

DAWN DAYS OF THE STATE POLICE.

CHAPTER IV.

Orders Are Orders.

I soon found that the police discipline is different from that of the Army. In the Army there is the guard house, the men are directly under the officers and their orders are carried out under their supervision. Policemen are alone and away from their officers, each man a little army in himself. I got this point early, fortunately for me, and therefore I let most of the men—as soon as they were through with their work for the day—go to Syracuse and other places, after 6 o'clock every afternoon, and ordered them back before 11:30 p.m. My officers, who were all military men, objected and we had quite an argument. The men who continually came back to the camp in good condition were retained, but those who came back a little the worse for wear (at times) were dropped at once. I had some difficulty in dropping these men, because influential citizens often tried their best to have some of the men reinstated. But I was firm, though I made some bitter enemies who have remained so to this day. Think what would have happened to the department if the civil service had furnished me the men, or politics or pull could have dictated the personnel of this force!

It seemed to me that the best time for us to begin work would be the State Fair in Syracuse. It was hard to convince the State Fair Commissioners that we would be efficient, and I can't blame them. But Governor Whitman helped, and we marched to the Fair grounds and began our work on the

morning of the seventh of September, 1917.

On the first morning I sat down with a map of the grounds, and in a short time had figured out a way to park cars, so that the first car parked could be the first car out if necessary—in fact so that any car could get out of the parking space when it wanted to. The men soon had the idea, and worked it out so that the "herringbone" method of parking cars, as it is now known, came into being on the first day of the Fair in 1917. It is now in general use all over the state, and in other states.

I had drilled the men in just one thing as far as the military went, outside of courtesy, and that was in a Cavalry Review. I early decided that they must give a review before the Governor at the Fair, on the track before the grandstand. I nearly drove the men crazy, drilling them so much, but it paid—because the review went off without a hitch, and was a brilliant affair. The gray uniforms, the purple guidons, the horses with their tails all clipped at the hocks, and their manes clipped, made a great show and the grandstand spectators all rose from their seats with one great shout as we rode by.

Policing the Fair went well. One day Thaddeus Sweet, Speaker of the Assembly of the state, drove up in a hurry to one of the gates that I had forbidden to be used by automobiles, and was stopped by a Trooper. There was an argument, and the Speaker said:

"Young man, do you know who I am?"

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The trooper answered: "No, I don't—and it makes no difference, for even if you were the Almighty you couldn't get through this gate. Those are my orders."

Speaker Sweet then asked the trooper where he could find the commanding officer. He drove around to my quarters and, after introducing himself to me, he complimented the department and said:

"At last there will be law and order in the state!"

He was an exceptional man, and a fair one, and such a relief from the great number of prominent citizens wanting special privileges that soon became a curse to us, until they learned that everybody was equal in the eyes of the State Police—as far as law enforcement was concerned.

I designed a crop for the troopers to carry. It was made of leather, shorter than a cane, and a beautiful thing to carry. I had lead put in the large end of the crop. The troopers were delighted with them; but one night I awoke in a cold sweat from a dream, for subconsciously it must have come over me (during this dream) how dangerous these crops were. I could see myself in court as a result of a broken skull, produced by a blow upon the head of a prisoner by a trooper. I hurriedly sent out an order recalling these crops. There were so many things to consider in the forming of this department, that I only mention this as an example. Long, wooden clubs (nightsticks, as they are called) were soon ordered, because such sticks had been recognized for years as the accepted club for the police.

Policing the Fair went along well, and—since there was no provision in the bill providing barracks for

the men—I had been busy the last two months of organization in arranging stations for the units. An old rink in Batavia, an old hotel near Syracuse, an old house north of Albany, and a stable near White Plains were selected because they were the best I could find in the locations I wanted, and of the right price for rental.

The four troops moved to these barracks by riding on their horses, as I thought that this was a good way to advertise to the people of the state that there was a State Police.

In Pennsylvania the State Police were called Cossacks and other derogatory names. Therefore I knew that we would be called something obnoxious, and must beat the public to it. It suddenly dawned on me that there were four troops authorized by the government of the state, and that a member of one of these troops was a "trooper," and therefore a "State Trooper." I talked with Governor Whitman, but he—like many others consulted—did not like the name, preferring that we stick to the name Constabulary. However, I was pig-headed enough to go ahead, and I had the name "State Troopers" painted on the door of our headquarters in the Capitol, and printed on all of our stationery. By talking with newspaper men and getting them to see the wisdom of the name, they began speaking of the men in the papers as State Troopers. This is how the name "State Trooper" originated. Now it is used all over the United States, and even in Europe, when speaking of a state policeman. It was difficult to get the name started, but it saved the day as far as any derogatory name was concerned.

