and Reservoir Board were paid for with long term bonds. The history of the city will show you that at one time even brooms were bought with long-term bonds, and long after the employees who used them were dead the City was still paying interest on them and on the salaries the dead men drew.

"The subways were built down in the ground for the benefit of real estate, not for the benefit of those who ride in them. No one picked out the underground for transit with its unpleasant and unsanitary conditions, with its bad air and lack of light. Most anybody would rather be up in the open air on an elevated road. But elevated roads were abandoned and the trains put underground for the protection and benefit of real estate. And what subways have done in enhancing the value of real estate should make real estate pay its fair proportion of the cost."

The budget hearings of this October, 1931, bring us to two unusual incidents: The calling of a public meeting of the Committee of the Whole for the consideration of the budget—something never done before—and a real

set-to between the Mayor and Comptroller Berry. The story begins on the evening of October 30 with the Committee of the Whole of the Board of Estimate in session, deliberating on the budget for the last time, for the law requires that it be passed not later than the 31st. The meeting is, of course, held behind closed doors. The Comptroller has been advocating large cuts and these are to be discussed now. But the Comptroller does not appear personally, and his suggestions for reductions are being defended instead by his deputies. At about six o'clock, while the city cabinet is still in the throes of debate and the outer chambers and the lobbies are thronged with people waiting for the sessions of the committee to end, the Mayor is suddenly informed that the evening newspapers are carrying a long official statement from the Comptroller in which he gives in detail the items which he thinks can be cut and how, the very items which are being discussed confidentially by the Committee of the Whole.

The Mayor is furious. The Comptroller's recommendations—his official recommendations—for the cuts are a matter exclusively for the official family, and the Mayor considers it a high breach of the proprieties to make the recommendations public while they are being debated by the Committee. He at once closes the meeting and announces a sensational move: The session will be transferred to an open meeting the following morning, so that the recommendations made public by the Comptroller may be discussed in public.

The official family, the lobby-throngers, the newspaper men, are astounded and thrilled. Never has anything like this been done before in the history of the New York City government. Walker comes out of the meeting with his chin seemingly a little bit more pointed and thrust out, and his famous cleft nose a little bit more Irishly pugnacious. The Comptroller knows how the budget can be reduced and wishes the public to have his ideas before his colleagues have had a chance to examine

them? Well, let him bring them to a public meeting of the executive cabinet and submit them to a public scrutiny.

A call is sent out at once to all city commissioners and their aides to be on hand in the morning. They must stand examination as to every item in the budget which they are responsible for and give an account of their departments when asked.

Municipal circles buzz mightily this evening. It is open war between the Mayor and the Comptroller.

The morning of October 31 comes. It is Saturday. No city commissioner has ever attended a Saturday session of either the Committee of the Whole or the full Board of Estimate before. The chamber looks strangely unfamiliar as the officials troop in, dutifully repressing all thoughts of the ruined week-end. Soon the lobbies and ante-rooms are crowded. The Board of Estimate Chamber is packed to capacity. The usually phlegmatic reporters in the newspaper well are alert and keen with anticipation.

At 11:45 the Mayor briskly walks in and takes the Chair. The roll is called. The Mayor curtly outlines the events of last night's meeting and the reason for this public session. He ends by asking in a tone of diplomatic politeness: "Is it the desire of the Comptroller to continue where we left off yesterday?"

The Comptroller, sitting in the chair next to the Mayor, looks straight before him and replies:

"Mayor, the Comptroller's statement is before you. He does not care whether you commence or leave off. That statement speaks for itself."

That sets the key. The battle is on.

The Mayor instructs the clerk who took the minutes of the previous meeting to read them. The clerk stands in front of the microphone and reads, so that his words are audible to the entire chamber.

As the clerk proceeds the Comptroller interrupts to



remark that something seems to be missing from the report and asks why. The Mayor replies elaborately:

"Well, now, Mr. Comptroller, the Mayor is a reasonably busy man in this town with plenty of things to do, and he hasn't got down to the point yet where he takes minutes or makes notes in shorthand."

The Mayor also draws the Comptroller's attention to the fact that he, the Comptroller, was absent from the meeting and that his knowledge of it was merely relayed to him by his Deputy, Mr. Prial. The clerk resumes intoning the minutes.

The Comptroller again observes that from the information he has received something seemed to have been left out of the minutes. The clerk explains that a good deal of the discussion of the Committee of the Whole are off the record, and consequently not noted. When the Comptroller appeals to the Chair the Mayor remains in his seat and says:

"The Chair is in no position to know what was left out of the minutes. There is no record of it. This is hardly the kind of observation that ought to be made at this time. You could have been at the meeting but you were not."

"How do you know I could?" the Comptroller asks.

The auditors are becoming aware that the fire is emerging from the smouldering state. The Mayor is on his toes, the most alert man in the room. Walker has always had the reputation of being at his best in a fight. This is not only a fight between the Mayor and the Comptroller. This is Walker's fight on behalf of what he thinks is right. He scorns a camouflaged budget. If it must be seven hundred million dollars let it be seven hundred million dollars. Better that, than taking out the ten millions or so that would make it slightly under last year's budget and then being compelled to squeeze money out of this and that emergency fund and issue special bonds to meet deficiencies. All he is desirous of

knowing is that the budget as it stands is necessary. Of this he is convinced, and so the battle.

"I know of nothing that could have prevented you," the Mayor snaps back at the Comptroller's remark.

The Comptroller: "Then, Mr. Mayor, you do not know what you are talking about. Were you there when the meeting was called?"

The Mayor (sarcastically): "It could not have been called until I did get there."

The Comptroller: "It was called for three o'clock."

The Mayor (seeing an opportunity for comment on his famed tardiness): "Let us have the truth about this. The Board of Estimate and Apportionment, while the Comptroller was not present, adjourned about one quarter of two o'clock. The Chair wanted to set a committee of the Whole meeting for three o'clock; then the Deputy Comptroller said that he was waiting for a statement that would not be ready before three-thirty. Is that correct, Mr. Prial?"

Mr. Prial: "That is correct."

The Mayor: "And the Chair must admit again that instead of opening the meeting at three-thirty, at the request of the Comptroller it actually, and as a matter of fact, did not open until 3:45. But the Comptroller was not present, so it was no inconvenience to him."

The Comptroller: "Mr. Mayor, I think this is a poor subject to pursue."

The Mayor: "So do I. Why did you start it?"

The Comptroller: "It sounds like a Gilbert and Sullivan opera."

The Mayor: "This is your play day, not mine. I didn't want to be here today."

The Comptroller: "I did not want to be here today, Mr. Mayor, but I am here just the same."

The Mayor: "Well, all you had to do was to treat an executive session with the camaraderie that should exist. Nobody ever gave information out of an executive session in this administration but you, sir."

The Comptroller: "I will show you several instances."

The Mayor: "Never one from the Mayor. You must admit statements like that don't come from the Mayor."

The Comptroller: "It emanated from a source very close to the Mayor."

The Mayor: "That is probably the Comptroller."

A burst of laughter from the spectators. The Comptroller half smiles and murmurs, "No."

The Mayor: "I know of nobody closer to the Mayor than the Comptroller."

The Comptroller (attempting a repartee): "He sits next to him."

The Mayor (boring in): "That is right. And the Comptroller knows that he sits next to him, which is evidence of the Mayor's closeness."

The Comptroller: "Tell them why he sits next to him, Mr. Mayor. Go ahead."

The Mayor: "You know."

The Comptroller: "No, I don't know."

The Mayor (alluding to the fact that Berry was renominated by his party only at the insistence of Walker): "You know why you are sitting there. You know it was because of the closeness to the Mayor that you occupy that chair."

The reading of the minutes is resumed, and the Mayor takes up one by one the items recommended by the Comptroller for reduction. He does so with a snap and forthrightness that carry the meeting along at a rapid stride, and with a sort of grim determination. The audience is as attentive as if it were in a theatre. The whole fabric of municipal government is exposed here for them. They learn of the stupendous machinery necessary to take care of the needs of seven million people and keep them moving in the path prescribed by our civilization. Included in the Comptroller's schedule of recommendations is the elimination of \$131,000 in

salaries for a group of newly created positions. The Mayor glances at the list.

"There are seven new positions here," he says, "for a new comfort station at McKinley Square."

The Mayor inquires if the Comptroller knows how the comfort station can be used when it is ready for opening in the spring without attendants. The Comptroller replies that when city employees die or leave the service the salaries that would have been paid to them accrue to the city. He proposes to use the money expected in this way to pay for the salaries of the newly appointed men. This appears to be a novel idea to the Mayor.

"I don't understand how you can put an item in the budget without a salary and yet pay the man for his job."

The Comptroller is nettled.

"Did you ever pass a resolution here, Mr. Mayor, that the funds for this or that item would be furnished from accruals, or other available funds?"

"Yes," agrees the Mayor, waiting.

"Do you know that we went right to work and paid them?"

"But the point is," the Mayor reminds him, "that we are a million and a half behind now in such funds."

"You can make use of other available funds," persists the Comptroller.

"You will have attendants in the comfort stations," the Mayor put it succinctly, "and tell them when some accruals come in they will be paid. In other words, when somebody dies and the salary lapses, they will receive their money."

Two other new positions asked for are for men to operate new automatic cleaning machines for the Brooklyn sewers. Borough President Hesterberg, of Brooklyn, who has asked for them is called upon to explain. He does:

"Heretofore we have been cleaning sewers by hand, which is a slow process and difficult to get men to do it.

We are now getting machines to do this work and require men to operate them. Under the old system, when we cleared a sewer basin we put the muck on the street and arranged for a truck to get it. With the machines, the muck is carried directly from basin to truck."

The Mayor sums up the matter:

"Two basin machine operators are asked at a cost of \$4,545 because it not only permits efficiency in that department, but does away with the necessity of piling what the President calls muck on the street and waiting for a truck to carry it away, and this machine will do the work of several men. Does the Comptroller believe that we would economize to keep the two operators?"

The examination moves on. The Comptroller recommends a large saving by cutting down hospital supply appropriations for food, because of the falling market prices. The Mayor immediately calls the hospital commissioners and shows first, that due to the depression, which has brought about those lower prices, there has been a large increase in city hospital patients; secondly, that the falling market price of goods is believed to have hit the bottom. "1931 was considerably lower than 1930. There is no secret about that but there is no reason to believe that 1932 will be any lower than 1931, so that they will even be the same figures."

The Mayor then asks one of the hospital commissioners to state what the amount appropriated for food per patient per day is. He is told that it is 32c for the regular patients and that special patients, such as persons suffering with tuberculosis, have special diets which cost more.

"Are you familiar," the Mayor inquires, "with what the Federal Government appropriates per person per day in feeding the army?"

He is informed that this appropriation is 46c; which seems to be a thorough answer to any charge of excessive hospital food supply costs.

Educational expenses are then taken up. The Comp-

troller objects to an appropriation of a million dollars for higher education when, as he says, there are 76,123 pupils in the elementary and high schools forced by lack of accommodations to be on part time. The Mayor seizes on that. He calls on one of the school heads, who makes this explanation:

"The Comptroller has quoted from the figures of September 30, 1931, when there was the infantile paralysis epidemic. The part time figures run up in September are due to the fact that after a conference with Health Commissioner Wynne it was decided that we should shut down on all the large units. In other words, we could not have assembly exercises. Because of class limitations we had to give each child for September a part-time day."

In this manner the examination proceeds. The Mayor grubs through every item and defies the Comptroller or anyone else to prove it is not essential. Without faltering, he jumps from coal to medicine, from garbage to parks, and shows an amazing grasp of every situation and every circumstance connected with the question. His commissioners and experts have to step fast to keep up with him. They worriedly pore over their notes as they wait their turn to be called upon by the relentless man occupying the chair. They don't know what question he may ask, and they do know that he is liable to ask anything and able to verify their answers.

The meeting is protracted until seven in the evening. Tempers are aroused and nerves are ragged, and the commissioners and experts are bleary-eyed. But Walker is fresh and springy. He has made preparations to carry this meeting through till dawn, if necessary, and attendants are ready to hang weights on the clock to prevent the hands from moving beyond the legal time limit which is twelve o'clock midnight. But they have all had enough.

The public meeting of the Committee of the Whole

is now ended with a recommendation to the Board of Estimate to approve the Budget as it stands. The parliamentary formality is gone into whereby the Committee of the Whole adjourns and the Board of Estimate sits in its place.

The Mayor is preparing to put the budget to a roll call, when at the last minute the President of the Board of Aldermen, McKee, introduces a motion to reduce the budget by a flat ten per cent by deferring the expenditure of certain portions of it to the following years. This brings the Mayor to his feet with a trenchant oration on the whole budget business. Of the new motion he says: "We would make the funeral march a little slower but we would make death more certain."

He continues: "I would like in all conscience to be able to give in to the temptation of doing what looks like a smart thing, that will win the applause of the taxpayers today. But the reason the budget of the City of New York is so great, and the reason it has increased in our time so much is that we are trying to repair the neglect of forty years ago.

"I subscribe to the suggestion of the President of the Board of Aldermen that it might be a good thing to spread over three years the amortization of the ten million dollars spent this year for unemployment. But the ten million dollars has to be paid, and the same property will have to pay for it. And what the budget will be, and what the tax rate will be in 1933, without deferring anything, is enough to make us all alarmed. If the assessed valuations are going to decline, as they promise to do, if the debt service (interest on bonds and amortization) is going to grow, as is threatened, there is nothing that should be left, that can be avoided, for the year 1933 and later.

"While I am as optimistic as the average person, and as reluctant to join the crepe-hangers union as anybody in this administration, there is nothing in the voice of experience, or knowledge or wisdom, that will indicate

that any part of the world is going to arise from this chaotic condition in less than two years. Statesmen all over the world do not look for it.

“The President’s motion may be a panacea today and I agree and sympathize with its purpose. But someone has got to sit and look to the future, even if it involves taking it on the chin. A dollar saved in 1933 may be worth more than a dollar saved today. I vote ‘no’ on the amendment.”

The roll is now called and the budget for 1932 approved. The Board of Estimate chamber is vacated. There is talk on every hand. It has been a historic session, but its significance is lost sight of in the recital and discussion of the preciseness, the vast knowledge and steel-gloved manner with which the debonair Jimmie has transacted this intricate and massive piece of municipal business.

Later in the new year the depression, about which Walker was so pessimistic, coupled with the antagonism of the realty owners and the *sub rosa* plans of the bankers to impose their chosen policies on the city, was to force the city government to exclude temporarily from the budget large sums appropriated for public improvements. But this could not alter the motives or the principles which impelled Walker to make his strenuous fight for the 1932 budget.

## IV

### PERSONALITY IN ACHIEVEMENT

IT is not within the scope of this work to include a survey of Walker’s administrative contributions to New York City during his double term of office; but there are certain things he has done within that category known antiquely as “achievements” which, because they are of the type that most readily elicit his sympathies,



because they illustrate his executive qualities and because they reflect to some extent his personality, should be recorded here. Chief among these is an enterprise known by the rather grim nickname of "Death Avenue."

"Death Avenue" is the unofficial name given by popular and bitter assent to the roadway fronting the Hudson River throughout the length of lower and upper Manhattan. This roadway has been one of the ranking sores of the city for almost half a century.

In 1846, by an act of the Legislature, the Hudson River Railroad Company was given permission, in agreement with the City of New York, to lay its tracks on any street west of Eighth Avenue. This railroad was built and steam locomotives attached to cars heavily laden with freight began running through the West side of the city with the casualness of street cars.

While the city was young—and eighty years ago Riverside Drive was a fine piece of wooded land, ideal for picnickers—this use of city streets for rolling stock did not matter so much. But as the population increased and the West Side became especially congested, the tracked streets were not merely eyesores but a deadly evil. Accidents began to happen with appalling frequency. Children playing and wandering across the tracks, men underestimating the speed of a train, feet caught in the ties, foggy nights—all these contributed to a long series of fatalities.

The Hudson Railroad had by now merged with the New York Central, but the trains still ran on the streets. By the turn of the century there was started a widespread agitation for relief from this menace, and for a quarter of a century thereafter not a year went by without some sort of action being undertaken by citizens or city officials to eliminate "Death Avenue."

The mass of reports, minutes of meetings and literature of varying sorts regarding these removal efforts which accumulated during this time would fill a library.

But the tracks were still there and deaths continued to notch their history.

The difficulty in solving the problem lay not so much in the objections raised by the railroad (for it was obvious that the cost of relaying the tracks either above or below the street level would have to be shared by the city) as in the agreement upon, first, an engineering plan acceptable to both the city and the company and, secondly, the basis of compensation to the railroad. The peculiarity of the situation was that, although the citizens blamed the city for the failure to eliminate "Death Avenue," the moment a plan was evolved they swooped down on City Hall with protests that the railroad was getting the better of the bargain in the financial adjustments.

So "Death Avenue" continued its dangerous existence. Not only was it a menace to life but in the last decade it became a serious obstruction to the city's progress. It interfered with the enormous amount of freight being trucked to the docks. Long lines of conveyances were forced to halt and wait until a train passed, and thus additional congestion was created in a locality already crowded to capacity with merchandise traffic. The tracks also stood out like a sore thumb along the Riverside Drive Parkway and prevented the city from developing miles of an available park area, particularly attractive because it had the advantage of a waterfront. Lastly, "Death Avenue" interfered with public access to the many passenger lines having docks along the Hudson, including all the large transatlantic steamship companies.

Walker, when he became Mayor and inherited "Death Avenue" as a municipal problem, was more than familiar with the notorious road. All his early life had been passed at the side of it, and he had personally witnessed the deaths of eight persons on its tracks. In Albany he had worked for its elimination whenever the opportunity came, and it was while he was in the Assem-

bly that he helped to pass an enabling act which authorized New York City to reach an agreement with the railroad and which served as a foundation for all plans affecting the problem. He came into City Hall with a determination that, no matter how it was done, "Death Avenue" had to go.

Six months after he became Mayor, in July, 1926, he appointed "The West Side Improvement Engineering Committee," with instructions to prepare plans at once for the removal of the tracks. The Committee consisted of all those men who could conceivably bring results. Its members were engineers from the Transit Commission, the Borough of Manhattan (the borough chiefly affected by the nuisance), the Board of Estimate, the Board of Transportation, the New York Central and the Port of New York Authority. There never had been a committee of such scope and competence appointed for the purpose. Previously "Death Avenue" had been used very often as one of the political footballs. Politics was not the business of the men of this Committee.

In the formulating of a plan this body was guided to a large extent by the city engineering staff, which had a long and painful experience with the subject. The first thing these experts did was to examine all plans prepared heretofore and tabulate what had been found objectionable in each for technical, financial, political or any other reasons written into the record. The objectionable features were carefully excluded from the new plan, so that, as far as human ingenuity could foresee, there would be little to protest against when it was brought into the open.

For three years the city engineers slaved away at the problem, constantly inspired by Walker, who said emphatically at every conference that a way *had* to be found immediately. They saw in him a man who would not be afraid to face criticism, if necessary, and fight with both fists for any plan he was convinced was right.

So fearful were the engineers of ruinous objections

that in those preliminary plans—which were available, of course, to taxpayers' organizations—they purposely used wrong symbols to mislead and confuse the laymen who might examine them.

Extreme diplomacy had to be used with the railroad. The representatives of the latter would ask the engineers to submit certain demands to the city authorities. The engineers always promised to comply but never did, knowing that it was useless. In a week or two the railroad lawyers would be told that it looked as if the demands would be rejected and that it would be wise for the railroad to amend them. By this time the vigor of the original demand had somewhat abated and both sides were able to get together on a compromise.

Eventually the plan was completed. It had been discussed from every angle and revised to a point where the representatives of all the bodies involved were satisfied. Then it went to the Mayor, who, having watched its formulation, approved it and, after a number of executive hearings, sent it to the Board of Estimate for action.

Here the public associations had their innings. Notwithstanding the care with which the Committee had worked to anticipate all possible criticism consistent with a speedy settlement of the problem, there yet seemed to be left sufficient material for objections to threaten the entire project with collapse once more. The burden of the protests was that the city was offering the New York Central too much in exchange for the removal of the tracks.

Walker, however, knew that the terms in the plan were the best the city could obtain and grimly went about cutting through controversies. To a public representative, a Col. Joyce, who appeared at one of the hearings to protest against the city appraisals of the railroad property, he frankly said:

“It is so difficult, Colonel, and I appreciate it is not an easy job that you occupy, to be more expert than the

expert engineers, to be more expert than the expert lawyers. It is a colossal job and you must be expected to miss once in a while. You cannot be expected to be right all the time in all these expert activities."

And in answering Mr. Harry Klein, who represented a body of tax-payers and who asked for more time for his people to examine the proposals, he brought down his right hand in his famous sweeping gesture and declared impatiently: "Something has to be done one way or the other, right now, this year, before this summer is over." (This was in July, 1929.)

Klein replied: "Mr. Mayor, when you sign this agreement and approve it, everything contained therein, everything in the plans submitted by the N. Y. Central and approved by the engineers, becomes adopted at once. Everything that the city is to give is given."

"But that will be true whenever it is done," the Mayor retorted.

"Therefore, why not put off that action finally and conclusively and why not give us a little more time?"

"Exactly that has been the story and history of these tracks on Tenth Avenue for forty years," Walker said firmly. "As soon as one man gets adjournment for a year or two, another comes along, with a new thought and another couple of years has been wasted. A year or two seems to mean nothing. And so this railroad has gone on for forty years."

When Mr. Klein persisted and said that if his organization were given sixty days it would return with a report on the basis of new appraisals, the Mayor replied flatly:

"No, we cannot talk men, women and children along 'Death Avenue' to death. Take only sixty days and lose another life! No. It won't do."

The plan was passed with a modification of one detail, and the Mayor signed the contract with the New York Central that ended a forty-year old battle and

achieved for the city the assurance that its greatest nuisance would be removed.

What Walker felt when he signed that contract he expressed with deep emotion six months later in the speech he made in reply to the committee urging him to run for re-election:

“Within my heart there was a throb that I had never experienced before as each day we got closer to the agreement that would rid the city of these railroad tracks. Perhaps no other man intimately associated with it knew just that same thrill or throb because I had known schoolmates, neighbors, when we were little, who had been crushed under the wheels of the trains as they went up and down ‘Death Avenue.’

“There was something more than mere mechanics in these negotiations; there was something bigger than mere terms of penny for penny; there was life and limb, there was the protection that this municipality owes to every individual who lives within its confines. And when we sat down to sign that contract there came into my life a satisfaction unlike, or greater, than which I have ever known, because with the elimination of the ‘Death Avenue’ tracks, though terribly belated, we made an answer to every tombstone that there would be no repetition of the untimely death that many a young boy came to because of the presence of those tracks. And yet, with all that, there will be, or surely will result, from the elimination of the railroad crossings at ‘Death Avenue,’ probably the greatest industrial or commercial improvement that the Borough of Manhattan or City of New York has ever known.”

What the reconstruction of the railroad tracks means can only be grasped by an intensive study of the plans. From a business point of view their striking feature is the building by the New York Central (already begun at this writing) of street upon street of loft structures through which the tracks will run as an elevated roadway. These buildings are for the accommodation of

factories and wholesale houses, which will be able to load their merchandise directly onto the freight cars as one does into an elevator, thus eliminating the time and expense of trucking. This extraordinarily convenient arrangement will create a new and large manufacturing area, which in turn will affect the surrounding territory and notably raise the value of property which today is of the slum variety.

As a city improvement the reconstruction is of even greater importance. Practically all along the entire extent of the buried tracks will be located parks, recreation centres and bathing beaches, while long stretches of the territory will be utilized for the continuance of the Express Elevated Highway, the famous raised automobile street, the first section of which was finished in 1930. This roadway will provide, when completed, facility for uninterrupted motor traffic throughout the length of Manhattan, an improvement which will relieve the traffic congestion of New York streets enormously.

The total cost of this enterprise will be, as it is now estimated, \$175,000,000, the greater part of which will be borne by the railroad company and the balance by the city and the State.

It was only through Walker's determined executive action that the agreement which brought about such a vast project was consummated. It might have gone on for years and years, as it had in the past, for it was a matter that had in it all the vicious elements leading to endless delays. He took the only means possible for ending such a controversy as existed between the city and the railroad: the appointment of the proper men to solve the technical problems, creation of the best possible plan in the opinion of these experts and the relentless forcing of it through all obstructive opposition.

Future historians of New York City will find in this "Death Avenue" matter a subject for praise for Walker.

The public today is too near to it and too vague about its scope and meaning to realize its full value.

\* \* \*

On June 17, 1926, six months after Walker became Mayor, the Board of Estimate was interrupted in the busiest session of the year by Mr. Homer Folks, Secretary of the New York State Charities Aid Association, who asked and was granted a few minutes for speaking. Mr. Folks was accompanied by a number of persons and said he represented a hundred and fifteen charitable, medical and civic organizations, among them the New York Academy of Medicine, the State Chamber of Commerce and the Federation of Churches. Mr. Folks then began a brief address.

"To my knowledge," he said, "within thirty-three years this is the first time there has been a thorough-going analysis of hospital needs, followed primarily by adequate and thorough-going action to meet those needs. That seems to us, in our interest in these hospitals, a sufficiently striking and unusual thing to justify us in asking you to interrupt a moment in the important business of the Board of Estimate in order that we might express our appreciation of that foresight and humanitarian action.

"It happens that individually I have known these hospitals since 1893, when Mr. Gilroy was Mayor. I have seen each administration, as it came into power, take a look at this hospital problem, touch it rather gingerly, and, as a rule, draw back, after seeing its size and complexity, and close their eyes and try and forget it."

The reason of the delegation's visit was the announcement that the Board of Estimate had approved a hospital program which had been urged by interested citizens, as Mr. Folks had said, for over thirty years. It was a program for improving and enlarging the facilities of every hospital controlled by the municipal government. Through these improvements conditions,



which had been denounced with every variety of bitterness, anger and irony for a generation, were at last to be removed.

And the surprising fact was that plans for the reform were laid and certified within the brief period of only a few months. Shortly after Walker entered City Hall he appointed a committee consisting of Comptroller Berry, Aldermanic President McKee and Borough President Guider, of Brooklyn, to make a study of hospitals. After an investigation and conferences with the Mayor these men brought in a set of recommendations which the Board of Estimate promptly adopted.

Back, however, of this swift action is an interesting episode that should be recounted in detail.

If one were to catalog the worst blemishes New York has suffered from, the top of the list would without any reservation be given to the old psychopathic ward of Bellevue Hospital. Bellevue is the oldest hospital in the United States. It began in a twenty-five foot room in the city's first poorhouse, in 1736, and moved to its present location when New York, in 1794, built a group of pest houses to house victims of the yellow fever then raging. As the city developed Bellevue grew in size and increased its facilities. But the psychopathic wards remained stationary. Patients suffering from mental and nervous diseases were still housed in one of the original buildings, an ancient structure, and a fire-trap of the worst order. This was so much like a dungeon that the visitor to it was strikingly reminded of one of those horrific jails pictured in old prints.

When Dr. Menas S. Gregory, the noted psychiatrist, and head of the psychopathic department, came to Bellevue twenty-eight years ago, he did what he could to improve the conditions in the black, grim old building. For the first time trained nurses attended the sufferers and modern facilities were installed. But the ward was so overcrowded that its unwholesome features were more than emphasized. Thereafter Dr. Gregory spent

a good part of his life in attempting to gain a new building for his patients. He was driven to desperation when, in addition to the handicap of unsuitable and archaic buildings, the overcrowding became so great that many of the patients were forced to sleep on the floor. He was thrown into a state of continual anguish as he saw mildly affected patients mixed with highly disturbed ones. He begged Mayor Hylan for assistance, and after a great deal of effort it was suggested that he use a nearby enclosed municipal lodging built over a pier. This was no better than a heated barn. A lodging house for patients requiring such highly specialized and considerate attention as the mentally ailing did!

Dr. Gregory gave up appealing personally to the administration and asked influential friends to intercede for him at City Hall. Among these were William Fox, the motion picture producer, the latter's associate at the time, Winfield Sheehan, and the kindly and sympathetic Surrogate, James A. Foley. These men repeatedly attempted to obtain relief for Dr. Gregory but without success. The psychopathic department of Bellevue seemed a problem that was regarded with a medieval repugnance.

Dr. Gregory now became imbued with the despondent doctrine that, from the nature of things, politicians were so bound up with self-interest that there was scarcely room for humanitarian activities in their programs. What, after all, could the improvement of this ward do for the furtherance of political ambition? The inmates could not vote and their relatives were anxious to put them out of their thoughts.

Mr. Fox, however, told Dr. Gregory not to be discouraged. Hylan's second term was nearing its close, and the motion picture magnate said he had reason to believe that Senator James J. Walker would succeed him. He added that this man would assume a different attitude to the problem.

Walker was duly elected, but Dr. Gregory was not

cheered by the fact. He had had too many disappointments with political gentlemen. Two weeks after the election he received a telephone call from Fox that some important visitors would come to the hospital that evening. The doctor stayed in to receive them and was overcome to the point of bewilderment when he saw the Mayor-elect and a group of friends walk into the dingy, century-old little office he occupied.

Walker went through the ward with a set face. Dr. Gregory was all eagerness to expatiate upon the misery of the place. "Not a word, Doctor," Walker interrupted. "I can see. Such wards and walls and ceilings should make a well person nervous and depressed. I see the beds crowded together. You have no opportunity to segregate your cases. I can see patients here that should not be mixed with the others. I can see these surroundings are not fit for human beings, much less for people whose nervous system is diseased."

The psychiatrist was surprised. Walker seemed to observe more and understand more than many physicians visiting the hospital for the first time.

After the tour of inspection was over Walker asked Dr. Gregory: "How is it possible that the psychopathic wards have been neglected so? Who is responsible?"

The doctor replied that it was a hard question to answer except by saying that official indifference and incompetency were responsible.

"I assure you, Doctor," Walker responded, "that so long as I am Mayor of this city the hospitals will not suffer from official indifference."

Dr. Gregory went to sleep happy that night, but the next morning scepticism returned. It had been an interesting evening, but he expected nothing more. He was no less than stunned when shortly after this Walker sent for him and said: "I want you to go right ahead and prepare plans for a new psychiatric hospital."

Dr. Gregory could not realize that what he was hearing was actually what the Mayor was saying. Whatever

human feelings prompted others to strive for an improvement in Bellevue conditions, to this one man a new hospital meant the dream of a lifetime; a dream that encompassed the scientific treatment and recovery of mentally sick persons. He had been driven to search for relief here and there, of this friend, of this influential person; he had practically become a beggar for Bellevue and had been able to raise only disappointments. Now the mayor of the City of New York was in cold fact telling him not merely to devise improvements for the old building, but to draw up plans for a new hospital.

It was as a result of Walker's inspection of the psychopathic ward of Bellevue that the general renovation of the city's hospitals came about. The Mayor could not forget the sights he had seen. "I would not keep my dog there," he told members of the Board of Estimate in the course of a scathing report of his visit, and in a speech before the State Charities Aid Association he said: "Conditions in Bellevue are a disgrace. There are no conditions that are worse than those existing in the Psychopathic Pavilion. If it takes the last dollar of the City Treasury to wipe out this disgrace and maintain what pride and dignity there is in the city that is called the greatest in the world, I will do it."

Three great improvements in the hospitalization of New York are directly attributable to the Walker administration, and mainly to the Mayor himself: the new Psychiatric Hospital of Bellevue (almost completed at this writing), the new Kings County Hospital (also almost completed) and the unification plan.

Kings County Hospital was an ancient structure comparable to Bellevue in vicious conditions except that it did not have the additional misery of a psychopathic department. A magnificent new building for this hospital was provided by the Walker reforms and it is now one of the largest and best equipped institutions in the world.

The unification plan eradicated with one stroke a serious defect that had been complained of for years but that had been permitted to exist because it made possible political favors.

The hospitals of New York had been divided between three authorities: Bellevue and Allied Hospitals, comprising five institutions and two tubercular camps; the Department of Health, which supervised six hospitals; and the Department of Public Welfare, which had jurisdiction over fifteen institutions. Each division had its own form of administration, thus creating much duplication, confusion and general inefficiency in the city's hospitalization work as a whole. Walker could not understand why this divided control should be tolerated and achieved a consolidation of all municipal hospitals by virtue of a local law passed by the Municipal Assembly in 1928. Early the next year the new Department of Hospitals was inaugurated under the commissioner-ship of Dr. William Schroeder, Jr.

Thus, within two years of his election, Walker had accomplished a reform of the hospitals which had been vainly advocated for a generation.

A grimly humorous incident which colored Walker's visit to Bellevue may be mentioned here. He passed a gaunt male patient, who hailed him weakly from his bed: "Don't you know me?" Walker could not recall him. "Why, I voted for you," the man said. "Maybe that's why you're here," the Mayor-elect replied gloomily.

There is a curious parallel to this story. Some years previously Theodore Roosevelt was induced to visit the Psychopathic Ward by Mrs. Grant La Farge, the sister-in-law of the famous American artist, John La Farge, and mother of Oliver La Farge, author of the highly praised novel "Laughing Boy." Mrs. La Farge is a member of the Board of Managers of the Training School for Nurses, and one of the "good angels of the Psychopathic Ward," to use Dr. Gregory's words. It was to help the institution that she arranged Roosevelt's visit.

This was when the President had just failed of re-election. Roosevelt showed the same quickness in understanding the situation as Walker later did, and the two men are coupled in Dr. Gregory's mind by their similar reactions to the dismal ward.

As the President walked through one of the halls an inmate called out: "You're Teddy!" The cry was taken up by the others and these exclamations soon gave place to another chorus: "I voted for you!" On his way out Roosevelt turned to Dr. Gregory and observed: "You see, doctor, no wonder I was defeated!"

Most municipal heads have a pet civic accomplishment, and if Mayor Walker has one it is the new Psychiatric Ward. He zealously nursed it along, and even after the appropriation for its erection had been passed by the Board of Estimate he several times called Dr. Gregory to his office to inquire if the work was being carried on expeditiously. A delay occurred in clearing the ground, and the doctor, after waiting several months, became worried again. Fearing something had happened to his beloved project, he took the courage to visit the Mayor—took the courage because, judging from his past experiences, he considered his call an intrusion on the more important matters of municipal government. The Mayor saw him at once and, learning of his anxiety, reproached him for not coming sooner. He then personally telephoned the department heads in charge of the work. "Dr. Gregory is in my office and you know how concerned he is about the new Psychiatric Ward and how urgent is the need for it. Now, won't you do something to help?" This was the theme of his talk, and he exacted a promise from each one that the razing of the old buildings would be done as soon as the premises could be vacated. The doctor went out of the Mayor's office in a daze. He had never dreamed of receiving such consideration for hospitals from politicians.

The new institution fully justifies the enthusiastic effort that has gone into it. Dr. Gregory is one of the

outstanding leaders in the movement to educate the public to a new conception of the treatment of mental disorders. In ancient days, insanity, or more properly speaking, mental disorders, were considered by people a mysterious phenomenon, on which the healing finger could not be placed; a sort of spiritual curse. Modern psychiatrists seek to banish this bugaboo and to establish the fact that disorders of the mind are due to purely physical causes and can be cured by rational treatment just as physical diseases.

The new Bellevue Psychiatric Hospital is to be devoted to this purpose. Dr. Gregory believes that the disregard of the principles of mental hygiene often leads to mental conflicts and mild mental upsets, and that serious attacks of insanity frequently develop because of lack of proper knowledge on the part of the patient or his relatives, or from an unwillingness to acknowledge the illness and seek treatment. At the Psychiatric Hospital there will be well equipped clinics to which a person may come as readily as one does now for the treatment of a sore throat.

The hospital is provided with the most modern facilities for treatment and research. Ample provision has been made for the adequate segregation of patients. No longer will a number of sufferers of all types be thrown together; nor will the ward system prevail. Only small chambers have been built, to accommodate no more than a few patients in each, and, for those whose condition requires it, single rooms are provided.