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It took some nerve to go ahead and make arrests, even when necessary, and we all spent many wakeful nights. But, like everything else, in time these worries lessened. Still I had to continually change the personnel in the department, as many proved to be unfit as officers, as well as men. I had to say "No!" so often, and had to use surgical methods so much, that soon I became discouraged. Happily, however, some men began to develop so rapidly that all of a sudden cooperation and sureness in our work came as a relief. As the men developed, they were advanced—otherwise dropped—until, with one exception, all of the officers came from the ranks.

The men were restless owing to the fact that the war was going on at the time, and because of the make-shift barracks. They were all from the Regular Army or Navy, or were Guardsmen who had been in regular service on the border, and it did not seem to them that the State of New York was at all interested in their welfare. Therefore I felt that something must be done, or the department would disintegrate, and quickly at that.

There was nothing in the bill about building barracks, it only stated that the superintendent could, at such places as he saw fit, rent quarters for the police. Therefore I conceived the idea of having some community build barracks for a troop: The State to pay ten per cent of the building cost as rental, with the State to have the privilege at any time to buy the barracks at the original cost, plus ten per cent. I became a real estate man, campaigned the State,

travelled about and held meetings, until finally a group of men in Oneida—the geographical center of the state—organized a barracks corporation, hired an architect, and raised the money. After the plans were decided upon all went well, until a committee from the corporation went with me to Albany and we came before the comptroller.

The Attorney General had ruled that under the bill this method of building barracks was legal, but—as it was something new—the comptroller was afraid to issue money for rental unless the lease was first signed by the governor. I was in a pretty pickle, but fortunately the governor was in Albany. I had not gone to him about the matter of barracks, because I did not want to embarrass him, as there had been great pressure brought to bear upon him to have the main barracks, or headquarters, in the State Fair Grounds in Syracuse. I went around to George Graves, his secretary, and asked how the governor was feeling. He said that he was in a very upset state of mind that day, over some political matters, and was at the moment laying down the law to some politicians who were in the executive office. This was fine, and I told Graves to take the three copies of the lease in and tell the governor that I did not want to bother him, but only wanted his signature about a routine matter in the department. Governor Whitman signed the agreements, and the leases, without looking them over, and all was well!

The barracks proved a success. Others were built in the same way, and the Governor laughed when I

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told him how he had signed the leases without knowing that he was sanctioning a brand new undertaking in the state.

Before long the war fever got me, as well as many others in the department, and many of the men left for service with troops. Few people know it, but through the efforts of Governor Whitman I saw the secretary of war, Newton D. Baker, and General Crowder . . . and they both believed that the Troopers' work was so necessary for the protection of the citizens of the state that the department was declared exempt from draft—because it was considered by the war department (after Governor Whitman had offered its use for war purposes) as a part of the war forces, and was subject to call at any time, just as other troops were in camp.

Capt. Percy E. Barbour, my deputy superintendent, wanted to go back in service in the engineer corps, but I hated to lose him because he was invaluable, and had done marvelous work during the organization of the department. I have never seen a more loyal officer or a harder working one, than Barbour, and I owe him a great deal. However, he left, and later on Governor Whitman granted me a leave of absence.

I was put on the active list, and transferred to the Medical Service. I entered the Medical Corps of the Army as a Major, and was ordered to Camp Oglethorpe, in Tennessee. Before going I appointed Capt. George F. Dutton, the commander of Troop G, as deputy superintendent and he looked after the department while I was away. He is still deputy.



CHAPTER V.

"Don't Shoot Unless—"

Alfred E. Smith was elected Governor, and in his inaugural address on Jan. 1, 1919, recommended that the Department of State Police be abolished.

Upon my return from service in April, 1919, I found the department in the doldrums, naturally as a result of the attitude of Governor Smith, so I kept away from him and whipped up activities of the Troopers to a high degree. About the first of June the Governor sent for me to come over to the Executive Chamber in the afternoon.

When I entered the room he was sitting in a big chair in his shirt sleeves, it being a very hot day. He gave me a cigar, and after I sat down he turned and said:

"Perhaps you have heard that in my first message to the Legislature, I recommended the abolishment of the State Police?"

I said that I knew it.

"Well," said the Governor, "I wanted to talk it over, so I sent for you."

I then asked him why he wanted to do away with the department. Briefly he told me that the men could only work eight hours a day, could patrol only a short distance, and so cover little ground, were a needless expense to the state, and many other reasons. After listening to him until he was through, I asked him if he had time to listen to me, and he answered:

"All afternoon—that's what we are here for!"