A hundred beds are also included for children, the first time that any hospital for mental diseases has built facilities especially for the treatment of the young.

Nor has Dr. Gregory neglected the environmental factors, which are so important in treating nervous disorders. In the decoration of the walls the harmony of appropriate coloring, with due regard to its psychological effect, for the various departments, has received special attention. The conventional hospital atmosphere with

its cold and forbidding surroundings has been avoided. For this work Dr. Gregory was fortunate in enlisting the interest of the famous scenic designer and architect, Joseph Urban, who generously gave his services gratuitously.

As a typical native son of New York, Mayor Walker finds himself part of much of the city. He is very definitely part of this hospital.

\* \* \*

Without its harbor New York City would probably be as important as Painted Post, Arizona. Its tremendous growth has been due entirely to the fact that ships from all parts of the globe dock at its piers and make it both a concentration place for the merchandise of the world and the gateway for voyagers to the United States. Of the approximate million and a half transoceanic passengers who enter and leave the United States each year, sixty percent do so through New York. From this one port the Federal government, in 1930, collected in customs \$334,012,906; and in that same year 4,997 ships berthed in its docks.

But if it is axiomatic that New York's importance is based on its harbor, it is also a little-realized truth that the city must fight to keep its eminence in harbor facilities. The other ports of the country are not of a mind cheerfully to defer to the metropolis. Tons of literature are circulated each year by the various Chambers of Commerce and other civic bodies, explaining, with much pictorial illustration, why their ports are more advantageous to the shipper. One elaborate circular issued recently by the New Orleans Chamber of Commerce actually has on its front page the title: "New Orleans versus New York."

These ports make strenuous efforts to capture business from New York; perhaps not so much the first class transatlantic passenger transportation as the lesser passenger traffic and freight shipping, particularly from



South America. Jersey City, Newark, Boston, Philadelphia, Baltimore and Newport News are among the nearest of New York's competitors, and they do not lose a trick in presenting their case to shippers.

In these efforts Boston, Philadelphia and Baltimore have a certain advantage over New York City because of the preferentials allowed them by the Interstate Commerce Commission; an advantage which, in lay terms, means the ability to charge lower prices for freight than New York does. These preferentials are somewhat evened up by the free lighterage offered by the New York port; that is, the taking of freight direct to the piers from the railroad terminals on floats. But it is a continual battle between this one giant port and the number of smaller ports constantly sniping at it. It is guarding against the sniping turning into shelling that keeps those who have the management of New York's docks on their toes. As it is, statistics show that whereas a few years ago the port of New York was handling 50% of the entire foreign exports, this ratio has now declined in favor of the other ports, Baltimore now ranking next to New York in the volume of its foreign trade cargo.

In preserving the supremacy of New York's port the main weapon naturally appears to be the availability of the most improved facilities possible. One of the main problems that faced Walker when he became Mayor concerned this very point. Not long after he came into office he heard from John McKenzie, then the Chief Clerk of the Department of Docks and the man most familiar with the operation of the docks and with shipping conditions, a story that this official had repeated many times before to others, namely, that the era of bigger ships than we had ever known was close at hand and that New York City had made no provisions to receive them. (McKenzie was the spokesman for his department because the Commissioner of Docks had died some time previously and the post remained unfilled.)

The ships McKenzie had in mind were those of one thousand foot length. Preparations then were actually under way to build such huge steamships. It was generally agreed in shipping circles that these great liners were economically unsound but had become necessary because of maritime competition. If one line built a large and fast boat it was obvious that the other line would be forced to launch a bigger and faster vessel. While New York City is not particularly interested in the economics of large boat building, McKenzie argued, it must be ready to accommodate them when they came—or some other port would do so, with the attendant loss to the metropolis in prestige and business.

The longest piers in New York, the two 1,000-foot structures at West 44th and West 46th Street, were too short to accommodate the prospective liners. There were a number of piers exceeding eleven hundred feet in length in Brooklyn, five of them owned by the city, but two factors prevented their being adapted to the large boats: the location and the roughness of the water in Buttermilk Channel. The first factor was the primary one. Companies operating express ships prefer to dock them as nearly in the centre of the city as possible. While the rentals of the piers in Brooklyn are about a quarter of those on the Hudson, large passenger lines insist on docking in Manhattan, where the piers are close to the hotels and the railroad stations. Striking evidence of this partiality is the decision of the Hamburg-American Line to transfer the Bremen and Europa from Brooklyn, where they now dock, to the new piers on the Hudson which are being built for them.

Walker agreed with McKenzie that the eleven-hundred foot piers were necessary. What, then, prevented their construction? Here he learned the second part of the Chief Clerk's tale. It concerned the always keen desire of New Jersey not to permit New York City to enjoy more advantages than it already possessed. The length of piers is regulated by the War Department, and

according to its rules, the width of the waterway on the Hudson must be no less than 2,800 feet. This does not quite allow for piers longer than a thousand feet on either the New York or Jersey shore. In order, therefore, to construct accommodations for 1,000-foot ships it was necessary either to obtain permission from the War Department to extend the pierhead line (as the limit of the pier edge is legally defined) or to dig inland and cut away the shore line. Engineers of the New York Dock Department had estimated that it would cost one million dollars for every hundred feet dug inland, while the cost for every hundred feet extended beyond the pierhead line into the water would cost only fifty thousand dollars. Even if the city wished to assume this tremendous difference in cost, the inland construction would raise the rentals for the piers beyond the amount which shipping companies could pay.

For thirty years the city had been trying to secure permission from the War Department for the extension of its pierhead line and consistently it was opposed by New Jersey, which claimed that such an extension would infringe on its own rights.

That was the status quo, and that was the reason why New York was unable to provide for the future needs of its docks.

Walker heard the story and inquired: "Who is the man chiefly in charge of this matter in New Jersey?"

McKenzie replied that he knew him and that he was a nice individual. "He probably has been fighting so long," remarked Walker, "that he does not like to surrender. I should like to meet him."

McKenzie volunteered to bring this gentleman to the City Hall, and shortly after that J. Spencer Smith, the Chairman of the New Jersey State Board of Commerce and Navigation, which controls the waterfront for New Jersey, was introduced to the Mayor.

Walker chatted amiably with the visitor for a time

and Mr. Smith made himself agreeable. Then he asked, "What am I really here for?"

"Why, about that matter of the pierhead line along the North River," Walker replied.

A discussion began which the Mayor soon broke off by asking: "Don't you think we could talk this thing over at a little lunch?"

Mr. Smith agreed and a date was set.

At his own expense Walker then arranged not a little lunch but one at which were present, besides Smith and himself, three army generals from the military engineering department who were in charge of the waterways of New York, representatives of the Board of Commerce and Navigation of New Jersey and the officials of his own Dock Department.

As they were gathered around the dining table a plan was evolved which seemed agreeable to all concerned. It was discovered that New York was not interested in that section of the Hudson where New Jersey thought it wanted long piers, and the proposed location of the New York piers faced a part of the New Jersey shore far from the New Jersey shipping center. The plan worked out, therefore, was a sort of give and take proposition. The pierhead line would be receded or extended from the New York shore in accordance with the dock needs of each state. From West 24th Street to West 33rd Street, New York would consent to recede its pierhead line; and from that street to 62nd Street, New Jersey would consent to recede its pier line. This arrangement would allow the city to build the eleven hundred foot piers where they had been planned, between 48th and 56th Streets, without digging inland.

It was now necessary to get the consent of the War Department. Walker presented his case to Secretary of War Patrick J. Hurley and invited him to visit New York. The Secretary came with his chief engineer, Brigadier General Lyttle Brown, and the Mayor personally took them around to the localities involved and explained the

plan in detail. Mr. Hurley, taking into consideration the need for the new piers, gave his approval to the project and thus, after thirty years of fruitless effort, New York City had finally accomplished its purpose of being able to provide adequately for its future shipping requirements. It was accomplished largely by understanding and a knowledge of the value of compromise is human affairs.

Immediately after this authorization was obtained Walker instructed McKenzie to request the necessary appropriations from the Board of Estimate for the construction of the new piers. When these are finished two more miles of the most modern wharfage will have been added to the city's port and facilities created to take care of shipping developments of the future as far ahead as can be foreseen at present.

Three months after Hurley authorized the piers, at a meeting of the Sinking Fund Commissioners at which McKenzie was present, the Mayor interrupted the proceedings and, turning to the Dock Department clerk, asked: "Mr. McKenzie, could you arrange a leave of absence from your department for a while, so as not to jeopardize your civil service status when your time may come to retire?"

Mr. McKenzie thought a moment and replied, puzzled: "I think I could."

"All right, then," the Mayor said, "when you go back today to your desk in the Department you go as the Dock Commissioner of the City of New York."

The appointment of a civil service employee, such as McKenzie was, to the high position of Commissioner was virtually creating a precedent. The Mayor explained his reason:

"I am making this appointment because of the ability you have shown and because of your thorough knowledge of the department and its workings. Your work has convinced me that you are the man for the commissionership."

McKenzie was almost tongue-tied with amazement. He had worked for twenty-eight years as a clerk. Even though he had risen to Chief Clerk of his department, he was only a very minor official. Now he was a member of the City Cabinet.

"This has come to me as a veritable bombshell!" he exclaimed. "I have not sought this post."

"Maybe that is one reason why you got the job," the Mayor replied and continued with the work of the Sinking Fund.

McKenzie went through the rest of the meeting with a dazed mind. He awoke to some consciousness when a friend pressed two nickels into his hand and told him to call up his wife in Flushing.

\* \* \*

On July 7, 1931, Mayor Walker dug a silver spade into the soil of Ward's Island. By doing so he began the actual work of removing from New York an evil which had clung to it malodorously for several decades; he was starting the great Municipal project known as the Sewage Disposal System.

"I can remember," Walker said at this ceremony, "when there were cesspools in New York, and I can remember when there was a great demand for a better sewage system to make New York a more healthful place to live in. The sewers came and the cesspools went. Yet the sewers have brought about very dangerous conditions. All this is indicative of one thing: that government never can rest. The dangers must be combated. And so it is that the menace that was removed by a great sewerage system has brought another and we must carry on to meet the new situation."

It might be noted parenthetically that Walker's statement: "government can never rest," was the keynote of his career as Mayor of New York. He always maintained that there could not be anything static in the life of a metropolis like New York and that it was

the business of the city's government to continuously supply the changing requirements. That is why he never hesitated to spend money on the city despite all criticism, and that is why he had so little patience with anything that impeded either the natural growth of the city or the improvements necessary to its people.

The sewage disposal problem in New York was one of the most important and the least noticed by the inhabitants. New Yorkers had been hearing, for what to them seemed ages, that its harbor waters were polluted because of sewage, but save at those periods during hot-weather spells when some newspaper or authority brought up the problem of contaminated bathing beaches, they were content to remain placidly indifferent. It was a case of "out of nose out of mind."

When the age of cesspools ended in the city, sewers were constructed which emptied their flow into the waters surrounding New York. As the city grew tremendously in population the same sewage system remained, with the result that the Harlem and East rivers became nothing less than cesspools, polluted throughout every cubic foot of their volume.

These waters in turn deposited their great cargo of filth into the harbor, which spread it to the shores of Brooklyn, miles of which are used for bathing. This condition was aggravated by the discharge from sewers which emptied their flow into the shore waters directly.

The sum total of this method of sewage disposal is that, with the exception of a few spots, no beach is fit for bathing purposes and the proximity of the heavily polluted waters from tip to top of Manhattan is a constant danger to health. Relief from this menace can only be obtained by diverting the sewage flow into a concentration plant where, by chemical action, the waste would be eliminated.

This is not a new idea, and for years there had been suggestions made for the construction of such a plant. Walker dug into the problem as soon as he came to City

Hall. He found engineers had agreed that the best place for the initial depot was at Ward's Island, a central location for parts of Manhattan, the Bronx and Brooklyn. Ward's Island had originally belonged to the City and been deeded to the State for an insane asylum. In order to obtain the small strip of shore land necessary for the plant the city had now to appeal to the State which could grant possession only through legislative action.

The city began to push measures to obtain the passage of such a bill. Opposition was encountered from the superintendent of the hospital on the Island, who bitterly protested that the proposed location was chosen because the rest of the city did not want the plant, and his patients had neither the power nor the capacity to complain.

As a matter of fact, the sewage disposal plant would be as odorless as an ordinary factory, and Ward's Island was not chosen precisely because other localities did not want the plant—which was true—but because it offered a site free to the city and advantageously located.

After the bill had been rejected once Walker persisted in fighting for the measure, and his intimate knowledge of Albany politics finally brought success. The second bill was passed and the site assured.

Walker now appointed a commission to make a tour of the cities already having sewage disposal plants in order to select the best system that could be built. From their findings, and subsequent research, plans for the city-wide sewage disposal system, of which Ward's Island is one division, were formulated.

The Ward's Island "treatment plant," as it is euphoniouly called, will have a capacity of 180,000,000 gallons of sewage per day and will serve about one-fifth of the city's population. The operation of the plant is a subject more suited to scientific discussion, but it piques curiosity sufficiently to find a brief mention here. The general features of it are these: The sewage of the ter-



ritory covered is conducted by deeply buried conduits to the central plant; before it arrives there it is intercepted by screens which separate the coarse solids. The sludge received at the plant flows into a great vat. In another vat containing sludge oxygen has been forced through the waste for a sufficient time to permit the solid particles to become covered with growths of oxidizing bacteria and other organisms. This prepared matter, or "activated sludge," as it is technically known, is then sent to the main vat, which is amply aerated at the same time. The effect of this mixing is that the activated sludge draws to it all the matter in the non-activated sewage and is oxidized by the bacteria. The sludge then sinks to the bottom of the vat, leaving a liquid that is 95% clean and 100% free of bacteria. This liquid is then released into the river, like a tributary stream, where it is much purer than the water with which it mixes. After this the sludge sediment is removed to a waiting boat and conveyed to the outer bay. Or, which is more interesting, it may be converted into fertilizer. An experimental plant to test the practicability of this manufacture is provided for in the Ward's Island project.

\* \* \*

Almost everything that New York does is widely publicized throughout the country; but the fact that this city has now in operation the largest and most modern airport in the world has been rather relegated to the background in the news. In spite of the fame of Le Bourget in Paris, of Tempelhof in Berlin and Croyden in London, New York City's Floyd Bennett Field surpasses them all. It is the only field in the world where the runways are made of concrete and are built in such a manner as to enable the ship to take off regardless of weight or load in any direction and at any time. Its lighting system is a marvel of electrical engineering and includes two batteries of six Sperry arc lamps, each shed-

ding a light of nearly one and a quarter million candle power, enough to provide illumination for all the homes of New York City.

Floyd Bennett Field also has the meteorological advantage of less fog than the fields in surrounding territory. Very often, when mail flyers with their heavy loads arrive in the metropolitan area, they are unable to pick out the New Jersey or Long Island fields, to which they belong, and are forced to land at the Floyd Bennett airport, which is like an oasis of clearness.

Prior to Walker's election New York was without an airport, a fact which forced the later realized project into a disadvantageous competition with established fields, which had already signed contracts with transport lines. In 1918 the then Dock Commissioner, Murray Hulbert, had suggested building landing areas for planes across the roofs of the river piers, but no action was taken on the matter and nothing was done to bring the city in line with the marked progress of commercial aviation.

With the election of Walker the Curtis people, through the popular and interesting Casey Jones, applied for the use of the Hudson River bank, between 79th and 81st Streets, and of the river waters, as a landing place for their transport seaplanes. The matter was brought up at a Board of Estimate meeting, where various park association protested energetically against the use of the Riverside Drive park property for such a purpose.

The Mayor conceded the merits of the protest, but the incident brought into focus the city's deficiency in airport facilities. With the characteristic gesture of the right arm that seems to have the quality of cutting through obstructions, he said, "Well, something has to be done." The only something possible was the construction of a landing field, and he at once appointed a committee to report on a site. On this committee he put a number of air enthusiasts, the Chief Engineer of

the Board of Estimate, the Borough Presidents, and at its head Peter J. Brady, whose tremendous faith in aviation—he flew more than he travelled—ultimately led to his death in a plane crash.

After exhaustive studies, aided by the United States Chamber of Commerce, the committee brought in a report designating twelve sites for the proposed municipal airport.

Among the sites mentioned in the report was one near Jamaica Bay, 859 acres of city-owned marsh land, most of it under water. It was generally ignored, but Charles F. Kerrigan, the Mayor's assistant, saw a possibility of obtaining a suitable airport site without cost to the city. New York has been engaged for some time, in cooperation with the government, in reclaiming the Jamaica Bay region for new harbors. To make the Bay navigable it must be dredged, and the Federal government reimburses the city at the rate of ten cents for every cubic yard it dredges. Kerrigan realized that the site could be filled in with the sand taken out of the bay, thus converting the swamp into an admirable airport site.

The Mayor thoroughly approved of the plan and set the machinery in motion to realize it immediately.

Today the airport, with its surrounding land, as yet unused, is worth about twenty million dollars. In 1926 the value of the land it occupies was ten dollars an acre.

Clarence Chamberlin, the transatlantic flyer, was brought in as a consultant in the designing of the field, and advice was sought from all available sources. Strangely enough, no one seemed to have definite ideas as to what an ideal airport should be. Most of the fields had been built several years before and designed only to take care of the actual business in prospect. Walker wanted a field that would meet the needs of future air developments. It seems odd to say so, but the engineers engaged on the enterprise felt, even after they had received expert advice, that they were working on virgin ground. It is as odd to state that Walker himself proved

to be of more assistance than the experts. It was he who wanted the concrete runways. He did not know that they were to be of concrete, but he wanted runways that would not raise a cloud of dust when the propeller began whirling. He said that when he had made a trip to California shortly before this he had examined the field at Oakland and on his way back he stopped to make an inspection of the Detroit airport. At both places he had been impressed by the tons of dust stirred up on the field by the motors. He made another point of the hangar doors. He complained that these doors were too heavy; he did not see why it should take a dozen men to open them. He suggested either that special devices be created to raise the doors or that the doors be made of lighter metal. This suggestion brought about the present aluminum hangar doors, the first of their kind at any airport. A third weakness of old fields, he said, was that the hangars were not self-contained; that is, men working on repairing planes had to run to other places for equipment to complete their work. He asked if it were not possible to make each hangar a shop unit. This was done, and the hangars at the new field are the envy of other ports, containing all the implements and machinery necessary to begin and finish a job.

It was also due to Walker that the field was named after Floyd Bennett. Walker feels that he is partly responsible for the death of that noted aviator. When the German flyers were stranded on Greenley Isle during the famous East-West trip in 1928, Walker asked Bennett to go to their rescue. It was while he was on his way that he contracted pneumonia and died. Walker had this very much on his conscience, and still has. He tried to offer some slight amends by making the new field a monument to the flyer and by giving his widow, when he discovered she had been left not too well provided for, the position of secretary to the field commissioner.

There was no official celebration at one minute past midnight on September 10, 1932, when New York City, for the first time in its history, began operation of a city-built subway, the Eighth Avenue system; for the man under whom this great underground railroad was built, Mayor Walker, could not be there to inaugurate the public use of one of the city's most important improvements. There was merely a simple dropping of a chain at each station of the line. But New Yorkers fully appreciated the importance of the new subway in alleviating the unbearable transit congestion from which they had suffered, for despite the lateness of the hour they flocked to the opening as to a theatre, and long before the stations were opened crowds of people waited and fought for the privilege of being the first to ride in the trains. The passengers themselves provided the ceremonials that were omitted by the municipal officials.

Walker lived very closely with the city's transit problem. John H. Delaney, the chairman of the Transit Commission of New York and one of the most noted authorities on municipal transportation in the country, said of him during a private conversation: "His understanding of the intricacies of the transit problem, including its financial and structural phases, is marvelous." During the entire planning and building of the subway Walker was in conference with Delaney two or three times every week, and the picture of the spruce Jimmie of reception fame burrowing into formidable sheets of figures and blue-prints opposite the saturnine Delaney may be surprising but is quite appropriate as showing the obverse of the Walker character.

Rapid transit in this city was under the control of the State authorities from 1891 until 1924. In 1891 the Legislature passed a law, known as the Rapid Transit Act, providing for a Board of Rapid Transit Commissioners. Since then various amendments and changes have been adopted, but this law is still the authority

under which the transportation operations of the city are carried on.

In 1907 jurisdiction was transferred from the Board of Rapid Transit Commissioners to the State Public Service Commission and was continued under the authority of the latter through the subsequent years up to 1919. The law was then changed to place the control of all New York City rapid transit matters in the hands of a Transit Construction Commissioner, appointed by the Governor. John H. Delaney was appointed to that post by Governor Alfred E. Smith and held office until 1921, when the Republican landslide took Smith out of Albany and the Republican majority in the State Legislature amended the rapid transit law again, giving jurisdiction to a new body of three members, designated as the State Transit Commission, and abolishing the office of Construction Commissioner. This was opposed by the city administration, which offered a bill designed to vest in the Mayor the power to appoint a city board endowed with the authority to pass on all rapid transit matters. Walker, as leader of the Democratic forces in the Senate, introduced the measure favored by the city and up to 1924 his name appeared continuously as that of the sponsor of other similar bills. In 1924 he was successful in passing the desired measure, but only by exercising his diplomacy and consenting to have his own bill replaced by one bearing the names of Republican members as sponsors.

After the passage of this legislation a Board of Transportation was appointed by Mayor Hylan, composed of John H. Delaney, Daniel L. Ryan and William de Ford, and an extensive plan for new rapid transit construction was developed to cost approximately \$700,000,000 and requiring about ten years for completion. The first construction plan was submitted to the city authorities in May, 1925 and approved in the fall of that year.

In 1925, when Walker prepared to run for Mayor,

it was known that the five-cent fare, particularly on the new subway about to be built, would be a prime issue. He was strongly for its continuance, but a number of prominent and very influential members of his own party advised him against it. To come to an agreement on this issue Walker called a number of conferences with the leaders in question, the members of the Board of Transportation and others acquainted with the financial administrative affairs of the city. To them he proved that the five-cent fare was practical and realizable and stated he would assume full responsibility for carrying out this policy.

As expected, the five-cent fare became an issue of the campaign. After Walker's election the city found itself in the position of requiring seven hundred million dollars for the financing of the new subway within the ten years and being limited by law in its borrowing capacity to only a hundred million. The new Mayor went to Albany and persuaded his former colleagues to pass a measure enabling the city to borrow three hundred millions more, a sum sufficient to begin construction work. In promoting this measure, which required a constitutional amendment, he travelled throughout the State, explaining in ardent speeches the needs of his city.

With the money assured, Delaney worked out a plan of financing known as the "Delaney Plan," which aroused the intense opposition of many real estate owners and bankers. Walker was thoroughly in sympathy with this plan because he believed that it provided the only possible method of financing the new subway system on a five-cent basis, and he fought for it with a grim determination often forcing him into a critical political position.

Walker's belief in the five-cent fare is not founded on its conveniency as an electioneering argument. He is convinced that five cents as the maximum fare for a subway or elevated ride was not an arbitrary figure sug-

gested by whim when the first contracts were drawn by the city with the transit interests thirty years ago, but because this nominal charge insures the proper growth of the city. He believes that the five-cent fare is a guarantee that no matter where a New Yorker chooses to live, he will be certain that no more than five cents will be exacted to bring him to and from his home; that the citizen who wishes to take his family away from the congestion of central Manhattan and into the freer atmosphere of the outlying neighborhoods will not be handicapped in doing so by the threat of a high fare. He sees in the limited fare a municipal philosophy and nothing has been able to move him from his stand. Even where upholding the five-cent fare has resulted in higher taxes he has kept faith with it.

In a debate with property-owning opponents of the Delaney Plan he declared that subways were not built for the benefit of passengers only but for the benefit of real estate as well. The public would much sooner ride in the fresh air of an elevated railroad than in a hole in the ground, and the construction cost would be enormously less. But elevated railroads depreciated property; therefore, the greater costs of subway building are incurred to preserve real estate value, and real estate owners should not complain when transit is responsible for a higher tax rate. Besides, he stated further, the five-cent fare developed immense new residential and business territories, to the enrichment of property owners.

The basis of the Delaney Plan is the financing of the major amount of the money necessary for the construction of the complete new subway system through four-year bonds instead of the more conventional fifty-year bonds. The difference between the two bonding methods is a tremendous saving in interest. It is this saving which Delaney calculated will enable the city to balance the cost and upkeep of the new subway with a five-cent fare. In actual figures the plan means that



each dollar borrowed on fifty-year bonds would cost \$2.53, while each dollar borrowed on four-year bonds would cost \$1.11. The \$150,503,000 originally borrowed for subway use through fifty-year bonds will cost the city \$322,406,530 in interest, while the balance of \$520,000,000, either already borrowed or to be borrowed, on four-year bonds will cost only \$48,406,000 in interest.

Since, however, this plan means that the amortization of the construction costs will be finished with the completion of the subway—within the next few years—the burden of paying for it falls upon the present-day realty owners. These owners therefore rose in vehement protest against the city policy. They were supported by Comptroller Berry, whose consistent opposition to the Walker administration found its most determined expression in this matter. But Walker refused to budge, and his policy contributed in no little measure to the animosity displayed against him both by realty men, who desired to spread the burden of the subway construction costs to future property owners, even though by doing so they increased the interest charges enormously and raised the fare, and by bankers, whose profits on these city bonds were reduced.

So deeply did Walker become steeped in the philosophy of the five-cent fare that he personally went to Washington to argue before the Supreme Court, as a lawyer, the city's case in the suit brought several years ago by the Interborough Transit Company to annul its contracts pledging that fare. A few nights before the decision favorable to the city was handed down he impulsively said to his friend Paul Block, "I would give ten years of my life to win this case."

\* \* \*

The foregoing account describing a number of items picked from Walker's municipal record should not, of course, be taken as a history of his accomplishments as Mayor. The work of a chief magistrate of a large city is characterized not so much by individual "achieve-

ments," which are often fulfillments of enterprises begun by previous administrations, as by a prodigious amount of routine. The major work of a city administration, and especially of its head, is the keeping of the tremendous civic machinery in as perfect operation as the diverse human elements within it will permit. Whether a city is well governed, and whether any of its mayors has been a good administrator, can be ascertained perhaps more concretely by the manner in which its inhabitants live, by its progress, by its ranking in the world. For New York it can be very safely said that, with the exception of the vexing transportation problem, a problem arising chiefly from the extraordinarily rapid growth of the city, and now nearing solution through the new city-owned and operated subway, it is as fine and comfortable a city to live in as can be found in the world. In modern conveniences; in educational, cultural and recreational facilities; in the safety vouchsafed to its citizens (its famed gangster wars are restricted to the gangster class); in the complete harmony in which its numerous races live; in its commercial and professional opportunities; in its healthful conditions, it is excelled by no other city in the world.

CITY HOST



## I

ALBERT H. WIGGIN, Chairman of the Board of Directors of the Chase National Bank and one of the pillars of the financial structure of this country, turned from a survey of the New York reception to Premier Laval, of France, and remarked to a friend:

“That man is worth a million dollars a year to the city.”

He was referring to Mayor Walker. It was not the showy display which Walker had arranged that drew his admiration, but the finesse, the charm and grace with which Walker conducted the affair. What was in his mind was that any foreign notable received by such a representative of the metropolis would be made a friend of New York for life.

There never had been a mayor of a municipality who was so perfectly the city host as Walker. No matter what celebrity mounted the city hall steps to be touched with the sword of municipal knighthood, Walker always had the fitting words of tribute that evoked a responsive emotion in the honored person and his entourage. He received the distinguished caller with a frank camaraderie, a genial wit and a simplicity entirely devoid of official posture which delighted the guest and sent him away with fond and thrilling memories of his visit. Walker believes in the theory that first impressions are lasting, and so cultivated and developed to a high degree a talent for making the first impression of an eminent guest an unforgettable one.

New York's reputation as a city of “receptions” is now world-wide. Its paper “snow storms” and spirals of ticker-tape have been made familiar by photograph and news-reel to every city and country on the globe.

And while the beginning of this fame may be traced to the hospitality of previous mayoralty régimes, its highest points were reached during Walker's administration. In fact the Walker receptions and the Walker personality are so closely associated together in the public mind that mention of the former instantly evokes the latter and *vice versa*.

During Hylan's administration, Grover Whalen, then Commissioner of Plants and Structures, became the directing mind of municipal receptions to foreign or domestic celebrities. New York City, as the chief port of entry to the United States, is the natural landing place of every visitor from across the ocean; and as the largest city in the country and its greatest amusement and artistic center, it is first on the itinerary of travelers. Among its two hundred thousand or so visitors a day there are always a number of distinguished people. Many of these are welcomed by influential friends or representatives of groups of their compatriots and proposed for City Hall honors. In the past these receptions were comparatively few because the mayors lacked the graceful cosmopolitanism necessary for the purpose; but Grover Whalen, a keen publicist with a flare for the grandiose, took to these civic entertainments readily and developed them to the point where Walker could broaden them into international events. A special municipal Committee on Receptions now functions to take care of this branch of city affairs, and it has its hands full. Up to the end of 1931, ending six years of the Walker administration, there were official receptions held for approximately three hundred persons, with many of these receptions including a number of separate functions each of which required the presence of the Mayor or his representatives.

In view of its historic past, it is quite fitting that New York's City Hall should be the scene of these festivities. The park in which the building stands was the place of important and stirring gatherings as long ago

as 1765, when the Sons of Liberty held their great protest meeting against the Stamp Act. In the days that preceded the outbreak of the Revolutionary War the Sons congregated in the park frequently both to declaim against the rule of the British and to re-erect the liberty poles which the authorities consistently tore down. It was here that Washington, on July 9, 1776, read the Declaration of Independence to the American Army. The credit for the now established custom of officially receiving noted visitors at the Battery and then march them into City Hall has usually been given to Whalen. In reality, however, it has older historic precedence. It was Lafayette, when he returned to this country in 1824, who was the first to be given this kind of welcome. He was landed at the Battery and there honored with an imposing military reception, before proceeding to City Hall for the civic greeting from Mayor William Paulding, the nephew of André's captor. The Aldermanic Chamber resounded with reception speeches for the first time when Mayor George B. McClellan officially set the first subway in operation. Prior to the Walker régime, among the more important receptions were those tendered to Marshal Joffre and Lord Balfour, both by Mayor Mitchel in 1917. Joffre was taken on a grand parade, and the enthusiasm of the crowds lining the sidewalks was the warmest displayed in New York up to the time of Lindbergh. Two years later the King and Queen of Belgium were received by the President of the Board of Aldermen, Murray Hulbert, acting for Mayor Hylan. That event was rather prosy compared with the glittering pomp that would prevail today on such an occasion. In the same year the Prince of Wales was greeted, and in 1924 Lloyd George with his wife and daughter, Megan, were received on the steps of City Hall and accorded the freedom of the city.

With this imposing background the Walker administration proceeded to build up a record of official receptions unsurpassed in number, attendance and elaborate-

ness. This record, too, included a number of "freak" events in which Walker was too good-natured to decline to participate. A Bronx iceman, for example, had saved up some money and made a dash round the world in twenty-seven and a half days. He came back to his home town weary in every bone but exalted over the achievement. Encouraged by the enthusiastic members of the Bronx Chamber of Commerce, of which he was a member, he asked permission to meet the Mayor. Could the Mayor refuse? Not Walker. He envisioned the crestfallen figure of the disappointed Bronx iceman if he should decline to receive him, and hurried from his office to shake the hand of Raffaele Maiullari. On the way he was told that the disciple of Jules Verne could neither read nor write, therefore when facing the globe-trotter he already had something appropriate to say. "I don't know that it matters that you can't read or write," he told the man. "Lots of people that do don't think or accomplish much. If you did write you would probably write lots of things people wouldn't understand; and being unable to read you can't read all the nasty things they write about you." The Bronx iceman went away beaming and bearing a distinction proudly to be handed down to his family: he had been received by the Mayor of New York! Walker had spent ten minutes of his time at the "reception"—but what are ten minutes weighed on the scale against a man's happiness?

Or take the following cases:

Aimé Felix Tschiffely is an Argentinian who has made a trip on his nineteen year old pinto pony from his native land to New York's City Hall. He has ridden ten thousand miles and spent three years of his life on the trip. Can a Mayor refuse to see him when he knocks at his door? Walker cannot, and so he rewards this extraordinary but perfectly futile human effort with a few words of praise and receives as his own reward—the three-ball lasso used by the pampas Gauchos.

An Italian Soccer team arrives and petitions for the



blessings of New York City. Probably nobody has heard of such a thing as an Italian Soccer team, but here they are. Can Walker bring a shadow of disappointment to those eager faces in which black eyes sparkle with the thrill of seeing Manhattan's skyscrapers and their nostrils quiver with eagerness for the blood of the New York Soccer headmen? He comes out and wishes them well, a wish which goes astray shortly thereafter, when the team is licked by the Americans.

A set of dolls arrive at City Hall; dolls from Japan, all dressed in their best and smiling daintily upon the far from doll-like physiognomy of the Mayor. The dolls are chaperoned by five pretty Japanese maidens and are piloted by a Japanese governmental envoy. A special poem has been written for them by none other than the literary and diplomatic Robert Underwood Johnson. Could one do less than receive the delegation in the dignified surroundings of the Aldermanic Chamber? Particularly, when John H. Finley consents to act as the Chairman?

The oldest traveling salesman in the United States meanders into the city, glorying in his long years of service and computing in substantial figures his share in creating the prosperity that was. Could the Mayor send out a cold message that he is too busy managing the city? What is managing the city compared with the distinction of being the oldest traveling salesman in all the United States?

A tribe of Indian Blackfeet arrive with their wives and papooses for the express purpose of making Mayor Walker a Chief. The fact that the Indians live in Glacier Park and that they and the Glacier Park concessions profit no little from tourists gives the visit an ulterior motive. But Glacier Park is a government institution and a fine healthy place to visit. Should the Mayor of New York turn his back on the horde of redmen invading City Hall? It would be a slight to Washington, under whose paternal care these Blackfeet are.

So the Mayor gives his gavel as Chairman of the Board of Estimate to McKee and goes down to the City Hall steps where he is formally dubbed A-Ka-Ki-To-Pi, which sounds like the name of a Greek letter fraternity but means Big Chief Many Rider. This is a peculiarly apt designation for Walker, for the only time he rides a horse is when he poses for pictures. The Mayor is just beginning to bask in the glory of his newly acquired nobility when he is horrified to hear the Blackfoot chief explain with a good deal of pride that the original Big Chief Many Rider, now in the blessed Happy Hunting Grounds, was a distinguished horse thief. The shock is lessened, however, by the added information that Big Chief Many Rider stole only from his enemies.

Bossy Gillis comes to town on a winter day. There is only one Bossy Gillis in the wide world and besides, he, too, is a mayor. Therefore, it is only common mayoralty courtesy to see him. Bossy, it may be repeated, used to be the red-headed Mayor of Newburyport, Massachusetts. Under his true name of Andrew J. Gillis, he roamed the world as a sailor and finally settled down as the proprietor of a gas station in Newburyport. Later, by virtue of a lurid vocabulary, a shrewdness derived in no way from book learning, and political accident, he became the mayor and dictator of his town, and almost a national figure.

Bossy arrives at City Hall via the subway from the Hotel McAlpin for a one-o'clock interview. On the way to the reception room in the mayoralty suite he gathers up a squad of newspapermen who range themselves about him as he settles in one of the plush chairs that are provided in the room and comments on the latest topic of the day, which to him, is companionate marriage. While he is expounding his views the Mayor enters, accompanied by ex-Mayor Curley, of Boston, and Patrick McGovern, the subway contractor. Walker looks over the crowd of reporters and blandly inquires of Bossy: "Is this your entourage?"

Bossy is stumped by the word "entourage." He grins and makes an ambiguous motion with his hand. Walker continues mercilessly: "You've been proselyting quite a bit, haven't you?"

Bossy gasps and darts a dazed look at the journalists. Getting no help there, he sustains himself by a weak grin. Walker relents and introduces Curley. "You know Mr. Curley? He used to be Mayor of Boston."

The Chief Magistrate of Newburyport straightens up at last. "Sure," he asserts, "everybody knows that up my way. You can bet your bottom dollar on it!" Then, expanding on familiar ground, he opens up:

"You know Mayor Devir of Malden, don't you? He called on me at the hotel yesterday. I was taking a bath at the time."

"Now we know," Walker interjects, "why you came to New York. Any time you feel that way again come down. We'll always be glad to have you."

Bossy wilts again. He feels he has been scored on. He thinks fast but only manages a "Well—" when Mr. Curley helps him out by saying to Walker: "You know, Mayor, it's very cold up in Newburyport and the pipes freeze quite easily."

Bossy involuntarily fingers his throat. He is becoming desperate when suddenly an inspiration saves him. "Say—" he inquires with a touch of belligerency, "where is Grover Whalen?"

This time Walker is stumped. He recovers and vaults lightly into: "We always have Grover Whalen to welcome strangers. But you're no stranger. You're one of our own and we don't need Grover today. By the way, who is your Grover?"

Bossy considers. "Haven't got one yet," he replies. Then again prompted by inspiration: "Say, why don't you finish New York?"

Walker is a little puzzled by this query until he realizes that Bossy is alluding to the private and municipal construction always under way in the city. He

counters gently: "I don't think we'll finish it until we annex Newburyport."

After this both sides call it a day, and Bossy goes to replace a twenty-five dollar suit in which he has come to town with a fifty-dollar suit which a tailor he met socially has talked him into buying. "I been glimmin' around," he tells the devoted reporters following him, "and I see class counts in New York. I'm goin' to see that it counts in Newburyport. This suit I got on don't look so good."

"Why don't you get it pressed?" suggests one of the boys, and Bossy retorts: "Hell, I've only had it three weeks."

Of the more important receptions the most exciting was no doubt that accorded Lindbergh. The city was in a hysteria over the young man who, by the one act of crossing the Atlantic Ocean by air, became a national hero enshrined in the hearts of the American people with an almost legendary reverence.

The city administration had a special interest in Lindbergh beyond the fact that he took off from New York. Lindbergh came to Roosevelt Field at Mineola, L. I., with his "Spirit of St. Louis" and three of its backers penniless. Admiral Byrd, after several years of preparation, was then about to take off for his Paris flight. He was backed by Rodman Wanamaker, and Grover Whalen, as Wanamaker's representative, had a depot on the field.

No one among the many fliers and mechanics at the airport thought Lindbergh had the slightest chance of winning through, and all felt sorry for him. Then Whalen discovered that the boy flier and his backers didn't even have enough money to pay for board and lodging. He at once established credit for them at the Garden City Hotel, and tried to help Lindbergh in other ways, even to the extent of giving him all the flying data that had been prepared for Byrd when he learned the Lindbergh camp was anxious to make an early start. On



TOP—*Reception to Premier Ramsay MacDonald.*

BOTTOM—*Reception to Post and Gatty.*



*Walker meeting Pierre Laval, the French premier, and his daughter.*



*Walker leading the beer parade.*

the Friday night before he took off, Lindbergh went with several men from the flying field to see the Ziegfeld show "Rio Rita." But he was so impecunious that he could not pay for his ticket and returned to Mineola alone.

That night there was a party on the field and in the midst of it Mulligan, one of Lindbergh's backers, slapped him on the shoulder and said, "Well, Slim, you take off tonight." Lindbergh replied "Okay," and asked to be called at two-thirty. That Friday was the gloomiest morning the men at Roosevelt Field had known. They never expected to see Lindbergh again. As he took off some of them cursed themselves for letting him go. The slightly hard-boiled Whalen felt tears in his eyes. He was positive the boy was going to his doom. To relieve his conscience he cabled to the Wanamaker representatives in Paris, who were in charge of the Byrd flight, to transfer their services and the Byrd itinerary to Lindbergh, should he arrive.

Through Whalen, Walker was naturally keenly interested in Lindbergh's flight. The cable from the flyer that he had arrived was received by Frank X. Martin, of the Whalen staff, at 2:30 the following Saturday, just as the "America," Byrd's airship, was being christened. Martin kept the message a secret for two hours while he cabled for verification. Immediately after the truth of the arrival had been established Walker cabled Lindbergh an invitation to be honored by a New York reception. Lindbergh accepted, but after all the arrangements had been made Washington decided to honor him first and sent a cruiser to bring him back. Lindbergh could not refuse, and New York thus was forced to be second in paying tribute to his accomplishment.

Although Lindbergh was steeped in glory, his pockets were still empty when he returned home, and Walker arranged with his friend, Harry Frazee, the baseball manager and theatrical producer, to place his Park Avenue apartment at the disposal of the flyer and his

mother. All the expenses of the pair and those with him were charged to the city fund.

No New York parade ever aroused in the people such enthusiasm as was displayed during Lindbergh's triumphal march. But while the crowds on lower Broadway were abandoning themselves to hysterical acclaim some very different scenes were taking place back stage at City Hall, where the elaborate arrangements for the reception and the handling of the crowds created a tension that caused several flareups. Among these was one between Hector Fuller, Walker's master of ceremonies at greeting parties, and the radio men. Fuller had been assigned the task of introducing the principal and reading the honor scroll, and Tommy Cowan, an announcer for the municipal station, was to broadcast the ceremonies for both W. N. Y. C. and the national hook-up. At the last moment, while Walker was out on the grandstand awaiting the arrival of the guest of honor and chatting with Anna Case, the singer, about grand opera, Fuller announced that he would assume charge of the broadcasting functions as well. The officials of the radio chains objected, and the ensuing bitter dispute reached the ears of Walker. He assumed his characteristic quizzical expression and inquired of Cowan, who was standing by, uncertain what to do: "Have you suddenly grown dumb?"

"No, Your Honor," replied Cowan.

"Well, your reply convinces me," said Walker, and then taking Fuller by the hand, began instructing him:

"Now, Hector," he said, as Fuller, an ultra dignified gentleman, listened stiffly, "everybody in the world knows that Lindbergh is coming here this morning and that I've appointed you Master of Ceremonies. There's a little red dais up there, about thirty-five feet from here, where you will announce to me that Colonel Lindbergh has arrived. Of course, I'll know it myself, for there'll be plenty of cheering to indicate it. But, officially speak-



ing, he will not be here until you tell me, thirty-five feet ahead of these microphones."

This diplomatic reference to the importance of his own particular function sent Hector without another word to the little red dais and the storm subsided.

When Lindbergh finally emerged from the paper snowstorm that seethed around him as he progressed from Battery to City Hall, Walker sprang a speech of welcome which was widely quoted:

"One thing occurs to me," he said, "that what has been overlooked in all the observations that have been made of you is that you are a great grammarian and that you have added significance and a deeper definition to the word 'We.' We have heard and are familiar with the editorial 'we' but not until you arrived in Paris did we learn of the aeronautical 'we.' Now you have given to the world a flying pronoun."

The felicitously coined phrase "flying pronoun" at once went the rounds.

At the banquet numerous guests obtained the Lindbergh autograph on their menus, but they were unaware that only a few of the signatures were genuine. Lindbergh courteously signed the first dozen or so menus that were presented to him, but as the number of sheets to be autographed grew a reception official delegated a policeman to imitate the Lindbergh autograph, and the recipients were none the wiser.

Lindbergh's demeanor during the entire exciting period of the New York reception was characterized by an extreme naïveté, but at no time was this trait more amusingly brought out than when he received the \$25,000 from Raymond Orteig for the flight. The check for the prize money was drawn on the National City Bank on a specially made and illuminated parchment. After being presented with it, Lindbergh fingered the check gingerly and whispered anxiously to an airport friend standing by: "Do you think I can cash it?"

From the point of view of pomp, the reception given

to Queen Marie of Rumania in 1926 was the greatest. Her Majesty's coming seemed to have brought to the surface all the repressed aristocratic proclivities of democratic Americans, and there was so much anxiety about the affair being entirely "comme il faut" that the officials at City Hall received strict injunctions not to vary their habiliments when appearing at the reception from the following specified items: silk topper, black coat, striped trousers, black shoes, gray spats, gray cravat, dark cane.

Notwithstanding the almost regal decorum of the occasion, several slight incidents occurred to break the formality of the proceedings. At the ceremony in the Aldermanic Chamber Hector Fuller, as Master of Ceremonies, made a grave slip when he referred to the Queen as "Her Imperial Majesty." He did not know that Rumania was not an empire, and the sad blunder was commented upon extensively, causing Mr. Fuller much anguish.

But a greater contretemps occurred when Mr. Fuller unfurled the large, illuminated scroll the city was to present to the royal visitor. Marie glanced at the document and then at the clock on the wall and, clutching the Mayor's arm, murmured: "I have to get a 1:10 train at the Pennsylvania Station." It was now nearly one. Mr. Fuller began reading the scroll, his sonorous voice lovingly rolling out each phrase. In a low tone Walker said to him: "Cut it short!"

Hector heard the Mayor's voice but failed to grasp the meaning of his words. He became confused and continued reading. Somewhat roughly Tommy Cowan, guarding the microphone nearby, nudged the Master of Ceremonies and whispered: "The Mayor wants you to cut it short—CUT IT SHORT!"

The Queen heard and controlled herself. In spite of the risk of being late for the reception arranged for her in Washington, she seemed to enjoy this byplay. Fuller finally got the drift of the request and skipped to the last page.

At the close of the ceremony Walker was faced with the delicate task of finding the proper place to pin the city's medal on the Queen. As he was fumbling she eased his embarrassment by whispering through smiling lips: "Be careful!"

In a similar whisper Walker then replied: "It would be an honor to stick a pin into a queen."

When the party left the Aldermanic Chamber Walker rode with his guest in an open car to the Pennsylvania Station. It turned out to be the most embarrassing ride he ever took. Queen Marie is a conspicuous person and a halo of romance has been created about her. The crowds that lined the sidewalk enroute watched her with the keenest interest.

Walker had departed without a coat, and as this was October, he shivered slightly. The Queen considerably wrapped the car robe more tightly around him, which caused them to sit closer to each other than they ordinarily would. This propinquity delighted the New Yorkers, and the cheers took on an intimate note. But as the car passed the steel framework of a building under construction on Broadway, Walker was shocked to hear the hearty voice of an iron worker roaring down from his perch on a beam:

"Well, Mary, old gal, how do you like it?"

Rumania's famous queen-mother merely smiled graciously, but Walker breathed a sigh of relief when he finally bade her adieu at the train.

"Just think," he commented on his way back, "what would have happened if I had ridden with her through the Bronx!"

The future historian might note that the music for the ceremonies in the Aldermanic Chamber was furnished by the Street Cleaners' Band.

Perhaps a little more attention should be given at this point to Mr. Fuller, who struck so dominant a note in the gay surroundings of the New York municipal receptions under Walker.

Mr. Fuller, on the other side of middle-age, is an advertising man with the bearing and the voice of an actor of the old school. An old friend of Walker, he was entrusted with the designing, handling and reading of the official welcome scrolls. The function of announcing the entrances of notables came to him as a natural complement of his other duties. As a rule, he appeared at City Hall only on the day previous to the reception at which he was to act as master-of-ceremonies and on the great day itself. The first appearance was for rehearsal, when all the officials concerned with the welcome went through the movements as the actors in a play or the bridesmaids before a wedding.

Mr. Fuller's life was made a trifle vexatious by the newspapermen who simply doted on drawing the attention of their readers to his various slips on auspicious occasions.

During the reception to Premier MacDonald, for example, he announced the guest as "the Prime Minister of the United States." As the giggles ran through the audience in the Aldermanic Chamber the voice of the British Ambassador, Sir Esme Howard, reached Fuller: "Britain, old fellow, *Britain!*" Hector corrected himself, but the incident was religiously reported by every journalist present. Mr. MacDonald sympathized with Mr. Fuller—as who would not who sees a dignified, meticulously clad gentleman pull a boner before a roomful of distinguished people and selected guests?—and sent him a little note in which he hoped that Mr. Fuller had not been embarrassed by the incident.

During the reception to Pierre Laval, the French premier, Hector again got himself entangled. Among the guests on the platform of the Aldermanic Chamber was Paul Claudel, the French ambassador, and at one point in the ceremony the Master of Ceremonies announced: "Pierre Laval, Ambassador to Washington." The audience liked this statement very much and showed its appreciation by a ripple of genteel laughter,

but Walker covered the mistake cleverly by observing in his speech of welcome that Hector Fuller, "who never before made a mistake," so admired M. Claudel in common with other New Yorkers that he attached his title even to M. Laval.

In the same address Walker aroused the admiration of the audience by the gracefulness of his remarks. Earlier that morning Secretary of State Stimson had accompanied Laval in the procession from the Battery and had commented on the lovely weather. Later, in officially introducing the Mayor to the French statesman, he said that the innate charm of Walker as a personality and as a representative of the City of New York had bewitched even the weather man. Walker took note of this remark in his speech of welcome when he said that the weather was one of the things he had brought back from his recent visit to France.

The record of welcomes, numerically, was achieved by Admiral Byrd, who was accorded three receptions—one after he flew over the North Pole, one after his flight to Europe and the third upon his return from the Antarctic Expedition. On the last occasion, before the ceremony began, Walker observed to the guest: "Dick, this has got to stop. It's getting to be a habit."

It really was becoming a habit with Byrd and his crew, for as they were sailing into New York harbor from Little America they practically forgot that they were due for a reception. When the tug "Macon," with Whalen and the Mayor's Committee on board, was chugging up to Byrd's ship, the "New York," the welcomers were surprised to find an air of peace and quiet reigning on the deck of the latter. As they approached alongside the vessel they saw a husky gentleman, stripped to the waist, dowsing his blond head in a bucket of water. It was Bernt Balchen performing his morning ablutions. He jumped up nervously when he saw the ceremonious group of people on the tug and only then recalled the scheduled welcome at City Hall. He mum-

bled that he would inform the Admiral that the gentlemen were waiting and disappeared down a hold. The gentlemen had to wait quite a while until the crew spruced up.

The first Byrd reception was really coupled with that to Clarence Chamberlin, who made his flight to Berlin with Charles Levine as the first passenger about the same time that Byrd flew.

Of all the aviators and record-breakers welcomed at City Hall the one who cost the city least was Ruth Elder, upon whom only \$333.19 was spent.

With Mayor Walker as the chief actor in the ceremonies some amusing, graceful or tactful incident can always be relied upon to happen. One of the funniest episodes occurred during the reception to Marshal Pétain, of France, though the Marshal was unconscious of the humor.

As a rule, all distinguished visitors are presented with an honor medal by the city, which is pinned on by the Mayor. After his speech of greeting to the Marshal Walker proceeded to attach the medal to the soldier's coat. But the cloth was so stout that he found it impossible to penetrate it, and after stabbing the pin for a few moments he ceased his efforts. Looking the Marshal square in the eye, he said: "Marshal, you have been reading the newspapers and have been misinformed. You did not have to wear a bullet-proof coat to this reception."

Pétain does not understand English, and the remark was translated for him by General de Chambrun. "Oh, no," the Marshal replied. "This is not a bullet-proof coat. It is made of just the regulation army cloth."

Walker silently went on with the search for a vulnerable spot on the Marshal's coat and found it at last with the help of the visitor's guiding fingers.

A somewhat similar difficulty came up when the Mayor was attempting to pin a medal on General Orlicz Dreszer, the Chief of Staff of the Polish Army. The

General, a towering figure alongside Walker's slight frame, was wearing all his honors, and these were spread over a considerable area of his breast. After searching for a clearing, Walker observed: "General, if we had another war I wouldn't know where to put this."

There was a colorful and romantic scene at this reception. A large delegation of Poles had come down, a number of them clad in their national costumes. The men formed a lane and crossed swords overhead as the Mayor walked in. It had the appearance of a scene from the movies or a Strauss operetta. Walker, however, dampened the effect of this militaristic display by remarking pointedly in his address of greeting: "When you return to your country tell your countrymen how the Polish residents of this city live in peace with the peoples of all the world."

A touch of political humor was added to this event by the appointment of Samuel H. Hofstadter, chairman of the State Legislature's Committee investigating the administration of the City of New York, as head of the reception committee, and it was extended a little further when, pursuing his favorite topic of the cosmopolitanism of the city, the Mayor said in his speech: "There are three hundred thousand Poles . . ." One of the reception committee interrupted by whispering: "Three hundred and fifty thousand." He was over-whispered by Hofstadter with the correction: "Four hundred and fifty thousand."

"Ah, well," murmured Walker, "pluralities are growing so all the time!" Hofstadter, the Republican, smiled faintly, for only the day before there had been an election and the Democratic candidates had been swept into office with heavy majorities.

There are certain words, phrases and themes which Walker uses to advantage in making witty or apt remarks. The word "plurality" is one of them. He used it effectively in an address he made in welcoming Gertrude Ederle to the city.

The reception accorded "Trudy" after she swam the channel was another uproarious expression of popular approval. It was one of the most exciting welcomes the city had known. At her first appearance on lower Broadway after landing at the Battery the crowd surged around her with greater agitation than the waves which battered her in the English Channel. At the City Hall plaza a policeman was forced to snatch her in his arms and carry her inside the building while a call for two hundred additional policemen was put through. In the Aldermanic Chamber, where she was officially received by the Mayor, her entry was the signal for an almost hysterical acclaim on the part of the invited audience. The stately wood-panelled walls resounded with frenzied shouts and large bouquets of flowers hurtled through the air. "In all my experience," said Whalen in introducing her—and an ample experience it was—"there has been nothing like the tribute given to Gertrude Ederle."

Following Whalen's remarks with his speech of welcome, the Mayor said: "I have not had the privilege to be present at all of the receptions Mr. Whalen has referred to, but since the first of the year my average has been pretty good. If it is necessary to assure you that New York City entirely welcomes you I do now so most heartily.

"Having had some pride in pluralities and having thought at one time that I knew something of the proportions that pluralities could attain, I am willing to admit, Trudy, that yours is the greatest plurality ever given."

As usual, the Ederle reception carried with it some good back-stage incidents as well as typical Walkerisms.

It had been rumored that Walker would kiss Trudy on greeting her, and this was an expectancy no doubt shared by the swimmer. Walker evaded this rather informal duty with fine grace and tact by saying: "The papers stated that upon your entrance to City Hall you



ought to be kissed by the Mayor. I want you to understand that I shall not be held guilty as a defaulter, but at the same time, having in mind the fact that you conquered the English Channel, and the fact that you might take exception to the contract, I am not going to insist. But if you look over my shoulder at the Mayor's staff you will see some very attractive young lieutenants who have already volunteered to substitute."

Walker utilized this opportunity to dispose of the rumor that the two tugs which accompanied the swimmer across the Channel had helped her considerably. Miss Ederle denied there was any truth to this supposition and, in fact, claimed that the tugs had hindered her whenever they came too close, but the gossip persisted. "I do not know about the controversy over the tugs," he said, "but Mayors are supposed to be practical, and I have this in mind: that the old channel is still there and there are a lot of tugs to be hired by anyone who wants to try it. The Mayor will be the first to refuse it."

Because Miss Ederle was of German origin, many German societies participated in the celebration, with Magistrate Charles Oberwager at their head. When the reception committee, in Whalen's charge, went down the Bay to meet the "Berengaria," on which the swimmer was arriving, the judge indicated that he would take command of the arrangements. As all official plans had been made the committee could not agree to all his suggestions, and by the time Trudy was transferred to the "Macom" there was a well-established case of friction aboard the famous "greeter" boat.

On the way to the mainland, Whalen spoke a few words of welcome and presented the girl with a gold vanity case and an American Flag—gifts of Dudley Field Malone, the lawyer and friend of the Mayor. Oberwager followed with an impassioned speech bristling with references to "German blood," "German courage" and other Germanic virtues. Malone grew

fidgety as this went on; at length he shed restraint and burst out: "Here—cut it out. This isn't a German affair." The magistrate turned red. "Maybe you want the German societies to withdraw?" he queried. "I don't want anything of the kind," Malone replied tersely. Oberwager continued indignantly: "We are all Americans here." Thereupon Malone retorted: "Then let's be Americans."

Miss Ederle was very much upset by this scene and burst out crying. The magistrate quieted down, but the arrangement for the disembarking at the Battery and for the parade up Broadway were carried out under a strain.

In the meantime the incident had been communicated to City Hall through the "Macom's" radio. The procession arrived in due time with harmony still unachieved. Trudy, in fact, was on the verge of hysterics. Walker, however, received the entire party with complete affability and, to the surprise of the insiders, singled out Oberwager for special attention by complimenting him on the qualities which made him a leading member of his community. His method changed the hostility into a more friendly feeling, and everything went along easily.

Nevertheless, Miss Ederle could not entirely forget what had happened, for when she was called upon to reply to the Mayor's greeting she exclaimed impetuously: "The only reason I swam the Channel was because I am an American and a New Yorker!"

While the friction was eased at the reception it again flared up after the affair was over, and the twenty tables reserved for Oberwager and his group at the Ederle banquet held later at the Commodore Hotel were unoccupied. Intimation of the withdrawal came at the last minute, and the arrangement officials had to screen off the vacant wing of the banquet hall by a dense row of palms.

Like Lindbergh, Trudy was most naïve during the

celebrations in her honor. After being presented by Rodman Wanamaker with a twenty-five hundred dollar diamond brooch at a luncheon in her honor at his department store, she turned to a friend at her side and asked: "Is it real?"

At the luncheon to Post and Gatty following New York City's reception to these "two young men in a hurry" the Mayor found an opportunity to take a fling at the Hofstadter Committee, an act which other political men in his place would have avoided. John H. Finley presided and in the course of his address said that most of the notable explorations had happened during Walker's term. The latter instantly responded with, "I'll say it did!" and everybody caught the double meaning. Finley interrupted himself and said apologetically: "Mr. Mayor, I did not mean to be subtle." "You weren't," the Mayor assured him. "You were quite obvious." Later, when he made his formal speech, Walker said: "If you were to judge by what you read in the newspapers I am the greatest aviator of the lot. The difference between myself and you, gentlemen, is that I do most of my high flying without a plane."

A reception on which the city expended much effort but which had a curious sequel was that given to Dr. Julio Prestes, the President-elect of Brazil.

It is not often that New York is visited by notables from South America, and the Mayor's committee was anxious to accord Brazil the highest honors possible, through this distinguished representative. Police and marines were lined up on Broadway, the Aldermanic Chamber was festooned with flowers and flags, and the noble tug "Macom" set off in the morning with its quota of dignitaries to take Dr. Prestes off the boat as it steamed into New York waters.

It was a hot and muggy June day. A thick haze hung over Ambrose Channel. The tug "Macom" was to have transferred Signor Prestes at noon, but, although the Brazilian's boat was escorted by three cruisers, the

"Macom" could not find it. For no less than four hours it chugged around the bay before locating the liner and bringing the visitor in. By that time the police and marines were wilted with the heat, exhausted and starving. Likewise, all business at City Hall was suspended and the officials marooned in their offices in formal afternoon clothes.

But the Mayor was as dapper and fresh as usual when the visitor was finally brought into City Hall, which was after five o'clock. The delay gave him an opportunity for a remark that sent a few smiles through the frayed atmosphere: "I concede to you, Sir, a championship which heretofore has been given to me."

After all this excitement, however, Dr. Prestes never took office. Before he returned to his own country a revolution had broken out and he was deposed.

Walker's first visit to Berlin had created such a friendly feeling for New York in that city that its own Mayor, Burgomaster Boese, returned the call.

The German official was accompanied by his wife, and during the reception at City Hall, while waiting for the ceremony to begin, Frau Boese asked Walker if he had any children.

"Nein," replied Walker, demonstrating his German and involuntarily recalling the old vaudeville joke in which "nein" (the German "no") is misunderstood for nine.

He was amazed when he heard the Burgomistress exclaim benignly, "How splendid!"

One of the most amusing incidents at a greeting occurred when Walker welcomed the delegates of the Advertising Clubs of the World, which were holding a convention in New York. In reply Mr. Stokes, the Vice-President of the Montreal Club, and acting as spokesman, said: "You don't have to give us the key to the City, Mr. Mayor, because the town is wide open."

The howl and laughter which burst out startled Mr. Stokes, who had not the least motive but courtesy and

appreciation when he made the remark. When he realized the double entendre he had perpetrated he went to great lengths to explain himself.

When former President Cosgrave, of Ireland, visited the city in 1928, there was an atmosphere similar to that which prevailed three years later when Signor Grandi came to New York. Both had political enemies, and in the case of Grandi unusual precautions were taken to insure his safety. Cosgrave, however, had many more active enemies in this country than Grandi. Among these enemies were some of the Mayors' own friends. In fact, one of the most influential leaders of Tammany Hall was Cosgrave's bitterest opponent in this country.

Despite that, Walker made every effort to provide a brilliant and cordial reception. While crowds of anti-Free Staters were parading the line of march with banners like "Welcome Cosgrave—God Save the King," the largest force of police that was ever called out in the city, numbering three thousand, formed an armed lane through which the Irish President rode safely.

The Walker address of welcome was particularly warm-hearted, beginning with: "It is a great distinction, on behalf of the people of the City of New York, to welcome you into the City of New York. As you know, this city is the gateway to America and I am quite sure that you know there is no city in all the world, outside of Ireland, that is more Irish than the city of New York. . . . It is particularly fortunate that the present Mayor, the son of an Irishman, finds himself in this very delightful position this morning of welcoming Your Excellency, the first President of the Irish Free State."

Cosgrave was so surprised and moved by the reception that he almost wept. He said: "I thank God I have lived to see this day, that Providence has been good enough, in our time, to give our people the recognition for which they have sighed so long and which New York, in the majesty and magnificence of its great big

heart, has extended to representatives of my country today.”

A few days later a banquet was given Cosgrave by the city at the Biltmore Hotel, and if some of those who were present wondered why the Mayor seemed reluctant to get to the official speeches, here is the explanation: The dinner was to be broadcast through a national network and last-minute changes in the wiring were found necessary. A group of technicians from the municipal station WNYC were hard at work, but when the speeches were scheduled to begin wiring was still unfinished.

Walker suspected that something was wrong and instead of delegating the inquiry to someone excused himself and left the dais. He came upon the crew of mechanics sweating like men standing on hot bricks.

“What is the matter?” the Mayor asked the chief announcer, Tommy Cowan, who was standing by unhappily. As Cowan began to search for an excuse he cut him short with, “Come on, let’s have it. You don’t have to kid me.”

Then Cowan explained. It was really not the fault of the men but an emergency delay. The Mayor grinned at the group’s excitement. “How long will it take you to get ready?” he asked. He was told about ten minutes. “Well,” he said, “I guess I can stall them for fifteen minutes. Go ahead and fix it. And remember, don’t lose your head and you won’t lose your job.”

Where another man would have raised the roof in exasperation Walker quietly got the men into smooth working gear, and the broadcasting adjustments were ready in eight minutes instead of fifteen.

A reception which brought out enthusiastic crowds was that given Bobby Jones, when he made himself America’s Lindbergh of sport (from the point of view of popularity) by winning the British open golf championship in 1926. An army of Atlantans swooped down

on New York and helped the city officials to do him honor.

Bobby had either signed or made some contracts to speak on the air; and when he learned that the reception was to be broadcast by the city station he found himself in a difficulty. In his confusion, as he was led into the Aldermanic Chamber to be greeted by the Mayor, he forgot the decorum of the occasion and stepped up to the microphone ahead of the Mayor to mumble a few scarcely audible words.

Walker utilized the incident in his welcome speech when he said: "Your very first gesture here, Bobby, explains why you won the championship. You let nothing precede you—not even the Mayor of New York."

Walker's banter with his distinguished visitors once furnished a New York Playwright with a theme for a play produced during the 1931 season.

A lieutenant-governor of Mississippi, bearing the aristocratic name of Dennis Murphree, came to the City Hall in 1926, heading a delegation devoted to a "Know Mississippi Better" tour. The governor greeted Walker as the finest Democratic Mayor of the finest city in the United States. Walker replied: "You might know that a man of Tammany Hall persuasion could look for recognition from a Murphy, no matter how he spelled his name."

Next to the receptions given to Lindbergh and Ederle, the most popular were the two welcomes accorded to Captain George Fried and his crew. In 1926 Fried, the master of the boat "President Wilson," came back to New York the hero of the famous rescue of the "Antinoë" crew, and in 1929 he was hailed again in the metropolis for saving the lives of twenty-five men on the shipwrecked Italian freighter, "Florida."

Fried and his men saved lives through heroism, and no quibbles could be attached to their accomplishments as had been to some of the other idols who had landed

in glory at the Battery. The great crowds who lined Broadway roared their welcome in a way that sent the rescuers into a state of daze, and each of the men was personally received on the dais of the Aldermanic Chamber by Walker. At the first reception there was a touching moment when Hector Fuller called the names of the two seamen who had been drowned during one of the many attempts to row a lifeboat to the "Antinoë" as she tossed helplessly in the storm.

In the poignant stillness of the room eight marines marched solemnly up to the platform. "Present arms!" ordered their officer, and the rifles went up. From a corner of the Chamber a bugle sounded the melancholy taps. The men among the audience held themselves rigidly in control and stared straight ahead, while the women allowed their eyes to fill without efforts at repression.

After the close of the round of entertainments following that first reception Fried began the task of paying off the expenses he incurred while being fêted. It took him a year to even up. Walker arranged to have him reimbursed, but intimations from the steamship line that such an action would be unwelcome forced Fried to refuse the offer. After the second reception Walker, forewarned by experience, got his friend Paul Block to raise, at least nominally, through his newspaper, the *Brooklyn Standard Union* a fund amounting to twelve thousand dollars, which was presented to the captain and his crew. No one could object to their acceptance of such a gift.

And so the welcomes went on, the Mayor's Committee for the Reception of Distinguished Guests functioning busily every day in the week except Sunday in its suite of offices on the twenty-second floor of the Municipal Building. The inescapable commercial aspect of these events has been that the city has undoubtedly profited greatly from the goodwill created by the recep-



tions. Aside from that, however, they have given an additional touch of gay lustre to the character of the metropolis. It is safe to infer that without Walker most of this glitter will depart from civic functions. It is his personality that made these occasions celebrated.

The last reception which Walker attended was shortly before his resignation. A private dinner was given to Captain Mollison, the aviator who made the transatlantic solo flight from east to west. Walker, who had just returned from a hearing at Albany, came in unofficially. He was faced with a crisis in his political life, and circumstances were bearing down upon him with inexorably destructive pressure which inherent guilt or innocence could not stay. Yet he was his usual gay self and when he was called upon for a few remarks he kept the guests in laughter until he sat down. He began his impromptu speech with the words: "These are the days of reverses, Captain. I should receive you but you are receiving me. I should be pinning a medal on you but they are trying to pin a medal on me."

A day after Walker's resignation the New York *Times* published this dispatch from its German correspondent:

"Berlin, Sept. 2—Comment here on James J. Walker's resignation testifies to the impression he made on the popular imagination on his two visits to Berlin, in 1927 and 1931, as an unconventional 'Lord Mayor' of the American metropolis. The *Vossische Zeitung* runs nearly two columns captioned 'Jimmie' in which it dwells on his 'charm, elegance, ready humor, pointed wit, gayety and optimism.'

"'With Walker,' the newspaper says, 'a new type of Mayor, before unknown, came on the political scene in the United States and after seven years' administration it is difficult to think of him out of public life. New York without him does not seem the same New York that so readily wins the hearts of all foreign visitors going there without any prejudice or blinkers.'"

Not all foreign visitors were received at City Hall by Mayor Walker. But the warmth and graciousness with which their several representatives were greeted was sufficient to imbue them with glowing sentiments about New York. More often than not the distinguished guest wished to be received as much by Jimmie Walker as by the City of New York.

EX-PARTE SERVICE



## I

JUDGED by that well established criterion, common consent, there are only two universally known and popular representatives of their respective nationalities today; one is the Prince of Wales, the other, Jimmie Walker.

In one's mind the two are frequently coupled together; and since, at this writing, the Prince has been at the family hearth for some time, the priority among distinguished good-will ambassadors must go to Walker.

With the exception of Benjamin Franklin in the colonial days and Theodore Roosevelt in recent times, there has never been an American whom Europeans have cheered so heartily and fondly as this slender New Yorker. Woodrow Wilson, who at one time was the object of the homage of a large portion of the world, received an enormous amount of public adulation when he visited Europe, but such receptions as he was accorded were entirely different in quality from those which were extended to Walker. Wilson was given the obeisance of grateful and hopeful people; to Walker was outstretched the hand of eager cordiality, friendship, camaraderie or whatever else one may like to call the spirit that moves one to slap a person joyfully on the back.

The story of Walker's travels is an amazing record of enthusiasm aroused among the elite as well as among the masses, not only in Europe where, it may be argued, he brought with him an element of strangeness, of exoticism to the native races, but in his own country. The moment he stepped out of a train he became the center of gala activities, no matter whether the stopping place was a wayside village or a large city. Throughout the

year there is an endless stream of mayors, governors and high officials, leading members of Congress and the cabinet, of eminent representatives of science and the arts visiting New York City. All are greeted and sent off at City Hall with that impressive brand of cordiality which is peculiarly of New York, but none of them has ever created even an approximation of the interest which the presence of Walker stirred up wherever he visited.

After having observed Europe fêting Walker on his 1931 trip abroad, the volatile and picturesque Sophie Tucker gave her impression thus:

"Wherever he went you would have thought he was a combination of General Grant and Mark Twain and the United States Supreme Court. There's no question about it. He's got Elinor Glyn's 'it' and then some!"

During one of his visits to France the Paris edition of the *Herald Tribune*, a newspaper which does not like to sit at Walker's love-feasts, described this "it" in the following manner:

"Of Mayor Walker it may be said that he represents in a pre-eminent degree American common-sense, cleverness, alertness, adaptability and good humor."

Probably the kernel of Walker's immense attraction to those whom he visited lay in his unconventionality. Heads of governments and great cities are constitutionally and traditionally invested with outward pomp and dignity. Walker arrived completely free of these accessories. The public at first was startled and then gratified to learn that the man who was Chief Executive of the greatest city in the United States was as human a being as any of them. He joked, he liked to have a good time, he was fond of smart clothes, he could keep company with the simplest commoner, and not make him feel ill at ease.

Walker has ever been assiduous in spreading the beneficial propaganda that New York is a fine city to visit, trade with and live in. When Mr. Wiggin declared that

Mayor Walker was worth a million a year to New York as its representative to receive distinguished visitors, he might have said the same of his activities as a traveller. The love that Walker bears for New York has, in the course of his public life, become transmuted into a mission. He is continually on the watch to "sell" New York. In summer he boosts it as the greatest city in the world for beaches; in winter, he points to its being the greatest city in the world for amusements. That it provides the most harmonious living conditions on the globe is a slogan that is almost a fetich with him. A hundred nationalities, he declaims, and all abiding in perfect peace and cooperation! What a lesson to squabbling Europe!

Walker's celebrated travels began a year after he was elected Mayor, when he embarked on the usual post-election vacation. Walker's temperament demands complete relaxation between efforts; not, however, in surroundings where the apple trees gently bow to the earth with their burden of rosy fruit, but in places where life flows under a constant and exhilarating stimulus.

On his first holiday Walker found himself in Havana. The Cuban capital turned itself inside out for the visitor. The President placed at his disposal a villa on the outskirts of the city and a large suite at the Seville-Biltmore. He sent a squad of soldiers to guard these places day and night, gave Walker an army of servants to attend to his every want and provided secret service men who followed him around and watched the white of every eye that fixed its gaze upon the American.