I told him that I was a surgeon and not a politician, that I was losing money in this job, that he had been misinformed about the

hours and the distance, and other matters concerning our work. He listened intently, and after about an hour of talking—in which I told him everything in a general way—he suddenly said:

"I have changed my mind. Now, since we have the department, let us make it the best in the United States!"

This incident only shows what a reasonable and fair man Governor Smith is. This change of attitude of the governor spread like wildfire through the department, and the troopers entered into their work with more zest than ever.

A little later in the month a strike broke out in the Brass Works situated in Rome. About four thousand workers, mostly Italians, were on the rampage. With the rapid changes in labor conditions, a new order of things has arisen: I refer to the "sitdown strike"—I have never had any experience in this sort of strike. In 1920-1923 the methods of strikers and strike breakers were those of intimidation, and interference with the public—and violence had to be met with violence.

The situation was serious. The governor's hands were tied because the National Guard was disrupted, as a result of the war, and the Home Guard units were disbanded—leaving only the State Police to protect the citizens and their property in this crisis. The adjutant general advised the governor to call on us, but the governor thought that there were too few of us. The strength of the department at that time was only two hundred and thirty-two men

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and officers for the whole state. It is now 769 men.

Finally Governor Smith sent for me, and I told him that we would handle the situation. He was greatly perturbed. Labor was against the department to a man, in fact most of the citizens of the state were against us . . . at least those in the cities could see little use for us. Governor Smith did not know me well, or how loyal I might be. He was afraid that our men might shoot down rioters, and that there would be a frightful mess as a result.

After a while, and after discussing the situation thoroughly, the governor said:

"All right, I trust you. But keep me advised of every move that you make, and good luck!"

I certainly did keep him advised, and what a fine backing he gave us during those troublous days, and during other strikes that followed. We looked after twenty-six at one time.

This was the first strike that I had ever handled. I was puzzled as to the number of men to use, but finally decided on a hundred—because I remembered that one hundred trained British soldiers had routed four thousand citizens in Buffalo in the war of 1812. It is an old story about the strike, and I will not repeat it—for it has been published many times.

I instructed the men to use their clubs only as a last resort; but if they did use them, not to strike the head or face, but to use a smart blow between the neck and shoulder, as this will paralyze the arm temporarily. A blow on the thigh will do the same thing to a leg, and the individual so struck

is just through for a time, but is in no way permanently injured. Such blows leave no marks and spill no blood. The men followed their instructions to the letter.

We were called for strike duty all through the state during the next two and a half years. In the big Lackawanna Steel strike, where thousands were striking, we were there for one hundred and one days. During these years not a man was shot, although there was plenty of real and dangerous service for the men and officers. As an instance, when we went into Lackawanna I immediately went to the strike leaders and told them that we were not interested in the strike, but only in law and order, and the protection of citizens and their property; that we were taking no sides in the matter, but would positively see that order was maintained. I then went to the heads of the Steel Company and told them that if they allowed any of their armed strike breakers off their own property, we would arrest them. The officials were horrified at this ruling of mine, and started to make trouble. But they soon found that we meant business, and held the men on their grounds, and finally dispensed with their services—as these strike breakers only made trouble.

I allowed the strikers to hold meetings in two halls, and never interfered with these meetings. This was our custom in other strikes throughout the state. Talk is cheap, and I knew that in a little while the leaders would talk themselves out, if let alone, and the meetings would cease. My guess proved right, and the meetings soon stopped. There is noth-

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ing in talk, so why bother about it—when protecting life and property during a strike? Besides, it keeps the strikers busy and bunched, away from doing damage, and it acts as a safety valve for them to let off steam—and they can yell and denounce to their hearts' content without harm—except to their throats!

Women are the hardest to attend to when they are striking. We often had great trouble with them, because they would lie down on street car tracks and spit and then claw, and it is hard for any kind of a man to fight a woman. The horse solves the problem for the policeman, where there are women among the strikers. We would send detachments of mounted men to the place of disturbance on the gallop, whenever women started to make trouble. Nothing more was necessary as a rule, for as soon as the women saw or heard the horses coming at them, they would scatter in all directions. I firmly believe that the police should have horses as part of their equipment.

I made a fixed rule that no revolver ever should be drawn by a Trooper except for three reasons. First: To clean his revolver, or to practice under proper authority. Second: To protect the life of someone else, or lastly his own. Third: In the arresting of a felon, as a last resort after every other method had been used. Also that if a revolver were drawn in actual police work, it must be used—never flourished about. Revolvers are the last resort in police work, but when needed they are needed, and there can be no argument about it.