Walker, however, spent most of his time in avoiding the guards. Being watched from all sides was not his idea of a pleasant holiday, so he resorted to a ruse that has often helped him in foreign countries: he sent George Collins, his secretary, dressed in his clothes, through the front door, while he himself sneaked out through the back. One night he returned to the villa alone and was promptly stopped by the police, George

Collins not having yet arrived. He announced his identity, but the guards smiled and replied "no understand." Even when he remembered the word "alcalde" (mayor) and threw it at the bodyguard with fervor he was ignored and left standing at the gate until Collins returned.

Between dodging officials and attending functions arranged in his honor this first rest-holiday of Walker's proved as hectic as most of his journeys have been since. He was given the key to the city; ornamented with enough gold to serve an admiral; whirled about to charity balls, to gala performances at the National Theatre, to special masses in magnificent private chapels, to luncheons without end. The United Press correspondent, in his despatch, stated that not since the Prince of Wales had visited Cuba, had such ceremonies and receptions been known on the Latin Island. The last tribute of the Cubans took place when Walker attended the races at Oriental Park on the final day of his sojourn. The seven horses entered in a special race on that occasion were named: "City Hall," "White Way," "Bowery," "East Side-West Side," "Fifth Avenue," and "So Long, Jimmie!"

From the paradisaical splendors of Havana the Mayor crossed the Gulf of Florida. At Palm Beach he was given a dinner dance at the Bath and Tennis Club which was attended by all the members of the elite present at the resort. For this visit, too, there had gathered an army of reporters and news photographers, who kept after Walker at all hours, intent on chronicling his every move. The year before, and for two years previous to that, former Mayor Hylan had also visited Palm Beach (in fact, he was in Palm Beach during Walker's sojourn), but the contrast in receptions was obvious and striking. Walker was the Pied Piper who drew the crowds.

At a farewell dinner, Irving Berlin wrote a special song for the Mayor which attained some popularity despite its strange meter:



## JIMMIE!

We simply had to fall for,  
One and all for,  
Jimmie!  
And now we're singing of him,  
'Cause we love him,  
Jimmie!  
Who told Broadway not to be gay,  
Who gets his picture taken three times a day,  
Jimmie!  
We're glad to show,  
That we all know,  
That Jimmie's doing fine.  
Can't you hear those old New Yorkers hollering:  
Gimmie—Gimmie—Gimmie Jimmie for mine!

The rhyme sounded weird, but the sentiment went over. Incidentally, it is strange to the Walker family that their renowned member should be called "Jimmie." His sister, Nan Burke, asserts that not one relative has called him anything but "Jim."

Walker's international fame may be dated from his first trip to Europe which began in August, 1927. He sailed on the "Berengaria," and so popular a passenger was he that the master of the ship, the noted Sir Arthur Rostron, former commodore of the Cunard fleet and famous rescuer of the "Titanic" survivors, did the unusual thing of calling at Walker's suite every afternoon to sit down to lunch with him.

It was on board the "Berengaria" that an incident occurred which brought out one of Walker's most characteristic traits, his ability to make friends. It began with a birthday dinner which the Mayor gave in his suite to Bernard Downing, his old friend who had replaced him in Albany as the Senate Democratic minority leader. The occasion was one of many pleasant memories. The

Mayor paid a touching tribute to Downing in an impromptu address beginning with:

"I am crossing the ocean tonight in the Imperial Suite of this wonderful ship, but I can't help but remember that there was a man, my father, who crossed this ocean with a coil of rope for his pillow."

The Senator was famed as an orator and he replied at length. All this, with other felicitations, consumed some time and it was not until ten o'clock that the dinner party broke up. Walker then strolled over to the smoking room, where the pool was auctioned off nightly. He had been the auctioneer the two previous evenings, but because of the Downing dinner he had declined to officiate on this occasion. As he entered the room, however, he was surprised to find the passengers waiting for him to begin the auction. He agreed to take the post again, but just as he began calling out the numbers an irritated voice from among the listeners exclaimed: "Look here—I say—I don't care whether it's the Lord Mayor of New York or any other Lord Mayor, I don't see why we should be kept waiting until nearly eleven o'clock to give the auction. I, for one, am not in the habit of waiting on the pleasure of Lord Mayors."

The room was plunged into an awkward silence. Walker, the "Lord Mayor," paused and, turning on that smile to which the hackneyed description "winning" may be properly applied, explained that he had just left a birthday party given by him to a dear friend. Then he went on: "But, of course, I had no idea that this auction was conducted on stock exchange principles. I thought it was merely a recreation among gentlemen."

This observation brought applause. The auction went on, but the complainant obviously was displeased with the retort. He belligerently boosted the auction to such heights that the pool was the largest on that sailing.

The next morning this gentleman happened to meet the Mayor on deck. A night's sleep had cooled his anger, and as the Mayor was smiling he melted into an

apology. They strolled about and within a deck-length the rebel of the night before had been converted into a firm friend.

The new acquaintance was C. Peto Bennett, a wealthy English lumber dealer. He invited Walker to visit his home while in England. The Mayor excused himself, saying his itinerary had been fixed in advance.

"But I have one of the finest rose gardens in England," Mr. Bennett urged. "You can't appreciate the true beauties of England without seeing an English rose garden at its best."

Walker was still regretful.

"Instead of taking the boat train from Southampton to London," Mr. Bennett persisted. "I'll take you and your party by motor and you can stop off at my place for a little while. You will have a beautiful trip through the English country roads instead of being cooped up in a compartment."

Walker was again forced to refuse, and his former enemy played the last trump:

"I promise to show you the most perfect children England can produce."

This won the trick. Walker promised to come.

In doing so he upset the plans of the London welcoming committee with its squad of newspaper men and spoiled the entry magnificent into the first Capital of Europe. Walker is fond of effective entries, but he also finds it difficult to cause disappointment. Mr. Bennett had been so eager to show him the perfect English rose garden and the perfect children!

When the "Berengaria" docked at Cherbourg a delegation composed of the Mayors of Southampton and the French port and the U. S. consuls came on board to greet him. They were not deterred by the fact that it was 5:30 in the morning, and the Mayor had to be routed out of bed to receive them. Even though he was half-awake, he was mindful enough of the proprieties to try to slip into a dressing gown. But the gown turned out to be

brazen pajamas when the incident was described in print.

Later that morning, after the boat had crossed to Southampton, he was received officially with all the grandeur which the Lord Mayor of that city, laden with the great gold chain of his office, and accompanied by a retinue of emblem bearers festooned with gold and silver, could offer.

No other American Mayor travelling abroad was ever welcomed in England with such pomp. In fact, twenty Mayors of American cities, travelling recently to Paris, were able to make themselves noticed only when one of them scorned French wine at a banquet and upbraided his colleagues for not quaffing water.

When he was ready to leave for London, Walker found a fleet of luxurious Daimler cars drawn up on the Southampton dock. They were sent there by Mr. Bennett, and a more imposing set of conveyances could not have been brought out even for the journey of a monarch. Travelling in this fashion and after having halted to admire both the Bennett charming children and the lovely roses, the Mayor's party slipped into London and went directly to the suite reserved for them at the Mayfair Hotel. No one was there to greet them, for the army of newspaper men assigned to cover his visit were wandering about the railroad station wondering what had happened to the New Yorker.

Walker's first night in London was enlivened by an incident not included on the scheduled program. After seeing his friend, the comedian Laddie Cliff, in a show, the Mayor went back-stage. There he and his party were captured and transported en masse to the Cafe de Paris where an aggregation called "Teddy Brown's Band" attempted to render "Will You Love Me in December as You Did in May?"

It was a dismal performance. Aileen Stanley sang the vocal part, but failed to meet the competition of the band.

Walker, sitting at a nearby table, ground his teeth.

"They're murdering the old song," he muttered. Hector Fuller, a member of the Mayor's party, suggested that Walker might save Miss Stanley and himself a great deal of anguish by accompanying her on the piano himself. Walker agreed, and Fuller, in his sonorous voice, announced that the author of the song would now play the accompaniment to Miss Stanley's singing.

The unknowing ones in the audience looked around expectantly. Walker arose, without showing any symptoms of stage fright, and as the cabaret audience burst into applause he flipped his coat tails and sat down at the piano stool.

Walker is not a piano virtuoso, but he has the mannerisms of one. He can take a glissando with the seeming delicate finesse of a De Pachman and pluck a pianissimo treble note with a tenderness that is romantically impressive to the eye. His playing of the simple melody and the now harmonious singing of Miss Stanley brought the audience to their feet with cries of encore and "Bis." The Mayor repeated the performance, whereupon all present, or as many as could, joined in the chorus.

The next day London knew that Jimmie Walker was in town. The newspapermen found him and began writing the mass of reports that filled the British newspapers during his stay in Europe. They were impressed with his youth, even though he was forty-seven at the time, and said that he was one of the youngest mayors governing great cities.

One journalist wrote an account of the Mayor's personality and, evidently thinking it too frank, asked Walker to read it first. The Mayor smiled as he looked over the description and said, "It's O. K. with me." This was the word picture he read:

"He is a rare Mayor, a Mayor of the type not often seen in this country. He stays up so late that he is sometimes called the 'night Mayor'; but he shows that it is possible to sleep until midday and still retain a reputation for hustling; that it is possible to be a jester

and still keep his dignity, and to wear canary-colored socks without inciting ridicule. He once wrote a popular sentimental song, but his reputation as a business man has not suffered. He is a humorist, but he is also a humanist. He takes his work seriously, but he does not take himself too seriously."

After attending a formal luncheon at the American Club, he was received by Acting Lord Mayor John Knill and Sir William Soulsby, the Lord Mayor's Secretary, the Lord Mayor himself being away on a vacation, a fact which Walker often ironically recalled in meeting the criticism made regarding his own holidays.

The reception took place in the official Mansion House—Walker, by the way, was the first Mayor of New York in the history of London to be accorded this honor. After the greeting Walker asked to be shown around the building. What followed was a revelation to Londoners accustomed to associate great dignity with the mayor's office. Walker "clowned," as they say on Broadway, throughout the ancient structure, and such joyous capers as he cut were probably seen there for the first time.

In the Mansion House there is a police court, and Walker, taking his place before the bench, said to his hosts solemnly: "Your Worships, I plead guilty."

He raised his eyes and noticed the sword of justice hanging above the Judge's chair.

"It's the sight of that that makes me take a plea," he added.

Sir John Knill caught the spirit and led the Mayor to the counsel's table. "I think, Sir, that your profession is that of the law."

"Yes," replied Walker, "and here I am back at my old trade. I'm ready to make objections as usual."

He looked around. "What becomes of the prisoners if they are convicted?" he asked.

An attendant gave the answer in a silvery cockney accent:

"'Ere, Your Worship, I'll show yer yer cell."



TOP—Crowds blockading Walker's car during his visit to  
Kilkenny, Ireland.

BOTTOM—Kilkenny townsfolk serenading Walker.



TOP—Crowds following Walker in Venice

BOTTOM—The King of Sweden (at left) observing Walker.



He opened a door and, rattling a chain of heavy keys, pointed to a dungeon stairway. His Worship nodded gravely and, stepping into the dock, turned his eyes upward and declaimed the famous line of the martyred Sidney Carton in Dickens' "A Tale of Two Cities":

"It is a far, far better rest that I go to than I have ever known."

Then he went down to the cell and buried his head in his arms. He withdrew from his sorrowful reverie only when Lady Knill called down: "I think you have served your sentence long enough, Lord Mayor Walker. Come up and have some tea."

The Mayor rose and, before passing through the steel door, remarked: "I guess there's many a poor devil down here who would have been tickled to death to receive such an invitation."

These pranks from the Chief Magistrate of one of the two greatest cities in the world amazed Londoners. They could no more expect such things from their own Mayor than they could a song and dance from the King. Yet this same man secluded himself in his hotel room and carried on transatlantic telephone conversations with his staff in New York during which matters of importance were decided. And it was this same man, too, who interrupted a round of receptions and entertainments to make a tour of certain sections of London in order to learn how that city solved its housing problems. It was the versatility of the man which fascinated the Europeans.

The high-light of Walker's London stay, as far as newspapers were concerned, was his visit to the Tower of London. This was when he returned after a crossing to Ireland. He was met by the Lord Mayor's gold coach of state, with its traditionally garbed attendants, and driven through the streets of London in royal fashion. After breakfasting at the Mayfair he suddenly took a notion to inspect the Tower. His secretary telephoned the resident governor and made an appointment for

eleven-thirty. He was there on time, which was a surprise to everyone concerned, since his tardiness had been a popular topic all through his stay.

After meeting the governor, Walker's party was placed in the care of a Beef-Eater, one of the famous Tower guards who still wear the costume of the period of Henry the Eighth. Walker casually remarked that he would like to meet Gog and Magog.

This began the celebrated Walker performance in the Tower of London. "Gog and Magog" were the names given to the two giant statues Walker had seen in the Guildhall. "I guess," he continued blandly, "they are the two most interesting persons left hereabouts."

The Beef-Eater did not catch on. "I think, Mr. Mayor," he replied, "you are three hundred years too late."

"Well," Walker remarked, with a show of chagrin, "I guess that strikes a new high in my record."

The Beef-Eater looked blank. Several of the newspapermen who accompanied the party were inspired by this passage to ask Walker why he was always late.

"Who says I am always late?" the Mayor inquired.

"The clock does," he was told.

"Well, now," Walker began, "did you ever know a clock that could tell the truth? Did you ever know two clocks that could tell the same lie together? No, sir. You can't rely on a clock, and anyway, it isn't the fellow who arrives on time according to the clock who gets things done right. It's the fellow who fixes the things right when he does arrive. The fact really is, I find people so interesting I simply can't treat them as clocks and make a face about the time I should be leaving them. Besides, the clock and I don't start the day together. I sleep and the clock doesn't."

That being over with, the party began a tour of the fortress of bloody memory. They came to the execution chamber and the Beef-Eater pointed out the block used for beheading, the same block on which three of Henry's

wives, among others, had lost their lives. Walker stooped and examined it. He saw some deep dents.

"It looks," he observed, "as if the axe-man missed some of his strokes and sliced into the rough."

Newspaper pencils scratched eagerly.

Leaving the room, the Mayor gave it a farewell glance and remarked: "Well, I guess that's one performance for which the actors never asked an encore."

Again a flurry of pencils.

In another place he was shown some instruments of torture and as he scrutinized a model of a man stretched on the rack, he commented: "That looks like an interesting way to increase your height."

Examining some antiques, he commented on an enormous pair of seventeenth century boots: "I guess these belong to the original prominent citizen whose death caused the neighbors to say, "'We'll never be able to fill his shoes.'" A cloak belonging to the Duke of Wellington drew the observation: "Evidently the Duke didn't have much chest to brag about."

It is likely that no other inspection of the Tower of London was quite like this one of Walker's.

Shortly after he arrived in London he went to Ireland to visit for the first time Castlecomer, the village where his father was born. The acclaim with which he was met was as great as would be accorded to an Irish native who had conquered half the world for the Old Green Sod. At Kingston, where he landed, the shore was lined with thousands of people, who cheered and waved to him affectionately. As the band of the local orphan asylum played "Come Back to Erin" Walker was moved to tears by the thought that his father was not with him. "If he could only have been here to say to these people 'Meet my boy, the Mayor of New York!'" were the words that naively kept running through his mind.

In Dublin the same enthusiasm greeted him. He was given public receptions and fêted by every man high

in political and diplomatic circles. President Cosgrave received him officially in the Aldermanic Chamber of the City Hall and presented him with a scroll of welcome in Gaelic, the first document of its kind to be tendered an American Mayor.

Deeply moved, Walker made a reply in which wisecracks were not included. He said in part:

"These are the happiest days of my life. I am truly grateful to be back in the land which gave my dear father to New York and made it possible for me to have the fine inspiration which has filled my life, and to occupy the position in the New World which enables you to greet thus the Chief Executive of a City which the Irish have done so much to make."

But it was in Castlecomer that the climax of his visit to Ireland was enacted. Castlecomer is a village of about a thousand inhabitants, and everyone turned out to greet their guest. As Walker stepped out of his car in front of the little bank building where his father had lived there was a yell: "Three cheers for Billie Walker's boy!"

The Mayor raised his hat in mute acknowledgment. Weighing the incident in terms of human values, it was an extraordinary thing that within the space of but a few decades the son of a poor Irish immigrant should have visited his father's home-town as the mayor of a city like New York. From Castlecomer—a tiny spot on the world's map, unknown and of not the least importance—had been transferred a power which was so strongly to influence the progress of the most important city in the vast United States.

Accompanied by cousins, Walker visited the rooms in the bank building his father had occupied, and when he returned a kitchen chair had been placed in front of the building to serve as a platform. In front of it were the Mayor's kinsmen, ranged about in a half-circle and headed by their priest. Walker mounted the chair and looked down at the gathering. It was a strange scene.

A debonair, extremely worldly man, who directed the municipal affairs of seven million people, surrounded affectionately by a thousand country folk in rough clothes. What had he in common with them? He explained:

“When a man comes from a far country to the land of his fathers, back from Castle Garden where his sire entered to become an American citizen, to arrive at Castlecomer whence in the years gone by his father came, who shall find words to adequately express his emotions? Mine own people! How truly can I use that phrase about the Americans on one side of the Atlantic and the Irish on this! To have looked into the eyes of the villagers who knew my dear father, who have shaken his hand; to stand in their hearts as a symbol of the great opportunity that America offers! This has been a privilege of which a much humbler man than I might well be proud.”

The Mayor was very much impressed by a request for his autograph made by the local priest. “It is not for me,” the latter explained. “It is for my colleague, the Rector of the Protestant Church, whose duties this afternoon have called him elsewhere. He asked me if I would be good enough to secure this autograph for him.”

The Mayor, of course, complied with the request and remarked while he was signing his name: “There are some people who would tell you that Ireland is intolerant. Here is a Catholic priest burdening himself to ask a favor of me, not for himself but for a pastor of the Church of England.”

Despite the enthusiasm which greeted him in Ireland, his reputation for being late and failing to keep appointments was not overlooked by the newspapers. They said that he was so hopelessly in arrears with respect to meeting engagements that he fled from Ireland to begin life all over again in London, leaving behind him a host of friends and broken appointments. The *Belfast News-Letter* showed the Mayor’s own brand of humor

when it parodied Walker's song: "I'll meet you in December if you arrange for May."

Walker was very contrite about this reputation for tardiness. "The trouble is," he said, "people make more appointments for me than I can possibly find the hours to fill."

Before he left Ireland he had to attend a dinner party given by John McCormack, the singer, at his home "Moore Abbey." Walker had determined to be on time and purposely cut short a visit to Kilkenny Castle, to which he had been brought by the Duke of Ormond, through the diplomatic invention that his father had known the elder Walker, but on the way to "Moore Abbey" the chauffeur took a wrong road and drove twenty miles before the mistake was noticed. Instead of coming at 8:30 Walker arrived at 10:30, thereby confirming his reputation thoroughly. Of course, no one really believed that the chauffeur had gone astray.

After he left England for the continent Walker's progress was marked by continual receptions, tendered him in a key of high enthusiasm. It was a remarkable tribute to a man who was after all only the Mayor of a city, and he reciprocated by using for most of his public addresses the sentiment: "I do not regard this as a tribute to myself but as a compliment to the city of New York." But while New York undoubtedly lent an important background to his tour, it was obviously the man's personality that attracted the unusual attention.

One of the outstanding incidents of his European travels was his reception by Premier Mussolini. The invitation to meet the Duce at his palace came in the morning, after a night when Walker had been entertained by his Italian hosts in the convivial New York manner. The visitor was rather under weather as he and his party were escorted by Prince Potenziani, the Governor of Rome, and Count Revel, to the Duce's Chamber in the Chigi Palace. Walker thought that those with him would help him conduct the interview, but he

was disillusioned when Mussolini put his hand affectionately on the Mayor's shoulder and said for all to hear, "Come, let us talk together."

The others bowed and went out. The two men were left alone.

"What do you think of Rome?" Mussolini began, like a true native son.

Walker looked at him in silence. He was weary and woozy and not the least in condition to pass pleasantries with the Dictator of Italy. But Mussolini's large eyes were fastened on him with hypnotic intentness and he knew he had to say something. So, without blinking, he replied:

"Your Excellency, it is, it was, it always will be, the eternal city."

Mussolini smiled with pleasure. "And what do you think of me?" he went on.

This time Walker was startled. Here was a poser that required thought—and how could one think in his condition? He gave himself a stiff mental shaking, then uttered solemnly:

"You are the outstanding individual force in Europe and the greatest master of mob psychology."

Before he had finished the sentence he regretted it. The first phrase was fine but the second required explanation and he had merely uttered it on a sudden flash of inspiration. Sure enough, Mussolini immediately inquired:

"And why do you say that?"

It was a most delicate situation. Walker's brow was perspiring while he underwent an extraordinary cerebral squeeze. Finally the words rolled out:

"In my country it is the custom when a candidate runs for office to predicate his campaign on certain promises. You, on the contrary, told your people what you would *not* give them, what you were going to take away from them. The success which followed you con-

vinced me that you are the greatest master of mob psychology.”

This version of Mussolini's policy found a warm reception, and Walker—who had been racking his head after this speech for a way of escape, fearing that sooner or later he would commit some grievous faux pas—found himself drawn into what promised to be a lengthy chat. He ventured:

“I am afraid I have overstepped my welcome, your Excellency.”

“Oh, no, my dear boy, you haven't,” the Duce assured him and the handicapped tête-à-tête continued.

Meanwhile the Prince and Count were waiting in an ante-room and worrying about what was happening. No foreign visitor within their knowledge had remained so long with Mussolini. At last, after forty-six minutes by the clock, the Walker party was called into the inner sanctum. But the interview was not yet over. Mussolini pressed several buttons and Walker was amazed to see entering a cameraman and an electrician bearing spotlights. The Duce personally helped to place the apparatus in the best position and superintended the taking of a newsreel of himself and the New York Mayor, as well as of the other visitors.

After this was over Mussolini issued a public statement in which he gave this impression of Walker:

“Mayor Walker is young, not only in appearance but also in spirit. He is a man of great talent, an idealist and a practical man at the same time. Therefore, he is highly fitted to govern the great metropolis where millions of Italians live and whom the New York Mayor has praised, saying they were upright, hard-working and obedient to American laws. I believe his journey through Italy will be instrumental in furthering that better reciprocal knowledge of our two peoples which is the basis of true and lasting friendship between them.”

While in Rome, Walker was given an exhibition of the Duce's power. He had come to Europe during the



last days of the Sacco-Vanzetti tragedy, and the radical-minded looked upon him as a representative of the class which had martyred the two labor prisoners. The Rome police feared trouble and assigned a guard to accompany Walker wherever he went. When Mussolini heard of this he telephoned the police chief. "Remove the guard from Mayor Walker," he commanded. "There will be no disturbance in Rome." And there wasn't.

Walker came away from Rome impressed with Mussolini's strength and adroitness. He recalls with appreciation the story he was told of Mussolini's feat of courage when, a few years ago, a near rebellion broke out against his domination. His opponents had gained sufficient power to become an actual menace, and the Duce was forced to fight for his position. One day he arranged to visit the zoological gardens. A great crowd assembled there to see him. He got out of his car in front of the lions' cages and, striding up to a powerful animal, ordered the keeper to open the cage. Fearful and trembling, the keeper did so. Mussolini vaulted in and placed his hands on the lion's jaws. Then he turned to the crowd, which was watching the scene in stupefaction, and exclaimed:

"I am no more afraid of my enemies than I am of this lion!"

"Even if they had pulled the lion's teeth," commented Walker on this incident, "it would still be a great piece of showmanship."

As in every other capital he visited, Walker slipped away from the round of receptions in Rome to make an inspection of housing conditions and hospitals. He was mainly interested in how Europe settled its problems of land condemnation and rehabilitation of slum districts. He found Europe had advanced over America in housing, but he enthusiastically gave the palm to New York for its hospitalization work. "When it comes to equipment for individual hospitals," he said publicly, "we surpass anything they have in Europe." This was rather

an outspoken statement to make while among his hosts, but where his home city is concerned Walker is invariably outspoken, if what is to be spoken is in its favor. Walker can sincerely paraphrase Decatur's credo. He hopes that New York may always be right, but right or wrong she is his New York.

Near the close of their stay in Rome the Walker party visited the Coliseum. It was night. The great arena was shrouded in a ghostly dimness. Only the marble cross which Mussolini had erected as a memorial to the Christian martyrs was illuminated. The Americans, awed by the sight, looked around them in silence. Suddenly Walker's voice was heard speaking in a detached, wistful manner: "The cruelty and the pain of it is what overwhelms me. Surely this is a living monument to man's inhumanity to man. If these stones had tongues what horrors they could tell! And yet there shines the moon, placid as ever; and here we come, busy about our little affairs! And they say this is a favorite resort of lovers!"

In Berlin an amusing interview took place with the German reporters which was duly passed on to the public, with the usual gay results.

Walker had just stepped off the train when he was surrounded by newspapermen, and the first question shot at him was what he thought of Berlin.

This struck Walker as an inane query and he replied: "That's not half so important as what Berlin thinks of me."

"Why do you say that?" he was asked.

"Because I haven't seen anything of Berlin and you have seen all of me," he retorted.

For a proper appreciation of the rest of the interview it is necessary to hear Walker relate it in the appropriate German-English dialect, which he knows expertly how to imitate.

"What do you think of prohibition?" was another

question asked, to which he replied, "What do *you* think about it?"

"We," replied the reporter, "are against prohibition."

"Well, I'm normal and human, too," Walker assured him and drew the comment that this was a "diplomatish" answer.

The next query startled him:

"Is der yotzmusik dead in Amerika?"

"What's that?" asked the Mayor.

"Der yotzmusik, is it dead in Amerika?"

Walker looked around, puzzled. "What does he say?"

A friend with a knowledge of German stopped laughing long enough to explain that the extraordinary word "yotzmusik" merely meant "jazz music," the *j* being pronounced *y* in German and the *z-tz*.

Having assimilated this information, Walker countered with the question: "Do you ever hear jazz?"

"Ja," he replied.

"Well, there's your answer," said Walker and left his questioner to reason out that there would be no "yotz" in Germany if "yotz" were dead in America.

In Berlin there also occurred a near riot, with Walker as the cause of it. The Sacco-Vanzetti climax had infuriated many of the radicals, and they had gathered around the entrance of the Adlon, where Walker was stopping. Gendarmes were assigned to guard the visitor, but not in such numbers as to add to the risk of touching off the temper of the crowd.

When Walker appeared at the door on his way to the automobile waiting for him at the curb he was startled by the mob and its menacing mood. For a moment he did not know what to do, whether to be prudent and postpone the engagement he was on his way to keep or run the gauntlet. He decided on the latter, but with a variation. Instead of reading animosity in the faces of the crowd he chose to interpret their presence in such numbers as a tribute to himself. His face broke into one

of his most winning smiles and his hands went up in the imaginary handshake with which a boxer in the ring cordially replies to the cheers of the spectators.

Thus smiling, bowing and waving his clasped hands, he moved through the lane on the sidewalk and got into his car while the people followed him with perplexed stares. Even after the car had driven off they remained standing, still puzzled.

When he arrived in Paris, that city of super-cosmopolites, huge crowds gathered at the Gare-de-Lyon to welcome him. The Parisians were enchanted with the unusual official. His clothes attracted particular attention and all the newspapers carried descriptions of them. One journal informed its readers that:

“The Mayor wore a green tie, shot through with dots of black and gold. His blue shirt might have inspired a poet to an ode; the suit of darker blue offered the desired contrast and his face, tanned by the summer sun of Italy, added its note to the color scheme.”

His train, of course, was twenty-five minutes late, which completed the picture.

So swamped was Walker with invitations for official and social entertainments that he was forced to issue another of those explanations regarding his tardiness and failure to keep appointments:

“I say so many yes-es in a month when invited to places that it keeps me busy the other eleven months in the year apologizing for not being able to keep the engagement.”

Walker's best and most gleefully reported *bon mot* in Paris was made at a luncheon tendered him by the Anglo-American Press Club when he was introduced as “God's gift to newspapermen.” He addressed the diners as “Distinguished visitors and fellow refugees from the Eighteenth Amendment.”

He prefaced the speech with another pleasantry that was accepted in journalistic circles at its true satiric worth: “You know, it's great to have newspapermen pay

for your lunch—but I knew it could never be done until there were at least a hundred or two of them to do it.”

In this address he made a vicious attack on expatriates. “Intelligent foreigners,” he said, “have nothing but disgust for a man who is unwilling to face the fact that he is an American, for the man who is a 100% American while he is making 100% American dollars at home and becomes a 50% American when he goes abroad. We want no apologies, my distinguished friends, for our country. New York will not tolerate it. For ours is a city that loves the entire world, which has been the gateway of America since our country was a country, which has invited the people of the world and given everyone an opportunity, asking in return only character, integrity, industry, willingness to work and become an American citizen.”

Walker seldom preaches—and he caught himself:

“Now, this isn’t like Jimmie Walker. Every time I get serious I try to forget it as soon as possible. There are too many things that call for apologies the next day. Too many luncheons and dinners have been spoiled by men who thought they were thinking.”

When the Mayor finished his speech four of the journalists gathered around the piano and began a lachrymose interpretation of “Will You Love Me in December as You Do in May?” It seemed that the Parisian interlude in their lives had affected their good old barber-shop technique. Walker became uneasy and presently rose to his feet.

“I declare the meeting now informal,” he said, and sitting down at the piano, showed his hosts how the piece should be sung. He then played all the New York favorite songs, ending with a fond rendition of “Sweet Adeline.”

After the luncheon he sent his chauffeur away and took a walk through the city. He was recognized as he stepped into a tobacco shop to buy a pipe for his barber at home and was at once followed by groups who hailed

him joyously "Vive Jimmie!" "Vive le Maire de New York!"

Soon after his arrival his song became as familiar in the capital as one of Chevalier's best ditties. In French its title became: "Voulez-vous m'aimer en December comme vous m'aimez en Mai?"

The Paris edition of the *Herald* summed up the Parisians' interest in the Mayor in a report published the second day of his stay:

"Mayor Walker's arrival yesterday was hailed with a shower of eulogies in the Press, but his political activities and administrative abilities received second place in the description of his personality. The qualities emphasized are, 'young,' 'sporting,' 'gay,' and these are such as to win the hearts of Parisians. The Mayor is compared to Lindbergh, but in the opinion of some of the French writers he goes one better than the young hero of the Atlantic, for he loves a good glass of wine."

This referred to the comment of *Le Petit Cri*: "Could such a lovable man refuse the cheer of good wine?"

Walker made no secret of his appreciation of the dazzling varieties of liquors in Paris and in connection therewith made a remark which has been used by many vaudevillians since. He was at the Ritz American bar, enjoying a bottle of beer between nibbles of cheese. A newspaperman, having in mind the many New Yorkers in the city at the time, asked him: "Does Paris look familiar to you?"

"Sure it looks familiar," the Mayor replied. "But a New Yorker coming to Paris has to look twice to see anything. The first time all he sees is the American bar at the Ritz."

There were popular demonstrations for Walker when he laid a wreath on the Tomb of the Unknown Soldier and visited the Hotel Des Invalides, escorted by Marshal Foch and General Gouraud.

On the latter occasion, looking at the crippled bodies of the soldier inmates, he was moved to say to the sur-

prised "Foch: "Marshal, fight like hell for universal peace!"

From France he returned home, a much more tired man than he had started out. In fact, the welcomes heaped upon him abroad were so strenuous and the demands made on his leisure so persistent that he broke down half-way through the voyage and was seized with an attack of lumbago. He attributed this illness to "too much bowing to the crowned heads of Europe."

Four years later, to the month, Walker made another tour through Europe and was received with even greater enthusiasm. By this time he was known familiarly in every capital and city he visited, though he had spent only from a few hours to a couple of days in each. The name "Jimmie" had by this time assumed definite meaning in Europe, rivaling "dollar" and "jazz"—the best known American words.

In Paris, on this second visit, occurred an event which was without precedent in Walker's life. For the first time he was rendered speechless; absolutely bereft of the ability to say a word in reply. It happened in his suite at the Crillon—the same suite that had been occupied by Wilson. It was morning and the Mayor, having one of his periodic colds, was in bed, chatting with friends. They were interrupted by the startling announcement that M. Christian de Sainte-Marie, of the French Foreign office, was calling on the Mayor of New York. When shown in the official said he was delegated by President Doumer to present the Mayor of New York with the decoration of Commander of the Legion of Honor.

Then it was that Walker found it impossible to make a reply, so amazed was he. When he did regain his famous faculty he said something which came instinctively from his lips and was meant with all his heart: "I consider this the greatest honor ever conferred on the City of New York." He refused to believe that his own person had anything to do with the distinction.

At Cannes the people declared a holiday upon his arrival and honored him with a street ball. In London he was entertained at a luncheon by Premier MacDonald and dined at the House of Commons by Sir William Jowitt, Winston Churchill, Stanley Baldwin, Sir John Simon, Sir Austen Chamberlain and other celebrities.

The relentless fate which seems bent on maintaining Walker's reputation for tardiness at all costs was again in evidence when he left Europe for home. He was sailing on the Bremen from Southampton and rose dutifully at the, for him, unearthly hour of six in the morning to be on time for the tender which was to take him and a crowd of passengers to the big boat waiting ten miles beyond the coast. But just as the tender began the passage, an English fog descended on the water and held the vessel imprisoned for six hours. When the fog finally cleared and the passengers boarded the liner he heard a woman exclaim: "We knew the boat would be late if Mayor Walker was on it." The unjustness of the accusation cut the Mayor to the quick, particularly as in rising so early and rushing to the dock he had caught a cold.

During the long wait on the tender Walker was entertained by P. B. Bowyer, the former Mayor of Southampton, who decided that some of the entertainment should be done at the bar. He began leading his guest to it, but after considerable wandering around he could not locate the oasis. Walker who had been following him docilely said, "Let me try, now," and led him straight to the mahogany runway. "It always takes a stranger to show a native his home town," he commented as he ordered a glass of sherry.

Although the Hofstadter Committee was at the time investigating his administration, there was an enthusiastic mob of two thousand people awaiting Walker as he disembarked from the Bremen at its Brooklyn pier, and it required a squad of sixty patrolmen, twenty detectives and ten motorcycle policemen to make a way for him



to his car. In response to the greeting he called out to the reporters: "Just tell them that my favorite author is the man who wrote "Home Sweet Home."

On his travels in his own country Walker was similarly acclaimed wherever he went, though the acclaim was touched with more intimacy. During his Mooney intercession trip to California the Mayor of San Francisco called him the "favorite Mayor of the United States." He is so well known throughout the country that the City Hall, during his administration, received dozens of letters each day from school children in every state asking "Jimmie Walker" to please send them information either about himself or his city.

Perhaps the most enthusiastic reception he ever had in the United States was given him when he visited the South, four years ago. He was then chosen by his party to act somewhat in the capacity of good-will emissary for Tammany Hall and in behalf of the Presidential candidacy of Governor Alfred E. Smith. Officially, he went to attend the Mardi Gras at New Orleans, a celebration he had always wanted to witness.

At every stop his train made he was given an official welcome, and at small places the townspeople turned out to greet him in neighborly fashion. In various ways individual citizens tried to show their admiration for him. In Washington he was presented by R. H. De Butts, the Eastern Passenger Agent of the Southern Railroad, with a charm to bring him luck during the trip. The talisman consisted of the left hind-foot of a rabbit, which had been shot by a cross-eyed African gentleman in the dark of the moon, at midnight, in a graveyard. Despite all guarantees of efficacy the gift ruined Walker's faith in rabbits' feet, for a toothache that had attacked him at the outset of the trip did not cease for many days.

At Greenboro, N. C., a throng surrounded him at the station. In the crowd the women were pushed to one side and one girl, impatient to get a good look at the Mayor, called out: "Oh, come on, Jimmie." Walker

obligingly walked over to her and until his train left promenaded up and down the platform with a host of ladies, young and old, clustering around him.

At Montgomery, Alabama, the train stopped for a few minutes. Cries of "Jimmie" from a mob gathered at the track brought the Mayor to the back of the train. A piano had been set up on a platform, and two local talents, Fred Thompson and Jack Stone, played and sang a song composed especially in Walker's honor. It began:

"There's a man from New York town,  
And he has world renown;  
Men like he the world loves and enjoys;  
and after many lines of eulogy it ended with:  
"Get this right—there's one guy,  
Who has captured every eye.  
Jimmie Walker, we like you."

When he arrived at New Orleans he was greeted with the same display of pageantry and enthusiasm that marked the Lindbergh reception in New York. He came in on the evening of the Mardi Gras, and his train being properly late, the famous procession was held up until he appeared on the stand. As soon as he did so he was greeted by a roar of welcome. Whistles and sirens on harbor boats shrieked, bells clanged and the revellers in the street cheered and joined in the songs blared out by numerous bands.

Mayor O'Keefe of New Orleans, weighing about three hundred pounds and bulking over his one hundred and thirty pound guest like a New York skyscraper over City Hall, piloted him through the milling mob to the reviewing stand. On the way hundreds of girls threw flowers and strings of beads at him, and "Jimmie!" "Yoo-hoo, Jimmie!" arose from the dense humanity like battle-cries.

Walker happily waved his large-brimmed soft felt hat and the crowds renewed their huzzahs. The parade began, and the visitor's capacity for enjoying it delighted

the citizens. As float after float passed by he caught the souvenirs tossed to him with all the expertness of his old baseball days. King Zulu and his dark subjects came abreast of the stand and someone nudged the Mayor to notice the elaborate Grand Marshal. "Who is that fellow there?" asked Walker and let fly with a large chocolate cream. The missile found its mark on the Grand Marshal's head, and as it spread all over His Majesty's dignity the crowd roared with laughter.

The maskers followed the parade. One truckload conveyed a group of peanut eaters, and a boy threw a nut to the Mayor with the cry, "Here you are, Jimmie!" Walker made a perfect catch. "Just as one nut to another, I suppose," he observed with a cheerful grin. Another masker, acquainted with Walker's sartorial reputation, tossed him his battered derby, painted with yellow stripes. "Here's another for your wardrobe," he yelled. "Wanna wear it?" Walker at once discarded his own expensive fedora and wore the freak piece for the remainder of the gay ceremonies.

When the parade was over Walker turned regretfully to O'Keefe with the query: "Is that all?" When told that it was, he said, "March 'em back again. I'd like to see it all over again."

Walker's boyish appreciation of the fun and his remarks were speedily broadcast to the whole city—and there was no more popular man in town. The newspapers commented on the fact that he had become the idol of the city. Anecdotes flew about and created an even greater interest in him. After a reception at the New Orleans City Hall he upset all the official plans by suddenly saying to his friends, "Let's eat and get out to the track to see the ponies run." The man who loves horses in action is no object for scorn to Southerners. They gladly took him to the tracks and into the special box reserved for Edward B. McLean, publisher of the *Washington Post*, and a friend of Walker's. McLean had three horses entered. Walker ran his eyes over the

program and announced: "Let's lay a bet. I want to bet something on the McLean entry in this race." He did and lost, but remarked that he had to be loyal to a friend. Then he placed another bet on the McLean entry in the fifth race, a horse named "Timemaker." Walker's loyalty this time was rewarded, for the animal lived up to its name and earned the handsome profit of \$5.40 for Walker. This enthused him so that he gleefully abandoned the exclusive box which he was occupying, rushed over to the track and forced his way through the crowds to cash his winning ticket. Then he fought his way to the seller's window to bet on a McLean entry in the sixth race. He lost, proving that fealty to friends does not always pay.

While this informality on the part of the leading municipal executive in the United States, this frank enjoyment of gay living without the least desire for camouflage of dignified officialdom strongly appealed to the Southerners, there was a good deal of hostility to what some thought he represented—the prospect of a Catholic Presidential candidate. It was an underground hostility, but Walker disarmed it by conducting himself with dignity and tact, so that when he left the South there had been no unpleasant incidents and on the surface the Democratic solidarity was unbreached.

An incident which might have developed into a signal for an antipathetic outbreak may be cited as an example.

Walker had been invited to make an address in Mobile, Alabama, and Frank A. Taylor, now Commissioner of Public Welfare in New York City, but at that time associated with the Todd Shipbuilding firm in New Orleans, was in charge of the arrangements. He had been told that the Stanley Theatre would be engaged for the occasion and that the town would "turn out" for the visitor.

Walker had come to visit New Orleans and had no intention of making a formal stop in any other city; but on being assured that his address would be welcome in

Mobile he agreed to stop off there. Just before leaving New Orleans, Taylor telephoned to Mobile regarding the preparations and discovered that there had been a change of plans. The opponents of the Smith candidacy had forced the abandonment of the theatre meeting, and the Mayor's reception was now scheduled to take place in the foyer of the Battlehouse Hotel, which was not large enough to accommodate anywhere near the number of people expected. It was, to say the least, an embarrassing situation. Walker solved it by not saying a word and passing through Mobile without getting off the train. The reception committee was left waiting empty-handed, and only a few of the Smith adherents, Mayor Schwartz among them, came to the station to greet Walker and to present him with a loving cup.

The next day there was scathing criticism of the men responsible for Walker's slight to Mobile, and these had a difficult time explaining just why the change had been made from the Stanley Theatre to a hotel foyer. But had Walker halted to make his speech every newspaper in the country would have carried reports of the New York representative's frosty reception in Mobile.

Two months later he went South once more, this time to deliver the address of acceptance, on behalf of the nation, of the famous Stone Mountain Memorial, near Atlanta. Walker had played an influential part in the sale of 110,000 memorial half dollar coins in New York, and Hollis Randolph, President of the Stone Mountain Memorial Association, said in introducing him:

"But for you this memorial would have languished, and perhaps died."

A few weeks after this, in June 1928, he made a third trip to the South—he now spoke of himself as a Southern commuter—to attend the Democratic National Convention at Houston.

Aside from the historical nomination of Smith for the Presidency, Walker remembers that visit for one

strange incident. The morning before the balloting began Charlie Hand, his secretary, came into his hotel room with the announcement that there was a telephone call for Mayor Walker from Copenhagen.

Walker had not yet risen and did not think well of practical jokes at that hour.

"Tell them Asia Minor will answer," he replied and turned over.

"It's no gag," Hand assured him. "There really is a call from Copenhagen."

Just then the telephone operator rang to say that the call from Copenhagen, Denmark, was ready. Very much puzzled, Walker lifted the receiver and muttered a doubtful "Hello." A cheery voice responded in English, "Hello, Jimmie!"

Walker repeated the hello and waited to hear. He was quite interested in talking across the Atlantic Ocean, but he was more interested in learning why.

"I just had to call you," the voice continued, "because I knew you would be the one to know."

"Know what?"

"Who will get the Democratic nomination?"

"Al Smith will be nominated," Walker replied, wondering at the potency of human curiosity.

The caller thanked him heartily for the information and then started a long conversation.

Suddenly a fearful thought struck Walker. "Say—" he interrupted, "you haven't by any means reversed the charges on this call?"

"No, why should I?" the other replied. "I'm calling from a government office and the Danish government is paying for this."

He never learned the identity of the man, except that he was a writer.

Perhaps a description of Walker's reception in Houston, sent to the New York *Herald Tribune* by its staff correspondent, will serve well as a closing paragraph to this record of the gay perambulations of Jimmie Walker:

“Mayor James J. Walker of New York arrived today for the Democratic National Convention and immediately became the most popular man in town. Crowds deserted Presidential candidates headquarters to swarm after and surround him as he pushed his way, pied-piper fashion, through the sweltering hotel lobbies. Women trampled on each other’s feet and knocked over chairs and flower pots in the crush to shake his hand or get close enough to the smiling, debonair Mayor, to hear some of his wisecracks, until James J. Hoey, veteran Tammany man, was moved to inquire, ‘Who is the candidate for President anyway?’ ”





## CHARACTERISTICS



WHILE collecting material for their work the authors obtained an interview with Anthony J. Drexel Biddle, Jr., one of Walker's friends. Preparatory to the interview Mr. Biddle sat up half the night with Mrs. Biddle to put into a statement his opinion of Walker, thinking that that was what the authors wanted. This is what he wrote:

“Regarding Mayor Walker.

“I have the honor and privilege of having known Mayor Walker for many years.

“As a man he has guts.

“As a friend he *is* a friend.

“He is a composite of genius, simplicity, ability, keen wit and charm—a gentleman, a sportsman and a courageous leader.

“He takes his worries with a smile, his knocks with courage. He knows how to take it—he is no “belly-acher.”

“As a leader of combined dignity and humility he guides and controls through knowledge, understanding and sympathy for his New York; and New York in turn loves, respects and takes pride in him.

“In America he is ‘Our Jimmie.’ In Europe he is ‘America’s Mayor.’”

“ANTHONY J. DREXEL BIDDLE, JR.”

This enthusiastic expression is not intended here as a contributory description of Mr. Walker's qualities. It is published merely to enable the reader to understand the state of mind of Walker's friends where he is concerned. And it should be pointed out that Mr. Biddle does not belong to that class which might be presumed to seek the favor of a Mayor for practical reasons.

On another occasion the authors were told by a venerable and distinguished Supreme Court judge, well known for his independence and sound judgment, that Walker has "a heart like Abraham Lincoln's, just as noble, just as royal, but not recognized."

Jimmie Walker has many friends and a large percentage of them think of him as do the two gentlemen quoted above. Apart from being of a character to inspire such attachments, Walker was the Mayor of the greatest city in the world; he is internationally known, personally magnetic and sartorially striking. These attributes inevitably draw closer to him these friends, even though they may argue that their sentiments are based entirely on Walker's traits of character.

Without having met the former Mayor and known him the reader will probably find it difficult to understand what the authors are about to say; but it is nevertheless a fact that because of the combination of unusual elements attaching to his friendships his friends are always anxious to "do something for him." If they are wealthy and influential they find a sincere pleasure in presenting him with gifts. Perhaps no other Mayor of New York City has received so many appreciative tokens of esteem and friendship as he; but many artists have received such gifts; many singers, musicians, actors. And here lies a difference between Walker and other public executives: he is an executive, but, as the facts of his life reveal, also a good deal of the artist. Hence his relationships with his friends are in a large measure different from the relationships of other officials and their friends.

Perhaps out of this desire to give a precise meaning to a unique condition which is part of a unique personality, a more apt, if unconventional, thought might be developed: men like to make gifts to a woman they love or admire; some do so to attract her favor, but more are impelled, almost instinctively, to such action because she is an attractive object and the act of pleasing her

creates in them a deep sense of pleasure. In the same way Walker's friends are moved to present him with gifts. His personality, his characteristics, give them pleasure.

Friendship to Walker appears to be what the Bible is to a devout man. He believes implicitly in each friendship he makes and has no fear that it will disappoint him. When Walker accepts a person for his friend, that person becomes imbued with a feeling that he has acquired a friend to be relied upon under any and all circumstances. This loyalty to friends Walker inherited from his father and, like his father, he dislikes intensely to hear criticism of them. Most of the friction that has occurred between Walker and some of the members of his circle has been the result of such criticism.

To his friends Walker cannot readily say "no" and this has often brought him embarrassment; sometimes even more than embarrassment. In fact, it has been a standard prophecy among the intimates who have his career most deeply at heart that whatever hurt came to him in public life it would be through friends. He himself, in one of his few moments of despondency, found it possible to say: "No one can buy or sell me but friends sometimes have made a fool of me." In the least harmful cases, such friends take advantage of him often without thinking of the consequences and under the impression that what they are doing is merely a piece of good business for themselves without injury to anyone else. Take the Cuban incident which occurred at the beginning of this year (1932). At that time newspapers carried first-page stories that Walker was to act as mediator between the administration of President Machado and the political factions opposing him. The truth was that Cuban hotel men, fearing that news of the late uprising in their country would keep tourists away during the season about to open, remembered Walker's popularity in Havana and the many acquaintances he had made there, and employed his name in a press publicity

stunt. Walker was as surprised to see himself linked to politics in Cuba as most newspaper readers were, and he soon learned how the story came about; however, he could do nothing but gloss over the situation as gracefully as possible. To have revealed the facts would naturally have created too much unpleasantness.

Perhaps the most interesting example of Walker's loyalty to friends is furnished by the Warren case. This episode resulted in more adverse criticism of Walker than anything else which had happened during his entire administration as Mayor of New York, prior to the developments arising from the legislative inquiry.

Joseph A. Warren had been a very old friend of Walker's. They had gone to school together and had been associated in law practice. Warren was a highly sensitive, somewhat neurotic man, but one with a keen sense of responsibility. Though a clever lawyer, he was not a good business man, partly because he was a poor mixer, and when Walker became Mayor he brought him along to City Hall, appointing him Commissioner of Accounts, a position which requires a good deal of investigation work.

Another of Walker's appointees at that time was George V. McLaughlin, whom he chose for Police Commissioner. McLaughlin was a rather strange selection for this post, having been up to then the State Banking Superintendent, but after the régime of Lieutenant Enright, the Hylan favorite, Walker was anxious to bring to the Police Commissioner's desk a man with a broad public viewpoint and outstanding executive ability. He was at a loss as to whom to select until he happened to meet George Van Slyke, the political writer of the New York *Evening Sun*, who, after discussing the closeness of Christmas, broke off to inquire whether there was any news about the Police Commissionership, and, receiving the then usual reply from Walker that there was not, suggested McLaughlin. At once Walker exclaimed: "That's it. You named him!" and going to a telephone

—this happened at a function in a hotel—communicated with McLaughlin.

The new commissioner had an inflexible will which was the cause of much friction between him and others, more often on minor points. An instance of this occurred once when one of Alfred E. Smith's sons approached him in behalf of an acquaintance, a patrolman, who wished to be transferred to his home beat. McLaughlin showed plainly that he resented the young man's intercession and sent him away with the reprimand that he should have known better than to present himself on such a mission. The young man left, greatly bewildered.

One day, at two o'clock in the afternoon, McLaughlin brought his resignation to Walker to take effect that day, and announced that he was about to become affiliated with the Postal Telegraph Company in a high executive position. The Mayor attempted to dissuade him and then asked him to postpone resigning until a successor had been selected; but the Commissioner was adamant.

Directly after this interview Walker went out to lunch at the Hardware Club, which is in the Postal Telegraph Building across Broadway from City Hall. With him were a number of city officials, among them Warren. McLaughlin's resignation was discussed and the Mayor confessed that he was at a loss to find a suitable man to fill the vacancy. Suddenly he turned to Warren and said: "You've got to take the job, Joe. I need you."

Warren was not enthused by the offer. He preferred the post of Corporation Counsel and did not feel that he was quite fitted to lead a police army. But Walker had decided that he had the knowledge of the law, the integrity of character and the zeal of the crusader required for the office of Police Commissioner, and Warren agreed to accept it.

He had served about a year when the Rothstein murder case developed, with all its implications that poli-

ticians in high public office had been involved in the gambler's operations. The furore created by the crime and its attendant circumstances was perhaps the greatest the metropolis had known, and when days and weeks went by without the murderer being found the suspicion was loudly voiced on every side that powerful influences were at work to quash the case. Warren was known to be making a sincere attempt to solve the mystery, but in the midst of the uproar Walker issued a public statement expressing dissatisfaction with Warren's activity and later asked for the Commissioner's resignation, appointing Grover Whalen in his place.

It was then said that Warren had been made to pay the penalty for his too zealous efforts to discover the person who had killed Rothstein, and when, a few weeks later, he broke down and shortly thereafter died, public opinion classed him as a martyr and accused Walker of having driven him to his death.

Walker never replied to these covert or open accusations. Even when scathing editorials appeared about the matter he remained silent and permitted it to recede into the past with all the suspicions directed against him undissipated.

There is, however, another side to this story. Walker has forbidden any of his associates and friends to make it public and they have respected his desires; but in justice to him the facts should be known.

Warren, for some time previous to the Rothstein murder, had been a sick man, and his condition worried his friends. His illness was chiefly mental and showed itself in certain peculiarities. Walker's physician examined him and ordered a rest. But Warren was too conscientious and refused to relinquish his duties. At last Walker forced him to consent to a vacation and personally booked his passage to Europe. He also cabled a request to friends in Paris to arrange a series of receptions for Warren, hoping in this way to preserve his self-confidence and prevent his morbidity. But just as



Warren was about to sail Rothstein was murdered, and the Commissioner insisted on remaining in New York to help clear up the case. Another reason he gave for not leaving at that time was that Alfred E. Smith was running for President and he desired to be on hand to give the candidate his support.

From then on his condition rapidly grew worse. Walker was forced to remove him from office so that he might be placed in a sanitarium. Under the care of an eminent psychiatrist he was taken to an institution for mental diseases in Greenwich, Connecticut, where he died. According to the medical records of the case, his illness was due to a disease contracted many years earlier.

It is thus to be seen that the Rothstein case could have had no bearing on Warren's breakdown and that the romantic tale that he was nailed to a martyr's cross has no basis in fact. Yet Walker exposed himself to all the current accusations rather than reveal the facts of Warren's condition.

There are a number of other incidents that may be used here as illustrative of Walker's attitude towards his friends. When he started on his 1931 European trip, a member of his party was a man well-known in New York communal life. Soon after the Mayor's arrival in Paris the cables carried the news that this man was to be questioned by Seabury in connection with certain pier leases which it was thought he had helped to obtain for a steamship company through political influence. But what was featured in the news was that he had been involved in an unfortunate incident as a result of a business deal.

The circumstances surrounding this man's trouble were unknown, but his friends felt he was being unfairly treated and deeply injured. New York newspapers, however, played up the story in a sensational manner and ran flaring headlines announcing that Walker was holidaying with a man with a past.

The Mayor's friends were greatly concerned and so was this man, who attempted to keep himself in the background. He was staying then in the same hotel with Walker's party, the Crillon, and Walker noticed that he was avoiding him. "What's the matter," he asked, "are you ashamed of me?"

The other colored with embarrassment and replied: "Of course not."

"Well, then," Walker went on, "I know of no cause to be ashamed of you."

The American newspaper correspondents in Paris now picked up the trail and flocked to Walker's suite. They did not wish to ask him outright for details about his association with the man in question and instead began by inquiring if the latter was a member of his party. Without answering, Walker turned to the late Major William Deegan, who had accompanied him to Paris, with the words: "Is he around?"

Deegan, after some hesitation, went out to the lobby and called in this man, who was in a room on the same floor. He entered with obvious unwillingness but Walker, laying his hand on his shoulder, faced the correspondents and said:

"This is my friend, about whom you are inquiring."

Among the people whom Walker knows with varying degrees of intimacy—and their range might be described as extending from Park Avenue to Tenth Avenue—is a well-known district leader in the Democratic organization, Hyman Schorenstein, who lives in Brownsville, a thickly populated Jewish section on the outer fringe of Brooklyn. To celebrate the marriage of a son Mr. Schorenstein had planned to give a dinner to which, the occasion being naturally one which meant much to him, he invited the Mayor. To Mr. Schorenstein's delight Walker consented to attend.

On the day of the dinner there was a protracted meeting of the Board of Estimate at City Hall. Walker was suffering from a cold, and the weather was bad.

Very tired and feeling ill, Walker went home and called his doctor, who ordered him to bed. He lay restlessly for two hours, then telephoned Schorenstein. "I came home from the meeting tired," he said, "and had to go to bed. But I'm dressing now. I'll be over shortly."

He arose from a sick bed and travelled half-way across the city to be present at that family dinner. Walker felt obliged to be present at this gathering by no other consideration than the knowledge that Mr. Schorenstein was giving what was to him an important party and would be woefully disappointed if the premier guest should fail to appear.

Walker's friendship for his tailor, Jeann Friedman, is rather better known to the public because of the prominence the Walker wardrobe has attained. Friedman has been making Walker's clothes for the past eighteen years and has become a member of the Walker circle. He idolizes his patron and has passed on his great regard for him as a legacy to the second generation by naming his son "Jimmie Walker Friedman."

Some years ago Friedman became ill and had to undergo an operation. Walker sent him his personal physician and had him taken to the Broad Street Hospital. He installed a radio in his room and busy as he was remembered to telephone an inquiry every day. And when Friedman was ready to leave he found the Mayor's own car waiting to take him home.

On his last trip to Europe Walker, learning that Friedman—who, despite his exclusive clientele, has always been at odds with finance—was anxious to see his parents in Austria, took him along in his party and refused to permit him to pay any part of his transportation expenses.

One day a friend telephoned Walker at his office at City Hall asking whether he could spare a few minutes. Receiving permission to call, the man appeared soon after, looking pale and worried.

"I don't want to take up your time," he said, "but I felt I just had to see someone to give me advice and I thought of you." He then unfolded a tale of business troubles. He was a dress manufacturer, and difficulties had piled on him to such an extent that he could see no way out except through bankruptcy. This extremity he recoiled from.

After hearing all the details, Walker advised liquidation as the most sensible way out and, to hearten his friend, pointed out to him the many business firms who had been forced, honorably enough, into this means of settling their affairs.

It was at the close of day. That evening Walker was scheduled to deliver an important address over the radio. But as he saw his friend rise groggily from his chair he rose with him, drove him to his apartment and spent the entire evening and night with him, cancelling all other engagements.

The Mayor had a police aide, Captain Tom O'Connor, an interesting character described more fully elsewhere. O'Connor's special duty was to accompany the Mayor on his official trips within the city. During an exciting part of the legislative hearings O'Connor was pacing about agitatedly. "It's unbelievable," he was muttering, more to himself than to those who happened to be within hearing, "unbelievable how they can twist things around! It almost makes one lose faith in human beings." He was alluding to the testimony involving the Mayor that was being adduced before the Committee. "If they only knew the man," he went on. "Listen—let me tell you something that happened to me. My boy was sick and they said he needed an operation for appendicitis. The Mayor heard of it and at once ordered a room at the hospital and sent his own physician to take care of him. The operation was not entirely successful and my boy had to remain a long time in the hospital. I was nearly crazy with worry because it didn't seem as if he would pull through. He required the attention of

specialists and the best of care, all of which he got. At last he was well enough to leave the hospital. I went up to the office to arrange about payment of the bill and was told the Mayor had already paid it."

In the choice of his friendships Walker is catholic. Frequently, while surrounded by a tuxedo-jacketed and ermine-cloaked group in a theatre or hotel lobby he will dart away to greet a person bearing a first-cousin resemblance to a bum. He might be a broken-down boxer or a waiter out of a job. To Walker he is just another man he knows, and his elegant companions must wait while he gives him the strong handshake of a friend and not that of a politician.

Walker's philosophy of friendship—insofar as one can call a conscious expression of something seemingly instinctive a philosophy—is that "it is not a one-way street, where you receive and not give." He believes that to have friends one must be a friend. That is to say, every friend one possesses, no matter of what rank or stamp, is a symbol of some good quality discerned by that friend in the possessor; therefore, so many good friends means so much esteem worthily earned. He has a proud conviction that even without being in office he will retain his friendships. When, during the course of the legislative inquiry, one person after another was being examined who was labelled by the newspapers "Walker's friend," he expressed sincere satisfaction with the appellation (even though in some cases it was undeserved). "The more they mention friends," he said, "the more flattered I am."

As a general rule, Walker, in his friendships, veers away from what is known as society, although he is probably more in demand for social functions than any other New Yorker. A prominent hostess (a Republican) recently came to Anthony J. Drexel Biddle and asked him to do her the "biggest favor in her life." When he inquired what it was, she said: "Try to get Jimmie Walker for a dinner." He can fill excellently the rôle

of the guest of honor at an exclusive event, and his manner of receiving high aristocrats at City Hall and official banquets has aroused genuine admiration even among his habitual critics. But he prefers the company of people who possess more of the love of life than the love of pedigree.

If, however, one were to formulate Walker's feelings in relation to his fellow-beings generally, one might say that he likes everyone. He really has no hatreds, and even those whom his memory recalls with resentment that resentment is without sting. Human beings arouse his greatest interest, and in them he finds his best pleasures. He is far more interested in the mob which rises at the ball park to cheer Babe Ruth for a home-run than in the home-run itself, though he has a full enough appreciation of the feat. Walker is gregarious to the extreme. On a desert island he would sooner die of loneliness than of hunger.

As to his informality in personal money matters—a fact so much commented upon at the close of the legislative inquiry—it seems hardly necessary to restate here the old observation that men of a volatile nature and men with the artistic instinct have no methodical regard for money. Walker is essentially of that type. Whatever money he has had he has always freely spent and he has never been hesitant in assuming financial obligations. One of these obligations was revealed at the inquiry when it was found that he was maintaining his sister and her family. This sister, Mrs. Nan Burke, a very charming lady who bears a close resemblance to Walker both in appearance and traits, had desired upon being left a widow to enter business in order to support herself and her three children. Walker, however, would not permit this, and undertook to provide for her. He once settled all discussion between them on this point with the statement: "When I am giving you money, Nan, I don't give it to you. I'm giving it to mother. So long as I have a dollar you will have part of it."

Numerous stories are current of the ease with which Walker can be "touched," of his readiness to accommodate friends with loans, and of his generosity to attendants.

Walker thinks nothing of sharing his money with friends and he is similarly informal in accepting accommodations from them. To others public office might seem to stand in the way of such informality; but not to Walker. Assuming that there is no wrong-doing in the transactions, he cannot see what difference the office makes in matters which to him are purely personal. If he goes on a trip, for example, it does not seem to him in the least unusual to ask one of the friends who compose his party to take care of the expenses and to settle with him later; nor would his friend think it unusual if Walker should forget to repay his portion of it. He would know that the forgetfulness was not wilful. Nor would Walker think it wrong if he allowed a friend to foot a bill for him. He would readily take care of his friend's bill in the same way. What it is necessary to understand about Walker is that between him and his circle there is a camaraderie which has no connection with his position as a public official.

\* \* \*

Jimmie Walker is one of the few individuals who, no matter how exalted their position in the community, live a natural life. Under all circumstances Walker is himself. During the twenty-three years of his public service he has not changed. The essentials of his personality are the same today as they were when as a youth in his early twenties he sat down at his mother's kitchen table and dashed off "Will You Love Me in December as You Do in May?" To be himself he will run counter to many conventions. Not deliberately, but simply through instinctive impetus.

To the public this naturalness is revealed most prom-

inently in four characteristics: his friendships (already discussed), his enjoyments, his wit and his clothes.

His enjoyments are distinctly of the Broadway stamp.

Broadway does not only mean theatres, vaudeville, movies and a dash of night club and dance hall. Broadway is an international street, the concentrate of cosmopolitanism; a thoroughfare which not only fuses the widely differentiated segments of New York but represents the world at large. This is the Broadway that, basically, is the Broadway of Walker's likes.

He goes to any place he fancies for his enjoyment, and whatever that place may be he makes no effort to keep himself unnoticed or seek an excuse for being there. His indifference to what may be said of him often astonishes his friends.

He is fond of the theatre; and more fond of musical shows than plays. He invariably goes to first nights and is hunted by autograph collectors, for which reason, and because of the crowds attracted by him, he usually remains in his seat until the performance is over. He, however, is not reluctant to be seen in the theatre and will walk down the aisle with whomever he might be as readily as though he were in a friend's house. Because of his early song-writing efforts and his later motion picture associations he has numerous friends on the stage, and although he has one favorite actor, a comedian, he will disclaim any favorites, saying diplomatically: "My favorite actor is the one I'm looking at."

He is very romantic and, as he expresses it, has "never been divorced from the eternal language of love" which takes in music, poetry and the art of pleasing women. He likes the society of women and women like his. His manner with them has a sentimental grace; a little of the Irish blarney, perhaps, but administered with a worldly courtliness. As an example of this, he was dancing not long ago at a fashionable social gathering when



his old friend, Herbert Bayard Swope, the former executive editor of the New York *World* and brother of Gerard Swope, bumped into him. Swope, who is about Walker's age, was dancing with a young girl, and as Walker looked at her rather quizzically he mischievously said: "May I introduce you to my eighteen-year-old daughter?" Walker did not know that Swope had a daughter and was astonished. "Is that true?" he asked. When Swope assured him it was he extended his hand to the girl and said without the least hesitation: "Miss Swope, it took your father twenty-five years to win the admiration that I give you instantly and completely."

The office he held and his celebrity gave him an advantage over other men with women which he himself did not discount; but nevertheless the impulsive flattery that springs to his lips is an enviable asset.

So interesting do women find him that even those presumably on the side of his opponents are attracted to him. One night Walker came to the Central Park Casino ahead of the party he expected to meet there. He is fond of the Casino, which is more a restaurant with music than the night club it is reputed to be, and often goes there to sit alone or with friends on the terrace overlooking the shrubbery of the park and listen to the dance orchestra. He was alone at his table on this occasion when his friend, Walter Herrick, the Commissioner of Parks, who also happened to be at the Casino, asked whether he wouldn't join his table for a few minutes to meet a lady who was anxious to know him. Walker consented and spent a little while at Herrick's table where he was introduced to the woman, whose name he didn't catch. His own party meanwhile arrived and when he joined them he was greeted with the remark:

"Well, it looks as if the investigation is off."

"Why?" Walker inquired.

"Well, you seem to have joined the family."

"What are you talking about?"

"Don't you know who that woman is to whom you were introduced by Herrick?"

"No, I didn't hear her name."

"She's Seabury's sister."

Walker was surprised. But the sequel came in the remark the lady made after he left. Some who were at Herrick's table swear she said: "He is one of my favorite men." Others will only concede that she limited the praise to: "Well, I must admit he's charming."

Walker's wit manifests itself, so far as the public is concerned, in the quips which ornament his speeches and the retorts which trouble his opponents in debate. In his private life he has an aptitude for repartee couched in the American form known as wisecracking. With this is coupled a genuine talent for mimicry. In print Walker's joking lines seem weaker than when he himself delivers them. That is because, like the professional actor, he blends timing and personality with what he has to say on the platform. When a witticism occurs to him he handles it with care and offers it at the point of maximum effectiveness.

As a public speaker he has the outstanding virtue of never using "This reminds me—" or any of the other well-known approaches to a funny bit. The humor in his remarks is entirely spontaneous, and being spontaneous emerges with all the flavoring of his own personality. Other men noted for their wit plan and memorize their telling points, which in this way become unrepresentative of their makers' character.

The same quality of naturalness and spontaneity characterizes his addresses, which are inseparable from his humor. Walker has never made any great speeches—and no one is more aware of this fact than he himself; when he sometimes attempts to analyze this failure he mistakenly attributes it to disinclination to take pains—but he has delivered numerous fascinating addresses and many moving ones. As with his jokes, the speeches do not read nearly so well as they sounded when originally

spoken by him. His words must have the backing of his personality and his delivery to be effective. He cannot sway readers, but he can keep an audience entertained and interested and can even stir it to heights of emotional outbursts almost at will. A rather surprising fact is that despite his avoidance of formal study he has an extensive and choice vocabulary. His expression is rich, and distinguished men speaking on the same platform with him have often seemed poor and halting by comparison.

Walker always speaks extemporaneously. He never uses notes, though he has been known to make them. An example of this trait will be found in his welcoming of Lindbergh. Walker was never so excited at receiving any person as he was at the prospect of greeting the strange young aviator. The reception at City Hall was held on a Monday morning. On the previous Sunday he was staying with Paul Block at the latter's country home and spent considerable time jotting down copious notes. When he seemed finished he asked Block to listen to the speech of welcome he had prepared.

Block thought the address very fine but suggested a few changes, which Walker liked and noted. During the afternoon Block drove the Mayor into town and on the way he was surprised to hear Walker ask him to hear the revised address. Never had Block known the Mayor to be so apprehensive about a speech. He seemed absolutely anxious that every word and phrase be well chosen and effective.

Block listened to the new version and pronounced it altogether good. Walker was pleased and carefully put his notes away.

The next day at the reception not a word of the manuscript was in his address, and the extemporaneous speech was one of the best he ever made.

Insofar as Walker has a method in his public speaking it was indicated in a newspaper interview published in 1929. He then said:

“One of the things I have observed most often is the bored look of the crowd when the speaker begins to praise the guest of honor. A man can't be human and measure up to this eulogy. When such a speaker unfurls his flag you can feel the thermometer drop. If a man has accomplished something worth while we like to be told about it, but in a plain way—the plainer the more convincing. We believe that the speaker means what he is saying. I have attended hundreds of dinners in the last four years, and a man who sits at the speaker's table night after night gets to understand the faces before him. They are mighty interesting to watch. When a speaker takes the wrong track, or the right one, it is easy to see the effect. I sometimes wonder if the man speaking ever looks at his audience. Evidently not, or he could read the signs better.”

Incidentally, there was one dinner which Walker attended where the guest of honor was far from being eulogized. This was the banquet tendered to him by the Green Room Club a few years ago. The honoring diners of this club had an officiating person known as the “Roastmaster,” whose grateful task it was to give his unvarnished opinion of the various guests and speakers, as prompted by the toastmaster. The principal guest was called “The Jest of Honor.” The late Harry Reichenbach, most famous of the Broadway press agents, and S. Jay Kaufman, the originator of the Broadway column, were the Roastmaster and Toastmaster respectively and Walker ran the gauntlet between them. One of the features of the occasion was a series of skits depicting certain phases of the Mayor's life and acted by such celebrities of the stage as Arnold Daly, Lowell Sherman, Wilton Lackaye, Joe Laurie and Irving Caesar. A fondly remembered piece of travesty made Walker rise and plead with its author not to follow him around nights.

It might be added that although Walker does not speak often on the air, the production director of the

Columbia Broadcasting Company, John Carlisle, in a recent survey of the voices of noted public men, said that "Mayor Walker's voice is probably one of the most colorful we have ever observed in the study of radio voices. It is a free voice, as ready and apt in the sounding of sentences as its possessor is in the framing of them."

One of the principal ingredients of Walker's fame is, of course, his clothes. He is probably the smartest dresser among all public men in the United States, and judging from the panegyrics printed in the European press when he made his tours abroad, he must be regarded as a leader among the sartorial élite of the world.

Undoubtedly Walker's clothes are flamboyant; but they are flamboyant to us, that is, to those of us who dress in what is called the conventional good taste. What this conventional good taste is, is quite another matter. No one has yet advanced a logical reason why a man should wear such a ridiculous and uncomfortable contrivance as a top hat. Yet a top hat is prescribed as an item of the purest taste in social attire.

Walker's clothes are a normal outgrowth of his character and not at all the result of a poseur's planning. Just as in his personal life he naturally leaps at the dramatic, at the grandiose, at the colorful, so does he clothe himself in a fashion that has the same effect. But quite apart from that, he really loves clothes. The feel of a fine piece of cloth, the glow of a color delights him. He is peculiarly sensitive in this respect. Often when talking to a woman he takes pleasure in discussing textiles or color combinations. That same instinct will lead him into certain fashion idiosyncrasies and prompts him when at home to wear gorgeous dressing gowns and pajamas. These garments seem womanish; they are also beautiful and arouse the repressed envy of the "properly" dressed gentlemen who come to see him. The dressing gowns are all tight-waisted and flaring below the waistline. With the fringed sash that is part of them,

and the rich colors of which their pattern is composed, he gives the impression of some exotic Oriental as he walks in a sort of stealthy, half-military manner around the room. It is an impression, however, that is instantly marred when one catches sight of the nose, which is deliberately Irish, or the quizzical, ageless lean face, which no one could possibly be expected to possess save a Broadway actor.

Walker is a very careful dresser but once he has his clothes on his back he forgets them. He never looks in a mirror after he is dressed and never has been seen to adjust his tie during the day, as almost any other man will do.

Nor does he ever mingle social and business dressing. He has never appeared at City Hall in anything but a dark business suit except in summer, when he wears lighter shades.

A characteristic of his dressing habits is that he rarely uses contrasting colors except in sports wear, and those mostly when visiting foreign shore resorts, where coloration is the vogue. His favorite combination consists of three shades of the same solid color; as, a blue suit, a lighter blue tie and a lighter or darker blue shirt. With such an outfit he will wear a gray soft hat and dark shoes. A ring worn on the little finger forms a part of his dressing scheme. He changes it so that the stone matches his clothes, and it must also match the cuff links. He never wears a watch, although, up to date, he has received 30 as gifts.

All Walker's suits and overcoats are made by Jeann Friedman, an Austrian tailor who at one time studied for and sang in grand opera as a tenor. Friedman is of the school of European tailors who were apprenticed to a master for several years in their youth and were glad to receive only board and lodging as compensation until they were pronounced proficient. Friedman is a craftsman, with vast pride in his work. The moulding of cloth

around a male body is to him a work of art, a fact which has principally endeared him to Walker.

Walker always designs his own clothes. His business suits are all alike, only the sports suits being reserved for style manipulation. In business clothes he adheres to several distinctive Walkerisms. They are extremely form-fitting, and the break in the waist-line must be just so. The back of the coat is straight across, the sleeves taper and are about an inch narrower at the wrists than in coats other men wear. The breast pocket on the outside of the coat is not slightly aslant but straight across and the vest has seven buttons instead of the conventional six. The trousers are without cuffs, but he is fond of cuffs on sleeves and of lapels on the vest. In this he is practical. He believes that cuffs are ornaments but that on pants they are only dust gatherers.

Although his clothes are original with him, he does not object if others use the same style; and Friedman has leave to make duplicates of the garments if customers should want them. He does not individualize his clothes because he wants them to look different but because he likes them that way.

All the other items of his dress ensemble are also order-made and of his own design. His hats are an improvement of the Roosevelt rough-rider head-wear, allowing for a broad brim which can flop gracefully over the right side of the head; the shirts fit him as closely as is compatible with comfort for a slender man and require a minimum amount of cloth, particularly below the waist; his ties are designed to make a narrow knot, and are without linings.

During the many years Friedman has been making his clothes Walker has never returned a suit or coat. As Friedman afterwards found out, if a suit did not please him, he would rather give it away than complain.

Admittedly the idiosyncrasies catalogued in the preceding pages are unusual in a man holding an important

public office, and it was largely because of them that he aroused antagonism. It was an antagonism he could have avoided by eliminating, or at least confining, these traits to his private life but this he is incapable of doing. Both by instinct and by choice he accepts nothing that will restrain him from living as he wishes, perhaps bolstered up by the confidence that the people, in the mass, will appreciate his straight-forwardness.

Public personalities who have chosen to live as frankly as Walker must necessarily suffer; natural living and conventionalities have never fused in the public mind, which has a decided conception of how it wants those whom it elevates to celebrity to behave. Walker, too, feeds the misunderstandings about him by acknowledging good-humoredly traits imputed to him by the public. Thus it was he who was the first to dub himself "the late Mayor" and "the night Mayor." He did it, as he confesses, as a "gag" and then the newspapers took it up. As a matter of fact, he is never intentionally late. He begins his day's appointments with the best of intentions but in his inability to say no he is waylaid at every step by people anxious to see him. As he says, "the man wouldn't stop me unless he had something to say to me that was important to him." He halts to hear the "man" and what with ten minutes here and fifteen minutes there and his visitors' pleas of a few minutes more, one appointment begins to overlap into the other until the entire list is hopelessly snarled up.

"You can say," he once remarked with the mild protest which in other men would be bitterness, "that Walker is late but not lazy."

\* \* \*

Walker's intellectuality is not deep, but his emotionism is. Intellectuality may be defined as the ability and the will to acquire fundamental knowledge by study. Walker is unadapted for the acquisition of knowledge through intensive study. Nature has endowed him



instead with a very sharp mind and an intuition which enables him to grasp the meaning of things which come up in his life, no matter how complex or technical they may be.

He has a power to dive into a situation and come up victorious and he places the greatest confidence in it. Often, as Mayor, he would go into a conference with bankers, technicians, strikers, educators, or any of the other sharply contrasted groups who needed his attention, and know next to nothing about the matter to be conferred about; but before the conversations were ten minutes old he was familiar with the subject, grasped the objective and was sailing along towards a logical conclusion.

This avoidance of systematic study has accentuated his emotionalism in the same way as the disuse of one physical faculty strengthens the other. From this emotionalism he has emerged an ultra-sentimentalist.

He is easily stirred to emotional outbursts. During the outbreak of gang warfare in New York, in 1931, two children were shot down on the street as police chased a car with escaping criminals. This crime occurred after the tragic mowing down of five children in Harlem when the Coll gang sought to execute a member of a rival mob. The news of the second child victims threw Walker into a state of intense distraction. He gave what orders he could to spur the police to capture the gangsters but only his intimates knew how deeply he was moved.

Soon after the crime was committed a reporter from a New York newspaper telephoned to his apartment. When Walker consented to answer the call, the reporter asked how he felt about children being shot down. It was a query in line with the newspaper's criticism of his administration.

Walker dropped the receiver as he heard these words. His face was livid. He could not speak coherently. "He asks me how I feel—me—I love children—"

He was hysterical, and a friend who was with him

had difficulty in calming him. It was only after some time had passed that he was able to control himself sufficiently to reply to the question through a personal telephone call to the newspaper.

One hot July afternoon a mass of Jewish old men, headed by rabbis, paraded down Broadway and paused at City Hall. They were marching to lodge a protest to the head of the New York municipal government against the massacres of Jews by Arabs which had just taken place in Palestine. It was, of course, a useless protest and could result in no remedial measures, but it was the first action that occurred to these men. The procession originated in an impromptu street meeting on the East Side and had gathered strength as it marched downtown. A Jewish journalist who accidentally came upon the meeting undertook to introduce the four rabbinical leaders to the Mayor. Arrived at City Hall, the old men halted at the steps while the newspaperman brought the rabbis inside and asked to see Walker. He was informed by two secretaries in turn that the Mayor was too busy. As the reporter was about to leave with his charges, Paddy Hogan, one of the confidential members of the Mayor's staff, ran out excitedly. "The Mayor wants to see you!" he cried. The reporter walked through to the Mayor's room.

Walker faced him with an anxious look. "What do you want, Joe?" he asked.

The reporter explained. Walker listened attentively. When he heard of the patriarchs trudging for miles on a hot day to see him he jumped up. "I was warned not to receive these men," he said. "Everyone advised me against it for fear of Washington complications, but I will see them. Bring them all in!" But there were too many in the parade to be squeezed into the reception room adjoining his office, so he went out on the steps and there expressed his sympathy with his petitioners. Then, for a long time he stood bareheaded in the broiling sun while the parade went by him. The perspiration

was streaming down his face and he was dead weary but he said to the reporter "I won't leave until the last man goes by. If those bent old men can stand it so can I."

Soon after this the Jews of New York held a great protest meeting at Madison Square Garden. It was one of the most exciting meetings that the Jewish community ever held in the metropolis. Squadrons of police had to be called out to keep the doors from being forced in by the thousands who were unable to gain admission. The Mayor had promised to attend and was to be one of the principal speakers. But on that night he was ill and had a temperature of 103. An official of the meeting telephoned to the Mayor's apartment to beg him to come. He was answered by Dr. Schroeder, the Mayor's physician.

"You've got a nerve!" exclaimed the doctor. "You know the Mayor is very sick, and—"

Before Schroeder could finish the sentence the transmitter was snatched out of his hand and Walker's voice came through: "Never mind him. I've just taken some aspirin. If the fever goes down I'll come."

Walker waited an hour. The fever did go down a degree. Ignoring Schroeder's remonstrances, he ordered his car and was on the way to the meeting, accompanied by the still protesting doctor. He did not even notify the police that he was coming and literally had to fight his way through the mob.

When he finally got on the platform he was so weak he begged Prof. Felix Frankfurter, one of the committee in charge of the meeting, to put him on first. He then made an impassioned address, completely ignoring possible diplomatic complications, and was hurried away by Schroeder who feared a collapse at any moment.

Walker's ultra-sentimentalism accounts partly for his dramatics. He goes through life playing a rôle in a play. Everything he does is instinctively dramatized, actually, or in his mind.

Often this sentimentalism running into the dramatic

leads him to excesses. In relating to the authors the incident—told elsewhere in this book—of how he attempted to persuade Henry J. Walters, then leader of the Republicans in the State Senate and a confirmed wet, to break away from his colleagues on a prohibition bill, Walker jumped up from his chair as if struck by an exciting idea. "There is an analogy to that!" he exclaimed. "Think of Premier MacDonald when he said 'I am leaving my party for my country!' When he said that and remained loyal to his principles in spite of his political affiliations he was a bigger man than before. His government was forced out but he was bigger in defeat than in victory. I was offering to Walters the same opportunity."

He had become enthused over a situation involving a sacrificial act, and in this impulsive enthusiasm he had not differentiated between MacDonald's action, deeply affecting the British Empire and possibly bringing about international consequences, and a minor event in one of the houses of a State Legislature. Even if Walters had opposed his party the result to the American nation would have been of little more significance than that of an heroic gesture.

When he was in Paris in 1926 he was invited to visit the American Legion Convention held there at that time. Although he came as a private citizen, he received a tremendous ovation which lasted fully five minutes. He was greatly moved, and when Commander Savage begged him to mount the stand and say a few words his gratefulness to these boys who had so warmly received him produced this sentimental bromide:

"I am authorized by law and choice to bring you the felicitation of the people of New York City, and to bring across the Atlantic these heart throbs, that they may mingle with you in spirit. I want you to know that they, back home, are still rooting for you to give another lesson to the world of what a real 100 percent American is—God's greatest gift to mankind!"

He was just lost in the welter of his emotions.

In his political faith Walker is a Democrat and a member of Tammany Hall. He is a Democrat by heritage and by inclination. The whole trend of his personality is not towards the slightly aristocratic characteristics with which the Republican Party has been invested but to the mass, from which his father sprang.

His allegiance to Tammany Hall is unquestioned. He believes in a two-party government and considers Tammany Hall a section of one of those parties.

He frankly admits that when in office he gave preference to men recommended by Tammany Hall for appointments. But he demanded that they be suitable men. He prides himself that Tammany Hall complained he was looking for high-salaried men to fill low-salaried jobs and that he appointed too few of its men. As late as September 18, 1932, the *New York Times*, which was extremely antagonistic to Walker all through the latter part of the legislative investigation and the hearings before Governor Roosevelt, printed the following item relative to this question:

“Although Mayor McKee’s economy and efficiency program is expected to result in the elimination of some of former Mayor Walker’s high-salaried appointees, their passing is not regarded as likely to injure the new Mayor’s standing because most of the appointments were originally made without consulting Tammany Hall or the various county leaders but were based upon personal friendship. The fact is that Tammany at the time resented some of the appointments and a number of district leaders made it known that the organization was not receiving proper recognition.”

He appointed Richard C. Patterson as Commissioner of Corrections, although Patterson had formerly supported a fusion ticket. He appointed Police Commissioner Mulrooney, who never had been an organization man. Samuel Levy, now the Borough President of Manhattan, was made Commissioner of Education against

opposition. It is customary that an organization man be approved by his district leader, but in this case the leader of Levy's district (the 15th) refused to approve him and proposed two other candidates. Dock Commissioner McKenzie was appointed to his post despite a dozen other men who were suggested by Tammany Hall. Walker also sponsored Irwin Untermyer for the Supreme Court and worked for his nomination over the candidacy of Martin Conboy and Charles Burlingame, who were recommended by the Bar Association of New York. Every Tammany district leader had a candidate for the office but Walker's influence was thrown to Untermyer because of his services to the city in its fight to retain the five-cent fare, finally won in the United States Supreme Court.

The religion of a man who has made politics a career is always a delicate subject with him, but like his Tammany Hall affiliation, has always been frankly proclaimed. He is a Catholic but he does not wear his creed on his sleeve. He was brought up devoutly and has remained a good member of his church, but he has neither used nor abused religion for advancement.

When occasion demands he is outspoken, as he was not long ago at a Communal Breakfast of city firemen, where he arrived just as one of the speakers, the noted priest and radio lecturer, Father Charles F. Coughlin, of Detroit, said: "We can all see that your Mayor is no angel, but—" When it was Walker's turn to speak he began by saying that he heard himself described as "no angel" and then remarked: "Well, now, Father, have you ever stopped to consider why our confessionals are built in permanently?"

He is liked by the New York priesthood. After he had once acted as godfather at a confirmation that was attended by a large number of reverend gentlemen his address was so admired by Cardinal Hayes, who was present, that he sent a letter to the officiating priest, Father Hickey, the present pastor of St. Joseph's, with

the comment that Walker's speech was "as spiritual as it was sublime." It is a fact that he attends the rites of his church with a good deal of faithfulness. Father Hickey recalls pleasantly that the day before leaving for one of his European trips he came to him for communion and was scrupulous enough to recall that during the preceding night he had suffered from heartburn and taken a drink of water, thus breaking the necessary fast. He came back the following morning, rising at what was for him an early hour, in order to attend mass and receive communion before sailing time. Wherever he goes he carries in his vest pocket a little leather purse filled with a collection of religious tokens which were given to him by devout friends.

Perhaps a fitting commentary on both the spiritual and the mundane aspects of Walker's personality is provided by the dresser in his bedroom. In the centre of it stands a holy image; on both sides hang dolls, one a peasant girl doll presented to him in Carlsbad and the other an Indian doll hailing from a Shriners' convention.

\* \* \*

Ever since Walker was elected Mayor it has become a sort of tradition to think of him as being in continual bad health. This is not altogether true. He has a slight body but he is wiry and dynamic. Whenever necessary he is tireless and can outwork men far more robust than he. Whether this stamina is the result of a determined spirit or physical strength concealed somewhere in that small frame even doctors don't know. He usually looks well, but this may be due to the care he takes of his appearance. Perhaps he himself has contributed to the ill-health tradition by a habit he has fallen into of always answering an inquiry about his condition: "Not so good." Few of his friends ever remember him saying, "I feel fine."

His real ailment seems to be a more or less continual run-down condition, due to his prodigal expenditure of

energy. He is never at rest. He cannot even sit still in a chair for a normal length of time.

Three things help him maintain the fairly good health he believes he does not possess: his unusually careful eating, his ability to relax and dismiss worries and aggravations from his mind, and his recreations. To Walker food is to be eaten only when hungry, and then only in such quantity as will satisfy the craving, no more. The regulation three-a-day eating periods are not for him; he may eat only once a day if he does not feel hungry. All his meals consist of a single dish, sometimes merely followed by milk or tea. He smokes only denicotinized cigarettes. For mental comfort his philosophy is: "Learn to relax." Not long ago he gave a newspaper interview in which this principle was outlined as follows: "Learn to relax. Don't fight with yourself. Don't waste time on vengeful thoughts; it never gets you anything but trouble and futility. Don't feel the world is set against you. And don't let yourself cultivate the notion you're a great little fellow. For, as the paraphrasers of the Beatitudes have it, 'Blessed be he who expecteth nothing, for he shall not be disappointed.' I well recall how my dear old dad took me aside one day and told me, 'Don't ever try to waste time, son, trying to get even with someone you fancy may have wronged you. Because just as soon as you finish getting even with him there's bound to be someone else.'" His power of recuperation is such that eight hours will see a change in him from low vitality to strong energy. One morning recently, while taking a physical examination at the Rockefeller Institute, he fainted—"took a nose dive," he later described it—but that night he went to a fight. Part of this recuperative ability is derived from the determination not to yield to an indisposition, though he may complain about it.

In his recreations Walker enjoys a notable distinction: he has none in which he personally participates. He does not even play cards. Traveling he is fond of,



but traveling by means of such contrivances as motors, speed boats or yachts he avoids as much as possible. He has been only once in an airplane, and that once through an accident. After the Democratic convention in Los Angeles in 1928 he attended a tea party given by Gloria Swanson. One of the guests was a member of the crew that flew with Byrd to Europe, and he tried to persuade Walker to go up with him. Walker declined, saying he didn't subscribe to that kind of curiosity. After some more pressing the aviator exclaimed: "I know why you refuse. You're superstitious. This is Friday the 13th!" Walker rose. "Well, tune up," he said. "We're going." But he has not gone up since. "My batting average is 1,000," he says, "and I won't spoil it."

A friend of his, I. Altman, once gave him a prize horse, "Cedar King," who finished whatever interest he had in horseback riding.

Walker was proud of "Cedar King" and entered him in a Brooklyn horse show. On the night of the judging, the Mayor—wearing a tuxedo—led the animal into the ring. Suddenly "Cedar King" left his place and Walker went with him—at the end of the bridle strap. Straight for an open door "Cedar King" dashed, and his owner just missed being brained by the door post. He later discovered that the horse was mad and had killed three men. He was a beautiful specimen, but Walker decided it was best for "Cedar King" to cool off in the quiet of a horse's country home and sent him out to a farm. There he broke his shoulder and had to be shot.

Before he was forced to part from "Cedar King" Walker wrote a song in his honor, the first stanza of which was:

"I want to eat when you eat,  
Sleep when you sleep,  
Snort when you snort,  
Then I'll be happy."

Walker is extremely fond of witnessing all sports, more particularly boxing, baseball, hockey and football. In his school days he was an acknowledged athlete, and his sporting sympathies have never left him.

He is a constant attendant at boxing matches and enters so wholeheartedly into the spirit of the contest that when the match is over he is often more exhausted than the boxers. He enjoys every good fight, even though the men staging it may be unknown. There was only one bout he found no pleasure in. That was when Firpo knocked Jack Dempsey through the ropes and into the laps of the sports writers at the ringside. At the beginning of this sensational attack Jesse Willard, one of the spectators, jumped to his feet and consistently wavered in front of Walker. While the crowd was yelling itself hoarse at what was happening Walker saw nothing but the back of Willard's suit.

Walker is himself a good boxer, though now out of practice. He used to box a good deal with his friends but swore off after an engagement a few years ago. Near the new Madison Square Garden was a restaurant, owned by three Italian brothers named Leoni, which was patronized by many sportsmen, including Walker. The brothers were rabid fight fans and eager to become professionals. At the close of each day's business, when only a few intimate customers remained, they cleared away the tables and put on bouts with the waiters.

At one of these impromptu frays Walker caught the spirit and asked Jimmy Johnston, the promoter, and once a professional fighter, to box him.

Johnston warned him he could still punch. Walker replied, "We'll take it nice and easy," and squared off.

The men sparred for a little while, then Walker discovered that he was losing wind and would soon be in for a lacing. The thing to do was to end it all, and Johnston suddenly saw Walker start a punch laden with all the strength of which he was capable. The veteran

ducked swiftly and professionally, and the force of the blow striking empty air precipitated Walker to the floor, landing him on the top of his head. He hit the boards so hard that all the money and keys and trinkets in his pockets rattled down in a heap about his ears.

When he straightened out the Mayor confessed that he had wanted to land one good punch at Johnston. What he didn't tell Johnston was that this was the second time he had tried the same little stunt. When he made his first trip to Europe the gymnasium of the Berengaria, the boat he made the trip in, was in charge of his friend, George Mason, also a former professional boxer. Walker is a bad sailor and thought that a few rounds of boxing would ward off seasickness. Mason took him on, and as Walker began to lose wind rapidly he shot out a sudden hard left which caught Mason on the nose with such power that tears came to his eyes. Mason immediately forgot friendliness and released an uppercut into Walker's stomach which at once defeated the Mayor's original purpose and sent him hastily to the rail.

In atonement for these acts of duplicity, and remembering the punishing results therefrom, Walker decided to box no more.

As fond as he is of the sport, Walker hates boxers who do not give their best to the game. Grappling fighters, especially, have his disapproval and he will walk out on them. In the same way he dislikes wrestling. He considers such tussles clownish.

Walker once gave an ironic explanation of his fondness for boxing. "After a day at the City Hall," he said, "where I am a target for those who want to find fault with the city government, it does me good to sit down somewhere and see some other fellow take a swing from the ankle smack on the chin."

He also claims to have learned an illuminating moral lesson from the game. "I have seen able men in the ring wear themselves out," he explains, "by knocking their

opponents down. There are some fighters who seem to be of poor quality but they keep getting up on their feet after being knocked down until their apparent vigor is exhausted. I am not going to waste my energies trying to knock down my critics."

Then, of course, there is his classic remark that he likes boxing because "it is the only sport in which you meet one opponent at a time and he is always in front of you."

\* \* \* \* \*

The essential qualities of Walker's personality, reduced to a brief review, are: feeling, talent and artistry. These he interweaves into his life so that one finds them in pleasing proportion in what he says and does. He has, too, a confiding nature which trusts people to deal with him in a loyal fashion.

To his friends these traits are readily apparent, and are what draw them to him. But if one were to desire a reason for his attractiveness to the mass, an attractiveness which made him a celebrated man in public life, one must, paradoxically, add his faults to his virtues. These faults, concentrated into one, are: he does not conduct himself as conventions demand a public official should conduct himself. The trimmings of public office, which other men wear in burnished glory, he dispenses with. Instead, he remains himself.

The contrast which this nonconformity provides proves both a surprise and pleasure to the public; a pleasure because few things please us so much as the spectacle of an important man living with the freedom of the ordinary individual.

This apparent popular approval however, seduces Walker into a false trust. It is, in the last analysis, hazardous for a high public official to make a world of his own and govern himself by his own laws. The American public has set a code of behavior for such an official, and even if it admires deviations from it, it does not

consistently tolerate them. There may be no logic to this duality of feeling, but there it is.

Fortunately for Walker, the larger part of the public heart has beaten favorably for him, else he would long since have been submerged by this primary trait in his rather complex make-up.



THE LEGISLATIVE INQUIRY





## I

A STRANGER in New York City passing the County Courthouse on the morning of May 24th, 1932, would have been amazed at the scene observed there. He would have seen a dense crowd filling the open space before the broad steps of the courthouse, pushing and mauling with a frenzied disregard for municipal amenities; he would have seen scores of policemen encircling the crowd and striving as frenziedly to keep the people in a semblance of order; and if he had, by some miracle, penetrated into the interior of the building he would have been engulfed in another crowd, kept within lines by more police, all converging on one room that was barricaded by attendants and officers.

What was the reason for this turmoil? It was the appearance of Mayor James J. Walker before the Legislative Committee investigating the affairs of the City of New York. Long before the court house opened, as early as six o'clock in the morning, citizens came to sit on the steps in the hope that they would be admitted beyond the leather-covered door through which Jimmie Walker was to pass. For every seat in the moderate-sized room where the Committee held its hearings the chairman, Samuel H. Hofstadter, had been forced to issue two or three passes, and by nine o'clock in the morning the rotunda of the court house was lined twice around by a queue of men and women who held their white slips of admission tightly in their hands.

At the first sign of movement by the guards the doors of the hearing room were nearly forced in, and it took all the strength, strategy and resource of the sergeants-at-arms to prevent rioting. Each member of the Com-

mittee, as he passed through the lines on his way to the hearing, every political figure of major or lesser consequence that was caught sight of, was hailed with desperate pleadings by members of the crowd waiting within the building, who were afraid that by the time their turn to enter came there would be no more seats. Some were smuggled out of the lines and into the hearing room through side entrances, and cries of anger and protest arose from the less favored as though these had been made the victims of a supreme injustice.

Once inside the room the spectators refused to leave it for an instant, even when the Committee adjourned for lunch, fearing that they would be unable to regain their seats. Most of them went without food, and it was quite affecting to see the spirit of mutual consideration and kindness—so different from the spirit prevalent when they were battling for admission—which descended upon them. Those who found it possible to procure sandwiches generously shared them with their neighbors, and temporary friendships sprang up with ship-board rapidity.

The same excitement prevailed during the entire two days when Walker was on the stand, and he was greeted with the wildest enthusiasm when he finally emerged from the room at the conclusion of his examination. An elderly woman sprang out of the ranks and threw herself on his neck; fingers to shake his hand, or at least touch his coat, were thrust out every inch of his passage to the curb. Men and women were obviously moved by a deep emotion that sought to find an outlet somehow; the roar and movement of this crowd was an embrace, a salute of affection, the only tangible way it knew in which to express to this slender man their regard for him and their faith in his character.

\* \* \*

Walker's appearance before the Committee was the culmination of a process lasting about a year. The ex-

traordinary excitement manifested during the two days of his examination were indicative of the public interest which had been aroused everywhere. All newspapers in the country printed accounts of his testimony; every capital in Europe was conversant with the hearings. This was a matter which attracted international interest, for the person involved was Jimmie Walker.

Previous to Walker's appearance more than three thousand witnesses were examined before the Committee, most of them at hundreds of private hearings. At these closed sessions some sixty thousand pages of stenographic notes were taken, and the proceedings of the public hearings, most of which began after the secret testimony had been obtained, filled sixty-three volumes. The number of words contained in all these reports, and in the despatches sent by newspapermen during the time the hearings lasted, ran into astronomical figures.

Yet all this terrific activity was only a prelude. All these thousands of witnesses that had been interrogated by Samuel Seabury, the counsel for the Committee, and his many assistants, were called merely to lay the ground-work for the climax that was to come. That climax was the questioning of Walker by the Governor at Albany.

It is the primary purpose of this chapter to examine the charges against Walker that grew out of this investigation. But in any attempt to understand and evaluate this case, unique in American political history, it is necessary to become acquainted with its background.

During the hearings at Albany, John J. Curtin, Walker's defense counsel, raised the issue of a "political plot" and summoned a number of outstanding Republican leaders to prove that the motive behind the investigation was entirely political. He offered to prove a preconceived plan to discredit the Democratic party in the state. Many sincere people received an unfavorable impression of the defense proceedings because of the in-

jection of this issue. What had a political plot to do with the charges, even assuming that a political plot had been engineered by the Republican party, and even if this plot had frankly for its object the ruination of the Tammany organization? How could such a plot affect the facts presented by Seabury? Formal logic undoubtedly can assert the lack of connection between the charges and the "political plot," but to do that, Curtin argued, it must discard entirely the element of motivation.

Mr. Curtin came to the hearings prepared to show that the connection existed. He wanted to prove that it was precisely political bias that inspired the record of testimony before the Hofstadter hearing, upon which the charges were based. It is the belief in well-informed circles that if the opportunity had not been denied Curtin, there would have been revealed to the public an astonishing drama of political life; a drama of intrigues and ambitions in which the actors moved toward their aim with ruthless directness.

The investigation originated formally on March 23, 1931, when the Republican majority in the New York State Legislature passed a resolution authorizing an inquiry into the municipal and judicial affairs of New York City by a joint Legislative committee composed of nine members, five Republicans and four Democrats.

This resolution was an outgrowth of the political situation in New York State. For years the Republican party had a majority in both houses of the Legislature, but despite this balance of power it had practically no influence in New York City, where the Democrats were so powerfully entrenched that it seemed chimerical for their opponents to hope to gain control of the municipality. Once the Republicans did see a vision of dominance, when John Purroy Mitchel was elected Mayor. But with his passing the metropolis returned to the exclusive safe-keeping of the Democrats.

In 1930 there was an investigation of the Magistrates Courts in New York City under the refereeship of a

former judge, Samuel Seabury, and his chief counsel, Isidore Kresel. The evidence produced at these proceedings, concerning the operations of certain members of the police vice squad, set the town by the ears. At the same time a new Republican state chairman, W. Kingsland Macy, fresh to politics, and energetic, was inspired by the Magistrates Court investigation to propose a further inquiry extending to all branches of the administration of New York City. It was at a time when both political parties were laying plans for the presidential and gubernatorial elections of 1932. If therefore the proposed inquiry could produce anything damaging to the Democratic party the Republicans would naturally profit thereby.

Usually municipal investigations are not popular with either party, and had Macy originated such a plan at any other time he probably would have been unable to make much headway with it. But the existence of the Magistrates Courts inquiry, and the sensational publicity it was given, made his suggestion both opportune and feasible. The new Chairman took full advantage of the situation. It is known that in Republican Clubs at that time the doctrine was preached that a new era was impending for Republicanism in New York City: there would be an investigation, and through that investigation prosperity to the Republican Party would arrive.

An editorial in the *New York Times*, of February 10, 1931, put Macy's interest in the proposed investigation succinctly:

. . . "Though the resolution for a legislative inquiry into New York City affairs was introduced by Senator Hofstadter, its real author is named Macy. For two years this has been the Republican State Chairman's pet project."

A brief chronology of the legislative resolution authorizing the investigation will illustrate the political

aspect of it, though the facts are so well known in New York political life that their recital in this formal order would seem superfluous.

On December 10, 1930, there was a conference held at the headquarters of the New York State Republican organization in New York City. Present were Macy, John Knight, the leader of the State Senate, Joseph A. McGinnes, the Speaker, and Charles D. Hilles, the National Committeeman. They met to consider methods of instituting an investigation of the city administration, and the main method discussed was that of a legislative inquiry projected by the Republican majority in both houses.

Two days later Macy went to Washington "to confer," in the words of the New York *Herald Tribune*, a Republican organ, "with the New York Republican members in Congress."

About the first of the year Macy conferred with Samuel Seabury regarding the proposed investigation.

On January 3, at a dinner engagement in New York, Macy discussed with Bertram Snell, Chairman of the House Rules Committee, and a prominent leader of the New York Republicans in Congress, the proposed inquiry.

On January 12, a concurrent resolution was introduced in both houses of the State Legislature by two Republicans—in the Senate by Samuel H. Hofstadter and in the Assembly by Robert K. Story—which authorized the investigation of the administrative affairs of New York City.

There now began a long battle by Macy to have the resolution passed. Besides the Democratic contingent in the Legislature, two Republicans opposed it: Senator Walter Westall and Seabury C. Mastick, both of Westchester County, of which William L. Ward was the Republican leader.

Ward was against the proposed resolution, claiming that such an investigation would eventually do neither

party any good. Since Westall and Mastick held the balance of power in the Senate, their refusal to go along with their party meant defeat for the measure.

The strongest efforts were then made by the Republicans to force Ward to join Macy. During this period the latter made a number of trips to Washington, and it was reported in the Republican press that his visits to the capital were for the purpose of bringing pressure to bear on Ward from high quarters.

Eventually Ward yielded. The two Westchester Senators voted for the resolution and it was passed.

Soon after this a committee of nine, under the chairmanship of Senator Hofstadter, was organized and Samuel Seabury was appointed Counsel.

It now becomes pertinent to ask, in view of the circumstances of the investigation, who was Samuel Seabury, and how did he fit into the picture of a municipal inquiry which was clearly partisan and of Republican origin?

A clipping from an article in the *New York Times*, published on September 2, 1932, will perhaps prove illuminating. This article was a laudatory sketch of Judge Seabury's career. It was entitled: "Seabury Long a Foe of Tammany Hall" and the concluding paragraphs were:

"He served on the Court of Appeals from 1914 to 1916, during which he strengthened his position in the State as champion of progressive Democracy. So strong had he grown politically that in September, 1916, he won the nomination in a State-wide primary as Democratic candidate for Governor of New York. Tammany endorsed him, but Tammany's support was not evident beyond question on election day, while the Progressives, under Theodore Roosevelt, opposed him because he had declared himself for Woodrow Wilson.

"Seabury ran a close race for the governorship against Whitman and it was generally thought at the time that he would have won if Roosevelt had endorsed

him, as Seabury expected him to do, and if Tammany had not, as he believes to this day, 'knifed' him. He never forgave either.

"To take the nomination he had resigned from the Court of Appeals after serving less than two years of a fourteen-year term, a disillusioned and embittered man."

In a factual appraisal of Seabury's life, appearing in a friendly medium, the statements that he left public life "a disillusioned and embittered man," and that he never forgave Tammany for failing to support him in his political campaign, assume an added significance in any study of the case. It is a significance that can very fitly be reduced to one query: Did Seabury begin his work with the Legislative Inquiry as an impartial investigator or as a prosecutor?

Seabury's official relation to the Committee was that of legal counsel, but he was in effect the dominating figure of the investigation. The Committee of nine legislators, controlled by its Republican majority, sat merely as a body formally receiving the testimony submitted by Seabury. To him, and the group of young lawyers he engaged, was left the entire work of fact-finding and the method of procedure. By the terms of the resolution it was possible for him to exercise almost unlimited powers of inquiry. He could subpoena any person he wanted, or any document, be it ever so private. He could put a dragnet through every brokerage house and financial institution in the city to bring to his office any record he might think was desirable for his purpose. He was empowered to examine witnesses in secret session and was later armed with a special law which gave immunity to those witnesses who wished it, thus leaving no ground for invoking the statutory formula of "I refuse to answer on the ground that it will incriminate me—" It would be safe to say that no public investigator in the history of New York State was ever entrusted with such inquisitorial powers as Seabury possessed.



To every observer of the hearings before the Committee, and of the progress of the inquiry generally, it was quite obvious that the old humorous saying about the tail wagging the body could quite well be applied here; the august body of nine representatives of the Empire State was no more than the tail. Very often the tail was twisted annoyingly by the Democratic quartet included in its membership, but insofar as the effect on the body was concerned, it was a vain effort.

Very obvious, too, was the direction the inquiry soon took. Everyone at the courthouse knew, as did everyone concerned with political affairs, that the calling of Walker was to be the climax of the Committee's work. It was not merely curiosity that brought those frenzied thousands of people to storm the hearing room when Walker appeared. Those thousands were there because they understood that Jimmie Walker was being put on trial for his political life. The inquiry into the structure of the municipal government for the purpose of creating remedial legislation was completely discounted by them. In actual fact the matter was a duel between Seabury and Walker. And so it was regarded by every newspaper reporter who covered the hearings. The one question heard on every side was, would Seabury get Walker? Here was the last scene in the drama that had been enacted for fourteen months, the grand denouement.

Through injury to Walker would come naturally injury to Tammany Hall, and through injury to Tammany Hall would come injury to the entire Democracy of New York State. Walker was the most celebrated figure in the New York City administration, and the head of it; he was also one of the most widely known men in the world. It followed that to secure his downfall would be to realize, too, some of the back-stage purposes involved in this investigation.

At the close of the hearings before the Legislative Committee Seabury digested his findings into a series

of accusations against Walker. These were first embodied in an analysis of the testimony given during the inquiry and prepared by Seabury for the Committee in the expectation that it would bring charges against Walker. When the Committee failed to do so, and Governor Roosevelt announced that he was ready to receive charges from Seabury if his evidence warranted them, the latter submitted a formal complaint to Roosevelt. He avoided, however, the use of the word "charges" and framed the presentation of his evidence in such a way as would merely lead to "conclusions." These "conclusions" the Governor properly termed "charges," and referred them to Walker. This was just previous to the Chicago Democratic Convention, to which Walker was a delegate. Upon his return from the convention, where he took a dramatic stand against Roosevelt and voted for Alfred E. Smith, Walker sent to the Governor a reply to the charges.

After a rebuttal by Seabury and a surrebuttal by Walker Roosevelt announced a hearing before him at the Executive Mansion. When this hearing—or trial—opened he stated that he would formulate his own rules of procedure, and a long series of sessions began, with Martin Conboy as the Governor's special counsel. Originally, Judge Mack, of Poughkeepsie, had also been appointed by Roosevelt as a special counsel to assist him, but after one conference with the Governor Mack eliminated himself from the case on the plea of ill-health.

Walker's arrival in Albany was marked by the same enthusiastic reception that might be accorded a world celebrity appearing in that capital.

With Walker was John J. Curtin, formerly the legal adviser to Governor Smith, who had been called into the case only several days previously, and it devolved upon these two men to carry the burden of the huge mountain of testimony that had been piled up through fourteen months of the Legislative Committee hearings; one with only a few days preparation and the other feeling

that there was not a word of truth in the charges, and unable to understand why he should have been called upon to answer them.

On the first day of the hearing the Governor accepted as evidence a transcript of the testimony taken by the joint legislative committee, and called upon Walker to proceed. He thus placed on Walker the burden of going forward with his defense.

Walker's counsel, Mr. Curtin, contended that such a procedure violated the Mayor's constitutional rights. He declared that Walker was on trial accused of wrongdoing entailing, in case of conviction, the punishment of removal from office. Such a trial in its nature was a criminal proceeding, and the rules of procedure should not differ from those of criminal prosecution. Curtin argued that the burden was on Seabury to bring to the hearing the accusing witnesses in person to be confronted and to be cross-examined by him. The evidence on which Seabury sought the removal of the Mayor, Mr. Curtin maintained, was taken in *ex-parte* proceedings, and had no more legal weight than "the story of Robinson Crusoe or Grimm's Fairy Tales."

During the argument on this matter, while Mr. Curtin was addressing the chair, Walker leapt to his feet, and, interrupting Curtin, made a speech which moved the spectators in the room by its emotional intensity. After an honored career in public life lasting twenty-three years, he said, he was faced with the prospect of terminating it ingloriously without an opportunity to confront the men who would "deprive me of place and reputation, who would tear up my past, present and future. I can't be unlike any other human in the world. I can't be driven this way, without an opportunity of looking my accusers in the face. . . . Up to this moment no one has faced me, nor have I been permitted to face any one. And if this is to continue I will be the only man in the world—I know of

no one else in the civilized world—who was ruined in ex-parte proceedings.”

Governor Roosevelt rejected Mr. Curtin's request, but made it clear to the Mayor and his counsel that if, in their judgment the defense required that any person who was available as a witness, whether he did or did not testify before the Legislative Committee, should be called before the Governor for examination, and the Mayor's counsel would furnish the names of such witness, together with a statement showing the purpose for which the testimony was desired, he would, upon due consideration, require the attendance of such witnesses before him.

Claiming that Walker was not receiving a fair trial, Curtin then took court action to prevent the Governor from proceeding with the case. When the hearings were about two-thirds over, on August 29, 1932, a decision was handed down by Supreme Court Justice Staley. The latter ruled that the courts could not intervene in the case because a Governor of New York “is immune from interference by judicial process and free from judicial control in his performance of executive powers.” But in a memorandum attached to his decision the Justice held that the Governor should have summoned the witnesses whose evidence at the Legislative Committee hearings Seabury had used in the charges, and allowed the Mayor to cross-examine them.

In one section of the memorandum Justice Staley wrote: “The requirement for a fair trial and the provisions of Section 34 of the public officers law do not countenance, in my judgment, the wholesale receipt and use of testimony taken by an investigating committee, where the accused officer has not been represented by counsel or afforded the opportunity of cross-examination. The essentials for an adequate and fair hearing, conducted by administrative officers as well as by courts, have been generally held to afford the accused a right to

be faced by his accusers, bound under the sanctity of an oath and subject to cross-examination. . . .”

Two days after the Staley decision Walker resigned, determined to submit his case to the judgment of the people in the election which his resignation would bring about.

This action was in conformity with advice that had been given Walker persistently by his friends, and which he had as persistently refused to take until the Staley decision was handed down.

A factor which contributed to his resignation was that as the case progressed he became more acutely conscious of the antagonism that had been stirred up against him in many quarters. The newspapers were particularly hostile. They permitted themselves to make statements which exceeded even the journalistic license prevailing during election campaigns. To those familiar with the proceedings at the various hearings before the Committee and the Governor the reports in the newspapers were surprising in the incorrect impression they often conveyed.

To all this Walker was unaccustomed. He had known criticism but not such an implacable, cruel, offensive criticism. During this period the newspapers made a number of references to historic parallels to the Walker case. They might have made wider use of the discovery, announced at this time, of two ancient Greek fragments of pottery which had been used to ostracize the statesman Aristides. The Greeks banished public men who displeased them through balloting by means of inscribed pottery, and Plutarch in narrating the case of Aristides, wrote: “As therefore they were writing the names on the sherds, it is reported an illiterate, clownish fellow, giving Aristides his sherd, supposing him to be a common citizen, begged him to write Aristides upon it; and he, being surprised, asked if Aristides had ever done injury to him. ‘Not at all,’ said he, ‘neither do I know the man, but I am tired of hearing him every-

where called 'The Just.' Aristides, hearing this, is said to have made no reply but returned the sherd with his own name inscribed. . . ."

They had tired of hearing Aristides called "The Just" and decided to send him packing. It seemed as if some people had tired of hearing Walker praised as a glamorous figure and decided he must be ostracized.

Walker, during the trial, began to realize the futility of trying to explain the facts that he had told over and over again. Accordingly, he decided to appeal to the broad mass of the public. He felt that the broad mass, while it is avid for scandal about those whom it elevates, will, when the test comes, remain loyal if it feels that its loyalty has been merited.

The Staley decision strengthened his belief and gave an impetus to a desire to cut away from this incubus which had settled upon him. He resigned to run again; to appeal to the people, the mass who had put him in office, and whom he trusted with a steadfastness understood only by those near him.

Directly after his resignation, however, a curious reaction set in. With all the stress he had undergone suddenly removed, and feeling himself a freed man, he was no longer sure whether he really wanted to be Mayor again. It is known that he was not too willing to run for re-election in 1929, and that throughout his second term he made a number of public remarks which indicated that he would be happier away from office. To the authors he once said in all sincerity, when they discussed his future, that if it were possible for him to retire from the Mayoralty "gracefully" he would do so. The day after his resignation he felt elated, for telegrams kept pouring in upon him, all congratulating him, applauding his action and hailing him as "the next and even more popular mayor of New York."

But thereafter the break came. To a reporter with whom he was very close, and who asked him if he really would be the nominee of his party, he replied that of-

ficially he was that already, but he was not sure whether he wanted the nomination. "My instincts are all against it," he said. When the reporter asked: "Have you any fears that you will not be elected?" he replied almost scornfully that he would be re-elected with as great a majority as he had previously received. It was merely that he was not sure of his own desires. Then he suddenly left for Europe. So suddenly that not even this reporter, who otherwise was aware of all his important movements, knew of it.

It was during this trip abroad that one of the crucial decisions in his life was made, partly by himself and partly by his party.

Throughout the hearings before Governor Roosevelt the Democratic organization was steadfastly back of Walker, and the question whether he should resign had been discussed and approved by the Democratic leaders at a special meeting. It was at this very meeting that Walker was named for the nomination. But after Walker went abroad, and Roosevelt's strength in the country became apparent, a change occurred within the party. Many leaders began to express doubts as to the advisability of Walker running on the same ticket with Roosevelt, and these doubts were relayed to Walker by friends. His natural inclination being against retaining public office, and appreciating the political situation at home—a political situation which, in the seclusion of his European trip, he recognized more and more—the feeling against running again became stronger. Finally, in the cable correspondence which took place between him and the organization, he stated definitely that he would accept the nomination only if the party demanded it.

That left the party with a way out of its pledge to him. The incongruity of Walker campaigning on the same ticket with a man whom he had so criticized in his letter of resignation was plain. The excitement of

the resignation days was over. This was a political situation to be considered in all cold practicability.

Thus Walker was not the mayoralty candidate, and cabled a message of declination to the Democratic Convention in New York City, a message which described the actual situation with the exception that it did not disclose Walker's inner feelings. It read in part: "I cannot see how I could campaign without reciting the reason for my resignation."

## II

The analysis which follows is intended as a guide to an intelligent understanding of the charges as they are embodied in, and relied upon to be sustained by, the record of the Legislative Investigation. In regard to the charges having to do with Russell T. Sherwood it is of course difficult to speak with any finality in his unfortunate absence.

Among the accusations which Seabury directed against Walker four are outstanding. It will serve the purpose of reviewing the entire case if we examine these four charges.

First, the Equitable Bus franchise.

For many years previous to Walker's assumption of office as Mayor the public had keenly felt and discussed the need of a city-wide bus system. A strike on the rapid transit lines, paralyzing passenger transportation in the city, had given an additional impetus to the agitation for such a system. So important was the question of adequate bus transportation that it became one of the issues in Walker's campaign for Mayor, and he pledged himself to obtain an efficient bus system, and at the same time preserve the five-cent fare.

By the time Walker entered City Hall, January 1, 1926, the Board of Estimate and Apportionment had already received from the Board of Transportation no less than five reports wherein were analyzed petitions for bus franchises filed by many bus companies. Early



during Walker's administration a sixth voluminous report was made. On the basis of these reports, and after public hearings, the Board of Estimate, without a dissenting vote, in 1927 awarded a bus franchise to the Equitable Coach Company, Inc. Subsequently, this company was unable to obtain the requisite financing which would enable it to carry out the terms of its contract with the city, and collapsed. Looking back after the event, Seabury inferred that the Equitable had never been fit or qualified to receive the franchise. He charged that Walker knew this, but because of his friendship for Senator John A. Hastings, who had been interested in that company, he attempted to foist it upon the city. The circumstance that he had attended a celebration the day after the franchise was awarded, became additional proof that the Mayor had improperly and corruptly influenced this award.

The basic question in this matter, clearly, is whether the Equitable Company, at the time it applied for the franchise, had furnished satisfactory evidence that the terms on which it sought the franchise were advantageous to the city, and that it had the financial ability to fulfill its contract. The facts lead to an affirmative answer.

Of all the applicants for franchises originally presented to the Board of Estimate, the Equitable's was the only one which provided for an initial five cents fare. The others, in the main made by companies affiliated with the existing traction interests, were predicated on an initial ten cents fare. The Equitable had no connection with the traction companies which, then as now, had been endeavoring to increase the transportation fare. The Equitable's bid caused the other companies to revise their applications and to adopt the five-cent fare principle.

The Equitable contract, besides providing for the recapture of its lines by the city in ten years—a provision which Seabury conceded was more to the City's

interest than that submitted by the Service Bus Corporation, the Equitable's closest bidder—included another provision most profitable to the city. By that provision it was committed to pay to the city five percent of its receipts from transportation in Manhattan and Brooklyn and three percent of its receipts elsewhere. The Service Bus Corporation, on the other hand, undertook to pay only three percent of its revenue from all sources.

That the contract proposed by the Equitable was most favorable to the city was not disputed. In fact, so favorable to the city was this franchise that it might have been thought disadvantageous to the Equitable and therefore, a handicap to the company in obtaining the requisite financial backing. All doubts, however, as to the Equitable's financial ability were dissipated by the evidence furnished on its behalf to the Board of Estimate and to the Board of Transportation. These boards were given the most definite and reliable assurances that the company would be able to carry out its contract.

The Equitable represented that it had the indorsement of the J. G. White Management Corporation, an organization which had successfully associated itself with transportation companies in all parts of the world. Their representatives stated explicitly that they had examined the franchise which the Equitable was seeking and were ready, in the event that the award was made to the Equitable, to finance it to whatever extent was necessary.

On February 26, 1926, Mr. Joseph K. Choate, vice-president of the J. G. White Management Corporation, testified before the Committee of the Whole, of the Board of Estimate and Apportionment, that if the franchise were granted the Equitable,

“We (J. G. White Management Corporation) would ourselves finance it as we do with all other things. We have our own banking interest. We have clients who would take this thing on our recommendation. . . .”

When asked what part the Equitable Company played in the matter, Mr. Choate answered:

"They brought forward this particular organization to us and submitted to us this franchise with a view of our passing upon it and seeing whether we can undertake to finance the corporation of which we would be the managers and the financiers of that proposition. . . .

"Let me explain my position a little more clearly. The Equitable Coach Company came to us and are our clients and brought with them this suggestion of a franchise that they have submitted. They asked us to make an investigation of it to know if that franchise was granted whether we would manage it, operate and finance it. That is as far as we have gone. We have done that and we are ready to go ahead. . . .

"We have now some 50 or 60 companies that are clients of ours now in which we participate with them, which we operate and which we have on our recommendations been able to handle the financial end of it. There is no question of our ability on proper recommendation to finance this or any other company."

Mr. G. H. Pardee, President of the J. G. White Management Corporation, supplemented Mr. Choate's testimony by a letter to the Board of Transportation, wherein, after enumerating the large number of banking firms with which it had been associated, he stated:

"We beg to advise that when we first considered becoming interested in the Equitable Coach Company, we satisfied ourselves on three points.

"First, that an adequate service to the public could be given over the routes specified in the application.

"Second, that the operation of a bus system over such routes would provide a sufficient return on the investment.

"Third, that the Equitable Coach Company could be adequately financed.

"Our arrangements for financing provide for upwards of \$20,000,000 which will be available for the pur-

chase of buses, the building of garages, the building of shops and other physical property that may be necessary in the operation of a city wide bus operation along the routes specified in the application of the Equitable Coach Company. We have assurances of bankers and others that the necessary funds can be provided under satisfactory form of franchise and under such form of securities as may be approved by the Transit Commission."

There was not the slightest evidence presented either to the Board of Transportation or to the Board of Estimate which impeached the truth of the representations made by the J. G. White Management Corporation on behalf of the Equitable Company. So conclusively did it seem that the Equitable had the necessary financial backing to execute capably the franchise it sought that the Board of Transportation recommended it.

The Board of Estimate relied both on this recommendation and on the uncontradicted evidence before it of leading bankers and engineering firms. There was nothing the Board could have justly done other than to give the bus franchise to the Equitable. Without a dissenting vote, the Board of Estimate voted in favor of the Equitable contract.

Walker's avowals of good faith and worthy motives in favoring the Equitable contract and voting for it in accord with the other members of the Board must be judged in the light of the facts before him at that time; so viewed, credence must be given them.

The subsequent failure of the Equitable to acquire the requisite financial backing does not nullify the soundness of the judgment exercised by the Board of Estimate in awarding it the bus contract.

Why did it fail? A good explanation is given by the Board of Transportation. In its seventh report to the Board of Estimate, dated September 2, 1930, it is stated:

"The failure of the Equitable Coach Company to obtain the necessary financial capital to fulfill the obliga-

tions of the franchise granted to it in 1927 was an impressive demonstration that outsiders who try to enter the transportation or public utility business in this city cannot rely on assurances of bankers or underwriters to finance such an independent enterprise through the sale of stock or bonds. Although the well established financial and management institution of J. G. White Management Corporation had directly assured the city authorities that it had contracted to finance the independent omnibus company, and although that declaration was supported by a long record of successful financing and management of a score of public utility projects, and although the association of men who were regarded as financiers of high standing was definitely established, the aggressive opposition of the established railroad and public utility financial interests closed every avenue through which securities could be sold. Bankers do not encourage competition which might jeopardize the value of existing street railroad stocks and bonds as collateral security for money loaned, or impair the value of railroad property as security for existing mortgages."

Certain it is, however, that the Equitable contract was an excellent one for the city. Leonard M. Wallstein, attorney for the Citizens' Union, the president of which is William J. Schieffelin, one of the persons who joined in Seabury's charges against the Mayor, gave that contract his emphatic approval.

At a meeting of the Board of Estimate held on March 4, 1929, Mayor Walker, speaking to Mr. Wallstein, said:

"It had the finances and it had the substance and it had the backing of what we were led to believe was one of the greatest engineering concerns in the country. It had the ability and stability, and it made what I think you have characterized as the best contract ever written by the City of New York for a franchise. Isn't that true?"

Mr. Wallstein replied, "There is no doubt about that, your Honor."

Seabury's "conclusion" therefore, that Mayor Walker had been influenced by his friendship with Senator Hastings in awarding the franchise to the Equitable, appears unwarranted. The imputed motive of friendship was superfluous as well as extraneous.

To show how misleading some of the evidence elicited by counsel in this matter was, it may be worthwhile to explain for the first time the circumstance of the "celebration party" which occurred shortly after the award of the bus franchise had been made.

Seabury brought out that the day following the granting of the contract to the Equitable, Mayor Walker, in the company of Hastings and some members of the Equitable Company, was present at a festive gathering. The inference was that the party was held to celebrate the granting of the franchise, and the presence there of Walker indicated his connivance in obtaining the award.

Both at the hearings before the legislative committee and before the Governor, Walker admitted having attended an affair, a costume party, together with Hastings, but denied that he either knew that members of the Equitable were there or that the party had anything to do with the Equitable victory.

It is needless to state that these denials met with cynical disbelief and the circumstance of this gathering was subtly made use of to cast suspicion on Walker.

But what were the facts? Who had arranged the gathering? When had it been arranged? What sort of persons attended it? What was the real purpose behind it?

The truth is this: It was held at the Colony Restaurant, and the man who arranged it was a noted motion picture director. Its purpose was to honor one of this gentleman's friends, and a similar party had been held once a year for the past several years. The invitations

to the gathering had been issued several weeks previously and the guests, about two hundred, included chiefly theatrical or motion picture people.

Hastings, having attended the previous year's party, was invited to this one also. On the day of the affair, with the permission of the hostess, he invited Mr. Fageol and Mr. Smith, of the Equitable group, to accompany him and Mrs. Hastings. Walker had received his invitation independently.

At the hearings, these details were not revealed by Walker. Why? The party was a private affair. To Walker it was sufficient that it had nothing to do with the Equitable Coach Company and therefore he could not see the relevancy of bringing such an incident into the case.

\* \* \*

In the conclusion concerned with the Sisto bond matter, Seabury charged the Mayor with having accepted bonds worth approximately \$26,000 from J. A. Sisto, "who then had a large financial interest in bringing about the limitation of the number of taxicabs operating in New York City and who was then desirous of inducing the Mayor to bring about such limitation of the number of said taxicabs," and that thereafter the Mayor sponsored and caused to be enacted legislation which to his knowledge was desired by Sisto.

It was readily admitted by Walker that in June, 1929, he had received those bonds from Sisto and no one denied that Sisto was interested as a financier in the Parmelee Transportation Company, a large operator of taxicabs in New York City, which would benefit by a limitation in the number of taxicabs operating in the city.

Further than that, however, not a single fact was brought out which tended to show that the Mayor had received those bonds for an improper consideration or for an improper purpose, or that he ever was requested

to or desired or helped to cause the passage of legislation which would favor Sisto's taxicab interests. To the contrary, evidence pertinent to this matter showed:

1. That the transaction whereby these bonds had been acquired by the Mayor had no bearing on the legislation in question;

2. That the Mayor was averse to any legislation aiming at an increased taxicab fare and vetoed an ordinance to that effect passed by the Board of Aldermen representing the very type of legislation favorable to the large taxicab interests;

3. That the Mayor did not influence in any way the passage of legislation affecting regulation, and, left the matter of taxicab regulation to be determined by a board consisting of five eminent and honorable citizens;

4. That at no time was this board requested by the Mayor or anyone else to limit the number of taxicabs operating in the city; and

5. That no legislation was ever enacted limiting such taxicab operation.

On April 11, 1930, the Board of Aldermen submitted to the Mayor, for his approval, an ordinance passed by them which provided for an increase in the rate of taxicab fares.

Declaring that his "chief concern must be with the public that pays the fare," the Mayor refused to sign this ordinance, and it never became law.

By this veto, the Mayor, it was estimated, prevented an increased revenue of one million dollars a year to the Parmelee Transportation Company in which Sisto was interested.

Realizing that the improvement of transportation conditions was necessary and that a scientific solution of the taxicab problem required a thorough and well-



founded knowledge of the situation, Walker created a Taxicab Commission to study the problem. Three of the members of this Commission were appointed by the Mayor, one by the Merchants Association of the City of New York, and one by the Chamber of Commerce of the State of New York. The character of its personnel—Frank P. Walsh, former Chairman of the Industrial Relations Commission under President Wilson, Joint Chairman of the War Labor Board with ex-president Taft, and appointed by the governor as a member of the Commission to Revise the Public Utility Laws of New York State; Philip Le Boutillier, the representative of the Merchants' Association; L. F. Loree, President of the Delaware & Hudson Railroad, and then President of the New York State Chamber of Commerce; George W. Mixer, a representative of the engineering firm of Day & Zimmerman; and Daniel L. Reardon, then Executive Vice-President and now President of the United States Trucking Corporation—is sufficient answer to the possible suggestion that the Commission was susceptible to improper influence.

After a comprehensive survey, the Commission recommended the creation of a Board of Taxicab Control. Legislation creating such a board was enacted only recently—in January, 1932. Its members were the same as those of the Commission, Mr. Maurice Hotchner, however, taking the place of Mr. Walsh, who, because of his appointment by Governor Roosevelt as Chairman of the Power Authority of the State of New York, became ineligible for a position on the local body.

The testimony of members of this Board explicitly showed that the matter of limitation of the number of taxicabs in the city was never before the Board in any form and that no attempt, by way of resolution or otherwise was made to effect such limitation.

It is to be noted that Seabury made a change in the charge when submitting his rebuttal to the Mayor's

answer. Although in his charge he had twice explicitly accused the Mayor in connection with a "limitation" of the number of taxicabs, in his rebuttal Seabury merely accused him of having improperly received consideration from persons interested in securing legislative "regulation" of taxicabs.

Apart from the fact that "regulation" has no definite or informative meaning and does not indicate how the Mayor could have been helpful to the Sisto interests, there is the further circumstance, that even in this case, not a single known act by Mayor Walker might have been construed as in any manner benefiting those interests.

But for what reason did Walker get those bonds from Sisto? The explanation he gave is contradicted by no evidence. Those bonds represented Walker's share of the profits of a certain pool in which he had participated.

On June 24, 1929, as Walker testified, he had been present at a convention of the Paramount-Famous Players Company in Atlantic City, where he and George Ackerson, then Secretary to the President of the United States, were guests of honor.

Following the dinner a number of those attending the convention gathered in a large sitting room. Among those present in the room were Walker, Ackerson, Sidney Kent, the Vice-President of the Paramount-Famous Players Company, Adolph Zukor, Jesse Lasky, and Sisto, the latter being a brother-in-law of Kent's.

During the conversation reference was made to a pool in Cosden Oil, which was managed by Sisto. Somebody in the group asked: "Why don't we invite the Mayor to participate?" It was Walker's best impression that it was Mr. Kent who made that remark. Walker then responded with: "Well, how much will it cost?" He was told, in effect, that it would not cost anything because the stock, since the pool was formed,

had already gone up about fifteen points. He then said: "all right, I'll go in. Let me know what you need."

When the pool was discontinued, about December of that year, Walker's share of the profits was approximately \$26,000. Owing to market conditions which then affected all Wall Street brokerage houses, he was asked to accept this share in bonds instead of cash, which he did.

When the Mayor was on the stand before the Legislative Committee he gave the names of the men who were present when the pool was discussed. It is to be regretted that those men, all well known, were not called to the stand to corroborate or disprove the Mayor's testimony.

\* \* \*

The charge against Walker that has come to be known as the "Block Joint Stock Account," literally caused a sensation in the city. As it was recounted in the newspapers, under glaring headlines, it ran thus:

Paul Block, a wealthy publisher of a chain of newspapers throughout the country, was prompted by a conversation he had with his young son, Billy, to open a joint stock account for Walker and himself with the Wall Street brokerage house of Sailing W. Baruch & Co., and without calling upon Walker for a proportionate investment. In less than two years the account had earned for the Mayor almost a quarter of a million dollars. Seabury dubbed this money a donation, and asserted that it was accepted from a person "who might seek benefits from the Municipal authorities." As the matter came before the Legislative Committee it seemed incomprehensible that one man should, without any ulterior motives, present another man with a gift of so much money. Such things just did not happen in this world of cold-blooded business relationships.

Several months previous to the hearing at which this transaction became public the authors sat in the office of Mr. Block on Park Avenue. They were interview-

ing him, as they had interviewed a number of other people who knew Walker intimately. It was an expensively furnished office, in harmony with the very large and elaborately appointed suite of rooms where the Block enterprises are administered. Mr. Block, a middle-aged, dynamic man with strong opinions, discussed the personality and the career of Mr. Walker for some time, then he said:

"If you will treat the matter confidentially I will tell you of an interesting incident. Some time ago I was called to a private examination by Judge Seabury. I told him I was ready to answer any questions he wished to ask me. The affairs of Mayor Walker were, of course, the subject of his inquiries, and after some interrogation he said: 'You know as well as I do that Mr. Walker can't live on his salary. Where does he get his money?'

"This question exasperated me and I replied, rather sharply, I suppose: 'I'll tell you one place where he got it,' and I gave him these facts:

"I had known Walker for many years previous to his election as Mayor of New York and I knew he had little money; in fact, I knew that he was unable to meet a bill for the refitting of his home in Greenwich Village.

"One Sunday afternoon Jim and I had arranged to go driving with my ten-year-old son, Billy. The boy and Jim were fond of each other, and as Billy and I were waiting for him on the sidewalk of my home Billy came out of a spell of thoughtfulness to ask me: 'Does the Mayor of New York get a house to live in, like the President or the Governor?' Billy had been studying American History and must have come across references to official residences.

"'No,' I replied. 'All he gets is a salary from the city.'

"'How much is that?' Billy asked.

"'\$25,000.00 a year.'

"'And doesn't the city give him anything else?'

“‘Nothing else except an automobile.’

“The conversation ended here, but it set me thinking. The Mayor’s salary at that time was twenty-five thousand dollars a year, fifteen thousand less than it is now. While twenty-five thousand dollars is a lot of money, it is not such a great deal for the position which the chief executive of the world’s greatest city is supposed to maintain, especially when he is so improvident and generous a person as Jimmie Walker, and one with his obligations.

“Later that afternoon, as we were driving in the country, I related Billy’s questioning to Walker. He was very amused at the boy’s concern but made light of his finances, saying he would manage to get along.

“However, in February, 1927, I opened a special joint stock account in his name and mine. That account continued until 1929, just before the market crash, when I had the good luck to sell out. Altogether we realized a profit of almost half a million dollars, before taxes were deducted from the account, and I gave Walker half, amounting to approximately \$170,000.

“When I finished telling Seabury of this transaction I said: ‘Let me add that I was glad to do it for him. All his friends are glad to do things for him because they like him.’

“The judge had nothing more to ask me after that, though I told him he could have the run of my office for any facts he might desire.”

At the time Mr. Block began the account stocks were booming and everyone was frenziedly buying securities. Men of his wealth required no cash investment for a trading account, their word being sufficient. Therefore what Mr. Block did would seem simple and logical. If told around a dinner table, under ordinary circumstances, it would not occur to anyone to doubt the facts. Many men took care of chosen friends in the same manner. Mr. Biddle, for example, said that he had opened at least twenty-five joint stock accounts on behalf of

friends. Yet, when this Block matter came out at the committee hearing, even such a sober newspaper as the *New York Times* remarked editorially:

“Take the touch of engaging simplicity with which Mr. Paul Block explained yesterday how he came to be moved to make Mayor Walker a present of \$246,000. Nothing so innocent was ever heard before outside of books for young children.”

And this despite the fact that Mr. Block had carefully sought to clarify his action by explaining that the Walker joint account was one of many he had established in those hectic Wall Street days, and that he did not in the least suspect that the profits would mount so high. His statement on the stand regarding this last point was:

“I never expected to make any such money for the Mayor. I thought if I could make \$30,000 or \$35,000, or \$40,000 or possibly \$50,000, that that would be a marvellous thing to do. It turned out that I couldn't make that little. The boom went on and the stocks went up and in the first nine months, I think, or ten months, it amounted to \$220,000 odd for each of us. I don't mean I couldn't have stopped it, but I saw no reason for stopping it. I kept buying more; the money was there and I kept buying more. I did the same in my own account. And, I might say regretfully, I didn't sell mine in August, '29. . . . This really ought to be part of this little statement: I never received anything from the Mayor in return; there is nothing he could have given me and there is nothing I would have accepted from him—nothing.”

Not only was Mr. Block's explanation doubted in many circles but Mr. Seabury sought to suggest that Mr. Block, in effect, had endeavored to influence Walker, in order that a chemical experimental company in which he had invested some money might sell a new type of tile to the city for its subway construction. Such a tile was indeed offered to the Board of Transporta-

tion for examination (as were many other tiles) and was pronounced satisfactory by the Board's experts; but the analysis to the Governor omitted to state that (1) Block began the joint account nine months before he had any interest in the chemical company, (2) that he objected to the submission of the tile to the Board of Transportation because such action might be misinterpreted in view of his friendship with Walker, (3) that he sold all his interest in the company after he learned of the company's action, and (4) that the company in question "never manufactured for sale, nor did it sell, any tile to the city or to any subway contractor, or to any one else."

Seabury's treatment of this incident aroused Block to send him a letter of protest in which he stated:

"If there was any doubt in your mind as to this (the facts detailed above) you should have questioned me while I was on the stand rather than publicly make me the victim of unjust inferences unsupported by fact.

"I am surprised at this action on your part. The only explanation of this unfair insinuation must lie in an endeavor to strengthen your case against the city administration at the expense of the reputation of one who is not involved in any way.

"In view of these facts justice should prompt you to amend your statement to Governor Roosevelt insofar as this inference to me applies. You should know that my joint account with James J. Walker was opened and conducted solely because of my many years' friendship with him as an individual, and not as the Mayor of New York. You should know that I expected and received no favors from the Mayor or the city administration, and that any inference that my motives were for personal profit is unwarranted, unjustified and untruthful."

When one tries to estimate impartially this charge, one becomes impressed with the irony inherent in it. Here was a man, standing high in his community, who,

though he related truthfully an incident inspired by a sensitive and romantically sympathetic child, was not only doubted but criticized.

What Block did for Walker seems most natural to his friends. A. C. Blumenthal, another intimate of the Mayor, told Seabury at a private examination (testimony which never got into the public hearings) that "If Walker called me up in the middle of the night for a hundred thousand dollars it would be there as quickly as I could get it and as quickly as it could reach him." Blumenthal is a motion picture financier, and nowhere was it ever implied that he might have desired business favors from Walker.

Another illustration of the same attitude of Walker's friends, though involving no actual outlay of money, is furnished by the following incident: Martin Beck, the vaudeville magnate, owns the Martin Beck Theatre, in New York, where a successful comedy of the 1932 season, "Reunion in Vienna," was playing. One Saturday afternoon Walker wished to see this play. As he was unable to buy tickets anywhere a friend appealed to Beck, who knew the Mayor but had not seen him for a number of years. Beck at once scurried around and dug up two tickets. After the performance he joined the Walker party and so delighted was he to be in the Mayor's company again that the next day he sent him a jewelled ornament of historical value which he had picked up in Rome at considerable expense. Walker could not understand why he should be the recipient of such a gift and said so to Mr. Beck when he saw him. Beck beamed at his protests. "It was a privilege to give it to you," he said, "because I love you."

\* \* \*

We now come to the most widely discussed of the Seabury charges. This is contained in the following conclusion:

"That, during the period of five years next succeed-



ing his entering office, Mayor Walker, for the purpose of concealing his interest therein caused his financial transactions to be conducted through, and in the name of, Russell T. Sherwood; that this agent, during said period, deposited in bank and brokerage accounts close to a million dollars, of which upwards of \$700,000 was in cash, and that the Mayor has failed and refused satisfactorily to explain the sources of the money belonging to him and deposited by Sherwood in said accounts."

In plain language, what does this conclusion charge Mayor Walker with? Briefly, it embodies the accusations that Walker, on becoming Mayor, desired to enshroud in secrecy his financial transactions; that, accordingly, he had Sherwood act as his dummy and agent, and that the approximately one million dollars deposited by Sherwood in all the accounts under his own name from the day Walker assumed office, in reality belonged to the latter; and that the Mayor, not only failed but refused to explain the sources of these moneys and therefore must have accumulated them illicitly during the five years and eight months preceding the investigation that he was in City Hall.

The accounts in Sherwood's name referred to in this conclusion were ten in number. Four were with banks: the Central Hanover Bank & Trust Company, the Suffern National Bank, the Bank of Manhattan Trust Company, and the Seamen's Bank for Savings. The remainder were brokerage accounts carried with Hornblower & Weeks, J. S. Bache & Company, B. Y. Frost & Company, A. L. Fuller, and Baylis & Company.

The statement in this charge that the Mayor refused to explain the sources of the moneys deposited in those accounts is misleading. It conveys the impression that Walker, when on the witness stand, had chosen to decline to shed any light on transactions of which he had knowledge, and had determined to withhold this information from the Legislative Committee.

During the Seabury investigation, when the Mayor

was requested to give "any information as to the source from whence Russell T. Sherwood derived the money that he deposited in his various accounts," he answered:

"I don't know anything about his personal, private affairs, because he never told me and I never inquired. Our contact was not of that nature. He was an employee of a firm who put themselves at my disposal since I became Mayor to render any personal assistance that they could and that was my contact with him and there it ended. . . ." And he concluded with this assertion:

"Mr. Chairman, I have either testified truthfully or untruthfully. I have either committed perjury or I have not, when I testified that my contact with, my business relations between Mr. Sherwood and myself or my wife, was that of an employee of a law firm who was rendering assistance. These questions might just as well be given to the papers in interview form and save the time of both of us, because I have already testified I know nothing about it, and I am either guilty of perjury or not, on that answer, and if I am, I would expect to be prosecuted for it, and I knew that when I made the answer. . . . I repeat again, and it will answer all those questions: I know nothing about his personal affairs, his personal accounts, nor his personal operations."

In the face of these disavowals by Walker of any knowledge of, or connection with, Sherwood's accounts, how, it may be asked, did Seabury attempt to justify his conclusion concerning Walker's relation with them? On what evidence did he rely to establish the Mayor's "ownership" of the ten accounts?

The record shows that he relied on inference and circumstance to establish his case.

At the outset there is this significant fact to be considered with reference to eight of the ten accounts: no evidence at all was adduced which might tend to prove that Walker had any connection with them. To the con-

trary, there were facts to prove that they were not Walker's.

Let us briefly review them. The account at the Suffern National Bank had been maintained by Sherwood at Suffern, New York—where he and his relatives lived—at least since 1924, nearly two years prior to Walker's assumption of the Mayoralty. The great majority of the payments out of it were for Sherwood's personal matters, such as his rent, food, clothing. Occasionally Sherwood used this account to clear checks which he received from others. An examination of all the available checks drawn by Sherwood on this bank fails to show any possible connection with Walker. When one reflects on these facts, namely, the character of the account, the number and sums of the checks, the payees and the purposes for which they were drawn, and that it had been opened and maintained in Sherwood's home town long before Walker became Mayor, it is strange that Walker should have been charged with its ownership.

The account at the Bank of Manhattan Trust Company was also apparently for Sherwood's personal use. Sherwood opened it in 1931, while employed in that bank. Its deposits consisted principally of his salary checks from that bank. It also contained a deposit of \$1,000 representing a fee he had received for certain accounting services rendered to a client. The few other deposits were in small amounts. The disbursements were for Sherwood's personal matters.

In the Seamen's Bank of Savings Sherwood had deposited in all \$3,371.30, consisting of the following items: \$1,937 in a number of small checks, one check for \$833.33 representing his salary from the Bank of Manhattan Trust Company, and \$600 in cash. Apart from the fact that nothing in any way linked Walker to this account, its very character renders it illogical to suppose that it was Walker's.

The J. S. Bache & Company account was opened in

1925, a year previous to Walker becoming Mayor. The total deposits therein were \$20,232.50. Of this \$6,732.50 represented a transaction on behalf of Francis J. MacIntyre, a member of the law firm by whom Sherwood was employed. The other transactions appear to be merely routine ones.

Sherwood's accounts with B. Y. Frost & Company and A. L. Fuller also show just routine transactions. Moreover, here again we come face to face with known principals of Sherwood. In the Fuller account there is a purchase for F. J. MacIntyre amounting to \$2,349, and in the Frost account purchases of \$3,707.50 for George F. Walker. It is difficult to understand why ownership of these accounts was imputed to Walker when moneys that went into these accounts were owned by others.

The Baylis & Company account (known as number 50) consisted of a single transaction, a cash deposit for the purchase of 300 shares of B. M. T. stock for \$17,-152.50. The officer of the firm who attended to this transaction, Mr. B. Y. Frost, testified at a private and public examination before the legislative committee that he knew Sherwood was the client's agent in this matter, and that the owner of this stock was this client.

The B. Y. Frost & Company Cash Account consisted of a deposit of cash for 200 shares of B. M. T. stock, The owner of these shares was the same client who owned the account No. 50 with Baylis & Co.

The foregoing analysis of eight of Sherwood's accounts does not seem to justify the charge that those accounts belonged to Walker and that Walker's was the responsibility of revealing the sources of the moneys which went into them. There are, in addition, other facts which it is believed the public should be put in possession of in order that it might intelligently determine the justness of the charge against Walker. A discussion of these, however, is reserved until after an analysis has been made of the remaining two accounts.

The first of these two accounts and the one stressed most by Seabury was that at the Central Hanover Bank & Trust Co., in which it was shown that Sherwood had deposited from Jan. 1, 1926, to Dec. 1931, approximately \$255,000.00. In this account Judge Seabury found deposited several dividends on Federation Bank stock, which Walker had once owned.

Walker testified that the Central Hanover account did in no part belong to him and explained that the depositing by Sherwood in the Central Hanover account of the dividends on the Federation Bank stock was due to the fact that this stock was Sherwood's and had been his continuously ever since December, 1925, when he gave it to him as a gift for the services he rendered.

Now, if it was true that this stock was Sherwood's, the dividends thereon would be also Sherwood's and the depositing of them in the bank would have no tendency to show that the account was Walker's. Seabury, however, considered that the gift of the stock to Sherwood was not a bona fide transaction. The ground for this belief was that Walker participated in a syndicate associated with the bank, known as "John J. Mulholland Trustee Fund," and derived benefits from this fund based upon his alleged ownership of the Federation stock beyond the time Sherwood was supposed to own it.

This belief of Seabury's appears incorrect. There were no pecuniary advantages accruing to Walker from his participation in that Fund and no pledge of this stock was involved. The purpose of the Mulholland Fund was to enable workmen to borrow money from the bank. Walker was one of a group of men who contributed to this fund, putting \$7,500 in cash into it. The stock which had been transferred to Sherwood had absolutely nothing to do with the Mulholland Fund. Mulholland himself so testified at a private hearing of the Committee.

One might also ask, why should Walker have executed a transfer of his stock to Sherwood in 1925 if he

wished to retain the benefits of the ownership of it? Why should Walker have desired to conceal his legitimate ownership in legitimate stock which all along previously had been publicly in his name?

Another circumstance which Seabury used to link this account with Walker was that Sherwood had made a number of payments from it on Walker's behalf, among them some to Mrs. Nan Burke, the Mayor's widowed sister.

Explaining these payments, the Mayor testified:

"It was my custom from time to time to give Mr. Sherwood as he would come to the office—because she (Mrs. Burke) called him or communicated with him—the money in cash. She lived in Far Rockaway and I don't expect he took the money and immediately hurried to Far Rockaway to give it to her, nor yet did he keep it in his pocket over night, nor over two or three nights, but on the contrary kept the money and gave her the check out of his account or some account for the cash I had given him."

The vital question was whether Walker supplied Sherwood the cash to meet the payments to his sister and what proof was there to sustain Walker's answer.

James T. Ellis, an accountant employed by the Legislative Committee, testified that he had found in the Central Hanover Bank "no amounts comparable in date or amount with any of these withdrawals." At the Albany hearing when this question came up the following colloquy took place:

"Governor Roosevelt—As a matter of inquiry, Judge, in this Central Hanover account of Sherwood, the special account, is there anything in the evidence to show deposits of cash by Sherwood in sums which were the same as the checks drawn by Sherwood to the order of the Mayor's sister?

Mr. Seabury—No.

Mr. Curtin—I beg your pardon. . . .

Governor Roosevelt—You insist there is.

Mr Curtin—I do insist there is and I have seen it with my own eyes.

Governor Roosevelt—Point it out.

Mr. Curtin—Let's see the exhibit of the whole business. Now, that is a very vital thing. We want to prove that answer was untrue."

Mr. Curtin then proceeded to present evidence of such balancing of deposits and withdrawals. He pointed out a number of items in this account which showed deposits in cash duplicating in amount checks drawn on that account at or shortly after the time each of these deposits was made. Thus, the account showed a deposit of \$800 in bills on January 2, 1929, and a check drawn to the order of the Mayor's sister in the same amount two days later. A deposit of \$800 in bills on May 29, 1929, was balanced by a check for the same amount drawn that very day. Against a deposit of \$1,000 in bills, on March 1, 1930, a check was issued in favor of the Mayor's sister five days later, on March 6, in the sum of \$800. Three days after the deposit of \$1,000 in bills had been made, on March 28, 1930, an \$800 check was again made payable to the order of Mrs. Burke. The account showed further cash deposits at various times of \$800 or \$1,000 or multiples thereof, and withdrawals in the same amount. A deposit on January 12 of \$2,400 in bills was balanced later by three withdrawals in amounts of \$800 each.

Owing to the multiplicity of transactions engaged in by Sherwood, the records at Mr. Curtin's command in Albany were not sufficient by themselves to reveal readily or plainly a complete balancing of cash deposits and withdrawals on behalf of Walker.

It is unfortunate that the exigencies of the situation did not afford Walker or his counsel the opportunity to make a full and adequate study of all of Sherwood's pertinent records.

To briefly summarize the analysis of the Sherwood deposits in the Central Hanover bank, we find this

account was used by Sherwood for various business transactions for himself and for others for whom he acted as agent. His utilization of the account in connection with his services for the Mayor constituted, it seems, but a small part of the business comprised.

Even from an incomplete knowledge of this account, we find deposits and withdrawals for and on behalf of several persons, in addition to the withdrawals acknowledged by the Mayor. Among these are: a deposit item of \$43,312.50 for a client; a check for \$20,000 for a client; a check for \$41,960 for a client. To these should be added dividends on stock owned by Sherwood as well as on stock owned by others, checks for purely personal disbursements of Sherwood, etc.

The last of the ten Sherwood accounts attributed to Walker remaining for consideration is that at Hornblower & Weeks, called on the books of that brokerage house "The Investment Trustee." This account was enveloped in such secrecy that, according to the evidence brought out by Mr. Seabury, only the heads of the firm knew about it. It was opened March 25, 1927, with a \$100,000 cash deposit and was closed August 9, 1927, by Sherwood, who drew out the total balance—\$263,000—in cash. This account was not in Sherwood's name, there was no signature card of his in it, and it was made up from beginning to end of cash deposits. John W. Prentiss, head of the firm, characterized it as an "unusual account."

In the eyes of the public this mysterious account assumed a place of dominant importance in the Walker case.

Judge Seabury offered two circumstances, to link Mr. Walker to this account. First, that on June 17 there were deposited in this account two cash sums of \$25,000 each. This was about the same time that Walker received from his broker, Sailing W. Baruch, the cash proceeds of two checks, in the sum of \$25,000 each, dated June 9 and June 16, 1927. Second, that the



SHERWOOD TRUST COMPANY

SHERWOOD'S ACCOUNT

DATE	DESCRIPTION	DEBIT	CREDIT	BALANCE
1925				
12-31				446620.00
1926				425620.00
1-1				100000.00
1-15			225.00	
1-17			200.00	
1-18			737.00	
1-19			637.00	
1-19			487.00	
1-20			450.00	
1-21			27.00	
1-22			427.00	
1-23			847.00	
1-24			647.00	
1-24			487.00	
1-25			42.00	
1-25			487.00	
1-26			100000.00	
1-27			240.00	
1-28			113.00	
1-29			1000.00	
1-30			784.00	
1-31			740.00	
2-1			840.00	
2-2			200.00	
2-3			240.00	
2-4			240.00	
2-5			240.00	
2-6			240.00	
2-7			240.00	
2-8			240.00	
2-9			240.00	
2-10			240.00	
2-11			240.00	
2-12			240.00	
2-13			240.00	
2-14			240.00	
2-15			240.00	
2-16			240.00	
2-17			240.00	
2-18			240.00	
2-19			240.00	
2-20			240.00	
2-21			240.00	
2-22			240.00	
2-23			240.00	
2-24			240.00	
2-25			240.00	
2-26			240.00	
2-27			240.00	
2-28			240.00	
2-29			240.00	
2-30			240.00	
3-1			240.00	
3-2			240.00	
3-3			240.00	
3-4			240.00	
3-5			240.00	
3-6			240.00	
3-7			240.00	
3-8			240.00	
3-9			240.00	
3-10			240.00	
3-11			240.00	
3-12			240.00	
3-13			240.00	
3-14			240.00	
3-15			240.00	
3-16			240.00	
3-17			240.00	
3-18			240.00	
3-19			240.00	
3-20			240.00	
3-21			240.00	
3-22			240.00	
3-23			240.00	
3-24			240.00	
3-25			240.00	
3-26			240.00	
3-27			240.00	
3-28			240.00	
3-29			240.00	
3-30			240.00	
3-31			240.00	
4-1			240.00	
4-2			240.00	
4-3			240.00	
4-4			240.00	
4-5			240.00	
4-6			240.00	
4-7			240.00	
4-8			240.00	
4-9			240.00	
4-10			240.00	
4-11			240.00	
4-12			240.00	
4-13			240.00	
4-14			240.00	
4-15			240.00	
4-16			240.00	
4-17			240.00	
4-18			240.00	
4-19			240.00	
4-20			240.00	
4-21			240.00	
4-22			240.00	
4-23			240.00	
4-24			240.00	
4-25			240.00	
4-26			240.00	
4-27			240.00	
4-28			240.00	
4-29			240.00	
4-30			240.00	
4-31			240.00	
5-1			240.00	
5-2			240.00	
5-3			240.00	
5-4			240.00	
5-5			240.00	
5-6			240.00	
5-7			240.00	
5-8			240.00	
5-9			240.00	
5-10			240.00	
5-11			240.00	
5-12			240.00	
5-13			240.00	
5-14			240.00	
5-15			240.00	
5-16			240.00	
5-17			240.00	
5-18			240.00	
5-19			240.00	
5-20			240.00	
5-21			240.00	
5-22			240.00	
5-23			240.00	
5-24			240.00	
5-25			240.00	
5-26			240.00	
5-27			240.00	
5-28			240.00	
5-29			240.00	
5-30			240.00	
5-31			240.00	
6-1			240.00	
6-2			240.00	
6-3			240.00	
6-4			240.00	
6-5			240.00	
6-6			240.00	
6-7			240.00	
6-8			240.00	
6-9			240.00	
6-10			240.00	
6-11			240.00	
6-12			240.00	
6-13			240.00	
6-14			240.00	
6-15			240.00	
6-16			240.00	
6-17			240.00	
6-18			240.00	
6-19			240.00	
6-20			240.00	
6-21			240.00	
6-22			240.00	
6-23			240.00	
6-24			240.00	
6-25			240.00	
6-26			240.00	
6-27			240.00	
6-28			240.00	
6-29			240.00	
6-30			240.00	
6-31			240.00	
7-1			240.00	
7-2			240.00	
7-3			240.00	
7-4			240.00	
7-5			240.00	
7-6			240.00	
7-7			240.00	
7-8			240.00	
7-9			240.00	
7-10			240.00	
7-11			240.00	
7-12			240.00	
7-13			240.00	
7-14			240.00	
7-15			240.00	
7-16			240.00	
7-17			240.00	
7-18			240.00	
7-19			240.00	
7-20			240.00	
7-21			240.00	
7-22			240.00	
7-23			240.00	
7-24			240.00	
7-25			240.00	
7-26			240.00	
7-27			240.00	
7-28			240.00	
7-29			240.00	
7-30			240.00	
7-31			240.00	
8-1			240.00	
8-2			240.00	
8-3			240.00	
8-4			240.00	
8-5			240.00	
8-6			240.00	
8-7			240.00	
8-8			240.00	
8-9			240.00	
8-10			240.00	
8-11			240.00	
8-12			240.00	
8-13			240.00	
8-14			240.00	
8-15			240.00	
8-16			240.00	
8-17			240.00	
8-18			240.00	
8-19			240.00	
8-20			240.00	
8-21			240.00	
8-22			240.00	
8-23			240.00	
8-24			240.00	
8-25			240.00	
8-26			240.00	
8-27			240.00	
8-28			240.00	
8-29			240.00	
8-30			240.00	
8-31			240.00	
9-1			240.00	
9-2			240.00	
9-3			240.00	
9-4			240.00	
9-5			240.00	
9-6			240.00	
9-7			240.00	
9-8			240.00	
9-9			240.00	
9-10			240.00	
9-11			240.00	
9-12			240.00	
9-13			240.00	
9-14			240.00	
9-15			240.00	
9-16			240.00	
9-17			240.00	
9-18			240.00	
9-19			240.00	
9-20			240.00	
9-21			240.00	
9-22			240.00	
9-23			240.00	
9-24			240.00	
9-25			240.00	
9-26			240.00	
9-27			240.00	
9-28			240.00	
9-29			240.00	
9-30			240.00	
9-31			240.00	
10-1			240.00	
10-2			240.00	
10-3			240.00	
10-4			240.00	
10-5			240.00	
10-6			240.00	
10-7			240.00	
10-8			240.00	
10-9			240.00	
10-10			240.00	
10-11			240.00	
10-12			240.00	
10-13			240.00	
10-14			240.00	
10-15			240.00	
10-16			240.00	
10-17			240.00	
10-18			240.00	
10-19			240.00	
10-20			240.00	
10-21			240.00	
10-22			240.00	
10-23			240.00	
10-24			240.00	
10-25			240.00	
10-26			240.00	
10-27			240.00	
10-28			240.00	
10-29			240.00	
10-30			240.00	
10-31			240.00	
11-1			240.00	
11-2			240.00	
11-3			240.00	
11-4			240.00	
11-5			240.00	
11-6			240.00	
11-7			240.00	
11-8			240.00	
11-9			240.00	
11-10			240.00	
11-11			240.00	
11-12			240.00	
11-13			240.00	
11-14			240.00	
11-15			240.00	
11-16			240.00	
11-17			240.00	
11-18			240.00	
11-19			240.00	
11-20			240.00	
11-21			240.00	
11-22			240.00	
11-23			240.00	
11-24			240.00	
11-25			240.00	
11-26			240.00	
11-27			240.00	
11-28			240.00	
11-29			240.00	
11-30			240.00	
11-31			240.00	

SAILING W. BARUCH & Co.

NEW YORK

JUN 2 1927 192

No 6955

A

CHATHAM PHENIX NATIONAL BANK AND TRUST COMPANY

PAY TO THE ORDER OF

*J. J. Walker*

\$25000<sup>00</sup>

DOLLARS

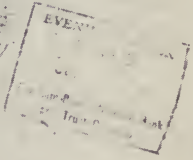


25000 AND 00/100

*Sailg & Baruch*

*J. J. Walker*

Pay Chatham Phenix National Bank A and Trust Company, or order A Sailing W. Baruch & Co. 19448



SAILING W. BARUCH & Co.

NEW YORK

JUN 1 1927 192

No 7111

A

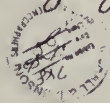
CHATHAM PHENIX NATIONAL BANK AND TRUST COMPANY

PAY TO THE ORDER OF

*J. J. Walker*

\$25000<sup>00</sup>

DOLLARS

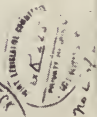
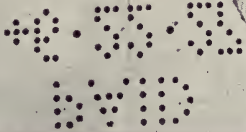


25000

*Sailg & Baruch*

*J. J. Walker*

Pay Chatham Phenix National Bank A and Trust Company, or order A Sailing W. Baruch & Co. 19448



The checks referred to on page 340.

withdrawal by Sherwood of all the money from the account happened to be on the day previous to Walker's sailing for his 1927 European trip.

The inferences Seabury obviously sought to draw from the foregoing circumstances were that the \$50,000 received by Walker from Baruch was put by him into the "Investment Trustee" account and that Sherwood withdrew all the funds in the account for the purpose of Walker's tour of Europe.

Walker denied that this account belonged to him, or that he knew anything about it; he denied that the \$50,000 received from Sailing W. Baruch went into that account and explained the circumstances under which he received the two checks from his broker.

It was brought out that the brokerage firm drew to the order of Walker two checks dated June 9 and June 16, 1927, in the amount of \$25,000 each. These checks represented the Mayor's share of the profits from his joint stock account with Paul Block, which was carried by Baruch. As was the custom, these two checks and the cash were brought to the Mayor. He endorsed the checks and gave them to the representative of the Baruch firm from whom he received cash in return.

As Seabury directed Walker's attention to the coincidences of dates on the checks and the amounts, and dates of the deposits in the Investment Trustee account, Walker sensed the drift of the counsel's questioning.

"Let me help you make it a real scenario!" he exclaimed. "I left for Europe on August 10 and I suppose the plot is that I took it to Europe!"

He continued: "I have sworn that not one dollar of my money ever went into that bank. . . . I never heard of the account until you spoke of it. I didn't have one penny's interest in it nor one moment's knowledge of it, and I am telling you that under my oath, and all the insinuations and political motives in the world can't write that into anybody's mind, and you owe it to me and to the state that if you have any evidence of that

fact, except framing questions for an antagonistic press, you tell the Committee what the reason is or what evidence you have of it." The manner in which Walker made this answer was dramatic and impressive.

The illustrations bearing on this matter which appear in this book indicate by the perforations and stamps on the checks that the check to Walker's order dated June 9, 1927, was paid by the bank on which it was drawn on June 16, 1927, and the check to Walker's order dated June 16, 1927, was paid by the bank on June 22, 1927. There was nothing to show that Walker had received the cash amount of these checks prior to the time of their depositing by Baruch's firm. Walker did not remember the exact day he received the cash, but it is quite probable that it might have been on the days on which they were cashed. If that were so, it is impossible that the cash derived from the check dated June 16, was deposited in the Trustee account. The cash received by him on June 22, could not have been deposited in the Trustee account on June 17.

The suspicion that this account was Walker's on the ground of the coincidences in dates and amounts alone was rather strained. The two \$25,000 sums which Walker received from Baruch bore the indubitable stamp of his ownership. The fund from which they came bore his name. The checks were made out in his name. It is difficult to assign a reasonable motive for the alleged deposits by Walker in the Investment Trustee Account.

But why, this secret account at Hornblower & Weeks? Not only was the principal in this case concealed but the agent was hidden as well. Not even Sherwood's name or a signature card was there to identify him with it. Why was that? He already had nine accounts. Why did Sherwood attach his name to the nine other accounts and not to this one?

The truth regarding this account, like the truth regarding many other matters brought up by the Legis-

lative Inquiry, cannot be established in the unfortunate absence of Russell T. Sherwood. But the truth might be found in the report, coming from authoritative sources, that the real owners were three New York business men, who opened the account for the purpose of depositing receipts from the Casino in Havana, a famous state gambling concession. According to this report Sherwood merely acted as trustee for the account.

Four important facts appearing in the record offer refutation to the inference that Sherwood was Walker's dummy, and that the \$961,225.52 belonged to Walker.

First: the record discloses that during the very period covered by the charge, Sherwood acted as agent for six persons. It was common knowledge among those who knew Sherwood that he had many other clients, some of them people of prominence. B. Y. Frost, F. J. MacIntyre, Fred Mayglothing, testified at the hearings to that effect.

Second: the charge that the sum of approximately one million dollars deposited by Sherwood in his ten bank and brokerage accounts during 1926-1931 belonged to Walker is contradicted by the fact that, according to the record about \$126,000 of this amount belonged to identified clients of Sherwood's, and therefore could not be charged to Walker.

If to this account is added the \$263,000 of the Investment Trustee Account, the ownership of which has already been discussed, the total is increased to almost \$390,000, or over forty percent of the deposits in the Sherwood accounts.

Third: five of the ten Sherwood accounts attributed to Walker were opened prior to January 1, 1926, the day Walker assumed office. They are:

Suffern National Bank account. Opened December 31, 1924.

The Hornblower & Weeks account. Opened August 4, 1925.

J. S. Bache & Co. account. Opened August 12, 1925.

A. L. Fuller account. Opened prior to September, 1925.

Central Hanover Bank & Trust Company. Opened October 11, 1924.

The last named account, in which Sherwood was shown to have deposited upwards of \$250,000 between January, 1926 and December, 1931, has an origin which dates back to 1920, when it was opened in the name of George A. Blauvelt Special. On October 11, 1924, it was transferred to the Russell T. Sherwood Special account with a deposit therein of about \$14,000. A significant fact revealed by this account is that between October 11 and December 31, 1924, Sherwood deposited \$38,500.08, and that between January 1, 1925 and December 31, 1925, he deposited \$56,845.15. That means that he deposited during these fifteen months an average of \$6,400 per month. In other words, Sherwood deposited almost twice as much money before Walker became Mayor as he did after Walker's election to the Mayoralty.

Walker's counsel, John J. Curtin, made the point that in the evidence presented to the legislative committee the origin of this account was ignored. During the investigation the Committee subpoenaed Sherwood's accounts. Among the documents so delivered to it were the ledger sheets of the Sherwood account at the Central Hanover. When later a photostatic copy of one of these sheets came into the possession of Mr. Curtin he found a line drawn underneath the last deposit of 1925, indicating that the investigators had ignored the previous history of the account and reckoned it only as of January 1, 1926.

Fourth: No connection was shown between Walker and nine of the ten Sherwood accounts attributed to him, either by way of deposits or withdrawals, or in any other manner.

It now becomes pertinent to ask who is this Russell T. Sherwood? Who is this "mystery man" of the Walker

case, as the newspapers so promptly named him? Is he the insignificant clerk who was made a dummy and exiled to "hold the bag" for other influential people? Or is there anything in his talents, associations and activities which stamp him as a different personality, more in conformity with the picture of the man which the face value of his accounts suggests?

In 1930, Sherwood wished to associate himself with the Bank of Manhattan Company. He gave to the Vice President of the bank, B. D. Forster, the name of Michael F. Dee, formerly the Dean of Fordham Law School, as one of the men who knew his qualifications, and in reply to Forster's letter of inquiry Dean Dee wrote this letter:

"I beg to acknowledge receipt of your letter of yesterday (January 14, 1930) informing me that Russell T. Sherwood has given you my name as reference in connection with a position with your organization. I am very glad of the opportunity to comply with your request. Because I am anxious that my reference shall be something more than the usual formal tabulation of a list of excellencies, I shall give you a few words in detail.

"Several years ago, Mr. Sherwood, a Rockland County boy, came into the law office in this city of which ex-Senator George A. Blauvelt, of Rockland County, was the senior member. The law office, with its partners, associates and affiliations, gradually became of unusual diverse interests. Mr. Sherwood, with his country-bred attitude of being chiefly a listener, soon became the clearing house of the interests of all connected with the organization and was implicitly trusted by everybody, and it was recognized that the confidence reposed in him by any one of the interests was entirely safe in his keeping.

"When Senator Blauvelt died Mr. Sherwood was made executor of the estate with a trust company in town; at that time Senator Blauvelt's interests and

associations had several substantial and very delicate relations to those about him. Mr. Sherwood and the Trust Company asked me to act as attorney for them in settling the estate and I have personal knowledge of the patience, discernment and absolute dependability in his handling of the estate from beginning to end. The estate, a great part of which was a valuable stock farm in Rockland County, at first seemed rather unpromising, but at the end, almost entirely through Mr. Sherwood's efforts, it was closed with substantial assets to the relatives of the dead Senator. Possibilities of serious confusion in adjusting the estate interests in the law office and its associates were handled with similar diplomacy and happy results by Mr. Sherwood.

"In the last four or five years Mr. Sherwood has considerably broadened his sphere of contact and has built up an enviable reputation for absolute integrity and discretion.

"I trust that the foregoing will appear to you neither too lengthy nor too laudatory. It is intended as an honest and careful appraisal of what I personally know of Mr. Sherwood.

"Very truly yours,  
(Signed) M. F. Dee."

Sherwood came to Senator Blauvelt's office as an accountant, and because, no doubt, he was from the same part of the state as the Senator, and was known to the latter, he was placed in a position of some trust. That he merited this trust is shown by his rise to a place of responsibility in the law office. Within a few years he was receiving a salary of \$3,000 a year for only part-time work. For an accountant in a law office this is a large sum and indicates unusual qualifications. Subsequently Sherwood was also engaged by the Bank of Manhattan Trust Company, which paid him the very substantial salary of \$10,000 a year.

Among those who knew Sherwood it is quite com-



mon knowledge that he was an expert in income tax accountancy, investments and in financial matters generally, and it is equally well known that he had a number of prominent clients who entrusted him with many of their financial affairs. Park A. Rowley, the President of the Bank of Manhattan Trust Company, testified that to his knowledge Sherwood supplemented his salary by fees from income tax accountancy. B. Y. Frost, of Baylis and Company who knew Sherwood intimately, also testified at a private hearing, that he did not think it strange that Sherwood should handle as much cash as he did, for he knew that he was acting for other persons. Bache and Company, the prominent Wall Street brokers, stated that Sherwood could be found in their offices for five or six hours a day, buying and selling for various accounts.

Francis J. MacIntyre testified that he knew Sherwood since 1917, that he was always a part-time employee; that he had his own clients and that he, MacIntyre, personally recommended clients to Sherwood; that among his clients were approximately six corporations and a number of business and professional people.

All this hardly bears out the description of Russell T. Sherwood as an obscure little clerk. It shows us, to the contrary, one of those quiet executives often met with in the financial district; a man of shrewd judgment, great experience, with a natural aptitude for handling financial matters and respecting confidence reposed in him to the point of absolute secrecy. Through his connection with a widely-known law firm he was enabled to establish contacts with wealthy individuals who because of his reputation for ability were glad to utilize his services.

What had this Sherwood to do with Walker? The latter had known him for many years because of his association with the Blauvelt law office. Sherwood took care of all the private matters of the members of the firm, and when Walker became Mayor the law firm was

glad to offer him the services of both Sherwood and its office. Most of Walker's papers remained with the firm, now doing business under the name of MacIntyre and Warren. He retained the services of this firm for his private matters and availed himself of Sherwood's aid as an accountant in taking care of his personal and family interests.

Yet, if this was the relationship between Sherwood and Walker, why did Sherwood disappear? And when he did disappear, and there was a demand for his presence, why didn't Walker bring him back?

The first circumstance casts the shadow of a presumption of guilt upon Walker; the second tends to confirm that presumption. It must be borne in mind, however, that the implication of guilt is reasonable only if, as alleged, Sherwood was Walker's agent in handling the money attributed by Seabury to Walker. If such was the case Sherwood's absence would incriminate Walker.

But was such the case? Sherwood was involved in large Wall Street operations. He had many clients. Some of his operations were conducted with secrecy. We are therefore confronted with unusual circumstances. The reason for Sherwood's disappearance we can only speculate upon. He alone best knows what the motives of his own actions were. In the face of his activities and of the Mayor's emphatic denials, can it be conclusively assumed that Sherwood's leaving the jurisdiction of the Committee was because of his connection with Walker?

If there was anything in his affairs which prompted him to absent himself this was as good a time to leave as any.

Why didn't Walker bring him back? This is an unfair question unless we suppose that he could have brought him back. If we go as far as to accuse Walker of not desiring Sherwood's return we can go so far too as to think it possible that Walker could have created a very

favorable background for himself by advertising far and wide, and ostensibly using every public means to induce Sherwood to return. If Sherwood really had his instructions these manifestations of zeal would only have made him grin.

In Seabury's "conclusion" regarding the Sherwood accounts he said:

"That as soon as it became known that the Joint Legislative Committee desired to examine the said Russell T. Sherwood with respect to his financial transactions on behalf of the Mayor, the said Sherwood disappeared, and the Mayor has failed and neglected either to cause his agent to return, or to cooperate with the Committee in its efforts to locate him, thereby preventing the disclosure of facts essential to a complete investigation of the conduct of his office by the Mayor."

Note that in this conclusion Walker is not charged with having refused to try to ascertain Sherwood's whereabouts. It is couched in such a manner as to suggest that presumption, and this presumption is given strength through the bland use of the term "his agent" to describe Sherwood.

As the facts stand, Walker was at no time asked by anyone in authority to help find Sherwood. Mr. Jacob Gould Shurman, assistant counsel to the Committee, admitted at the hearing before Governor Roosevelt that he had not at the time Sherwood was in Mexico City asked for Mayor Walker's assistance or cooperation to cause Sherwood's return to New York City, and that as far as he knew "no such request was ever made, either on behalf of counsel, by counsel, or any of the associates or by the Committee or any other member."

If the Committee thought that the Mayor's assistance was required in order to get Sherwood back it was a simple matter for its counsel or any of its members to speak to the Mayor about such assistance. The failure to ask Walker to lend his efforts to find Sherwood seem to indicate that it was thought his assistance was un-

necessary. That the Mayor expressed willingness to cooperate with the Committee was attested to at the hearing before the Governor by Samuel Hofstadter, Chairman of the Legislative Committee. He testified that shortly before Walker sailed for Europe in August, 1931, the Mayor had inquired of him whether his absence might interfere with the progress of the investigation and whether his assistance was required. Mr. Hofstadter consulted with Seabury and with the members of the Committee, and on the basis of this consultation assured the Mayor that his absence would not impede the progress of the investigation and further informed him that nothing would be required of him.

Before Walker sailed for Europe he was not informed by anyone that the Committee desired or intended to examine Sherwood, and it was not until August 11, after Walker had left for Europe, that a subpoena was issued for Sherwood. Eventually Sherwood was served in Mexico City and fined \$50,000 in contempt of court for his failure to return to New York.

It is to be regretted that the Committee omitted to make a clear and unequivocal request upon Walker to help bring back Sherwood. Failure by the Mayor to heed such a request would have completely justified the charge that he "failed and neglected to cooperate," and would have left no room for controversy on the question. The Mayor, too, should not have contented himself with instructions to the police. Whether requested to do so or not he should have exerted every possible effort to avoid doubt of his genuine wish to have Sherwood return for questioning. The dignity and high character of his office demanded of him greater sensitiveness and attention to a situation so extraordinary and so full of grave suspicion.

\* \* \*

Considering the trial of Walker in retrospect, it may be said that three things contributed to the manner

in which it ended for him: (1) Sherwood's absence, (2) the temper of the times, and (3) his character.

In his statement to dismiss the charges before Governor Roosevelt Curtin said:

"Sherwood's absence is a million times more valuable to the charge makers than Sherwood's presence could possibly be."

There was more meaning compressed into this sentence than the newspapers were willing to state. And it can be fairly said that the circumstance of Sherwood's absence, coupled with Seabury's comments on it, created an atmosphere of unyielding suspicion and bias which all public estimation of the case had to penetrate.

To Sherwood's disappearance there instantly attached a malign significance. It took complete possession of the public mind and was difficult to eradicate or to separate it from cool judgment. Sherwood and Walker became inextricably intertwined. Sherwood's absence was pregnant with the implication that it was to shield Walker. Through it doubt was cast upon his position and discredit upon the witnesses favorable to him. It gave color and strength to every rumor and accusation.

Instances have been many where the mere disappearance of a witness became the instrumentality for the destruction of a fine reputation. Especially is guilt taken for granted when there disappears from the scene a person known to have had relations with a high public official summoned before a legal tribunal to answer for his conduct in office. In the face of such disappearance, the official charged with having acted with injury to the public weal finds himself at a great disadvantage. The prosecution at once becomes bolder and stronger. Absence of testimony is rendered the equivalent of cogent proof. That which otherwise might have amounted to disproof now performs the office of demonstration.

Under such circumstances a public investigator called upon to establish an actual state of affairs and not merely to present a chain of adduced inferences must

exercise more than ordinary vigilance and attention in presenting evidence. Larger allowance than ordinarily must be given the official whose integrity is questioned. Every circumstance which could prove favorable to him must be carefully gone into. Nothing should be brought out unless in reality and in substance it clearly proves the offense charged. Every witness, paper or document which could throw light on the case should be produced for his justification. The potential evil inherent in circumstantial evidence requires complete and candid disclosure. The public inquirer should be as impartial and free from bias as a judge; energetic and active as an advocate.

Why? Because the object of the inquiry is to determine the official's fitness to remain in office. The standards to be applied are those emanating from the people themselves. Public policy must be resorted to in passing judgment upon the accused. Where therefore the standards to be applied are not strictly judicial the public must be protected from any extraneous immaterial influences having no relation to the merits of the case which may unduly prejudice public opinion. A prejudicial public opinion can be easily fostered and then cited as reflecting a legitimate interest requiring protection and consideration. In other words, public opinion must not be first aroused and then submitted as evidence of public opinion. It is a sane and well-informed judgment by the public that must be the guide of the public officer who has the solemn duty of passing upon the guilt of his subordinate. In all fairness it cannot be said that public opinion at the time was sufficiently well-founded to provide the requisite guidance, and this naturally reacted against Walker.

Secondly, the period in which this investigation was conducted was one in which a decided change in political and economic thought was in progress. The public mind was greatly agitated and in a state of profound discontent. Depression with its attendant misery and suf-

fering roused to the highest pitch those strong passions where self-interest is involved.

Real estate values in New York had toppled, and property owners were in a bitter mood. They rose in revolt against what they took comfort in believing was the main root of their trouble: taxes and the cost of municipal administration.

Against the general economic background of distress and dejection a sentiment of antagonism took root. Administrative leaders during a crisis which affects pockets—and therefore stomachs—are placed in a position which is very graphically described colloquially as “the spot.” Walker, to a certain extent, was one of those placed on the spot, a victim of the times.

Thirdly, Walker’s character led him to a misconception of the importance of the charges brought against him. He felt two things: that he was innocent and that he was popular. Supremely confident of the public’s belief in his innocence he minimized the case that could be made out against him, and in the enthusiastic applause that greeted his every public appearance he thought he had the answer to the reception that his case would receive. Moreover, Walker, as has been pointed out elsewhere in this book, is a man endowed with an artistic and emotional nature. Such a man often disdains argument, disdains proof, disdains pleading in defense of himself. He brusquely waives accusation aside. He feels offended at the very fact that the accusation is made against him. He retreats into defiant passivity of hurt pride.

Those who are close to him know that during the whole course of the hearings of the Legislative Committee he made no adequate effort to defend himself. While expressing his readiness to testify whenever called he took no interest in the evidence of witnesses. In fact, he even failed to fully familiarize himself with the charges or the evidence. When informed of certain witnesses being subpoenaed by Seabury for private exami-

nation he dismissed the matter by saying: "Just let them tell their stories and I'll tell mine." He searched for no records, took no notes, conferred with no one regarding the legal intricacies and implications of the case during the entire long progress of the Committee hearings, and when examined by Seabury he testified entirely from memory.

How perfectly confident he felt that he had nothing to fear from the investigation is proven particularly by this incident: In the decision of Justice Staley is contained the statement that the power of the Governor to remove an officer of New York City could have been abrogated by the city government at any time by the Municipal Assembly, and that the failure to do so made the hearing before the Governor possible. At the time this decision was announced there were comments in the press and elsewhere that Walker had "slipped up" and missed an opportunity to avoid the entire situation. This supposition is incorrect. Walker knew of this opportunity. Early in the investigation Nathan Burkan, a prominent member of the New York Bar, wrote an opinion in which he raised the very point discussed in Justice Staley's decision. Walker was urged by many friends to avail himself of this plan but he refused. He said he would not take this advantage to safeguard himself and would readily face whatever the investigation would bring forth.

Thus, paradoxically enough, Walker could not escape the inference of guilt precisely because he acted in total disregard of anything but the conviction of his innocence. It was only when the charges reached Albany and there was a general expectation that the Governor would order a hearing that Walker began to realize the gravity of the situation. He stepped into the ring to fight for his political life only on the day beginning the hearings before Roosevelt in Albany. But by that time it was too late. Most of the damage had already been done.



One cannot now escape the unfortunate commentary that it was Walker's unconventionality, as it was automatically incorporated in his official conduct, that created the most vulnerable part in his case. The ethics of public office do not and should not permit a public official to do anything which might lay his actions open to misinterpretation. Walker's twenty-three years of public service, his charming personality and his many admired qualities were no proof against the criticism which arose when his unconventionality left him open to attack. His position after his resignation was an unhappy one. He might have prevented it had he been willing to break the continuity of his behavior.

And so was brought to a pause the public life of Jimmie Walker, the man who insisted on living a natural life and on seeing no difference between the official and the man.