Once during the traction strike in Albany, a crowd of strikers with

stones, sticks, and bricks were marching on a car barn to smash the cars, when eight of our men rode upon horses around the corner, and came upon these angry and excited men (several hundreds in number). It was a ticklish situation for the Troopers. Without thinking, Sergeant Stanwix drew his revolver, it being a reflex act, and involuntary on his part. After he had the revolver out of the holster he remembered that he must use it, because I would probably hear of the incident, and would drop him from the department. I had to be a tough boss in those days. The sergeant thought quickly, and looking up at a cornice on the building in front of him, saw an object on it. Taking careful aim he fired, and hit the object. He put his revolver back in the holster, and then motioned to his corporal (along side of him) to do the same thing. The corporal, who fortunately was a good shot, hit the mark also. That was enough for the strikers. They began to gradually fall away. The troopers were crack shots to do this, in the excitement and while sitting on horses that were more or less nervous, but they obeyed the rules of the department, and used good judgment in this case.

As Governor Nathan Miller was about to assume the duties of Governor, Governor Smith sat next to him at a banquet and told him that in his opinion, the licensing of Railroad Police should be put in the hands of the State Police.

Years ago, as railroads developed and grew in size through the state, it became necessary to appoint Railroad Detectives, as they were then called, who in plain clothes

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were to aid the train crews from time to time, when necessary. The licensing of these so-called Detectives came under the Executive Department of the state, and by law the signature of the Governor must be on their licenses. It had become an irksome job for any Governor, and signing these licenses took his valuable time. The Railroad Detectives were a large force of more or less incompetent men. In fact some were alleged to be in league with crooks that were looting the cars.

The loss each year to the New York Central Railroad was more than a million dollars, to say nothing of the losses of the other roads in the state. A prodigious sum each year, and this was on the increase. The detectives were made up in great measure of a lot of men who were useless relatives of many of the railroad officials, who used this place to find jobs for them.

Governor Miller took to the idea at once, and before I knew about it a bill was passed in the Legislature and signed by the Governor, making the Superintendent of State Police the absolute dictator of the personnel of the Railroad Police. It has been modified a little I am told, during the last two or three years, but is still under the State Police.

I knew the situation. Therefore, after reading the bill over—followed by consultation with the Attorney General—and being sure of my power, I got the complete list of these so-called detectives from the Secretary of State. They numbered up into the thousands. I next sent out orders revoking the license of every one. It raised a worse row than I had dreamed of, but I stood my ground and put it squarely up to the railroad authorities to name their new chiefs—and have them appoint reliable men or I would not sign their licenses.



CHAPTER VI.

Theory vs. Practice.

I believe in the show of authority. By that I mean that a policeman should be in uniform, because his presence is a preventive against crime. Plain clothes are necessary in certain instances, after a crime has been committed or is expected, but ordinary police work should be done in uniform. Therefore I felt that the Railroad Police should be in uniform. I went before railroad chiefs, at a meeting in the Railroad Building in the city of New York. There we had a very lively session, with the result that I told them that if they did not uniform their men, I would revoke their own licenses. There was a tense moment, but fortunately the chief of the New York Central was in favor, and the chief of the Lackawanna (an old Army man and a graduate of West Point) backed me up, and the idea was accepted.

Very quickly all of the railroads in the states began putting uniforms on their men as they were appointed, and from this beginning there has developed a very efficient police that guards the railroads. The first year one railroad saved one and a quarter million dollars, and other roads saved large sums of money by the prevention of theft. It turned out to be a most successful move, and now—everywhere in the state—well trained and uniformed police are seen at railroad stations, yards and trains, who are doing efficient work in a courteous manner.

During the term of Gov. Nathan L. Miller I felt that my work was done, and wished to devote my whole time to surgery. Therefore

I handed in my resignation. Governor Miller asked me to reconsider, so finally I told him that if I could organize two more troops (which I felt to be absolutely necessary) and a police school, I would stay.

Governor Miller agreed, the Legislature amended the bill, and the Governor signed it. We built barracks at Sidney and Malone, by the same method as before, and organized Troops B and C.

At the time when the bill was amended, Governor Miller asked me how much money we would need to start the school. I told him that we would need two thousand dollars. He was overcome for a moment, because he said that such a small appropriation in connection with education was unheard of. I think that he expected we would ask for a million dollar appropriation to start with!

We rented rooms in the Y. M. C. A. building in Troy and I had no difficulty in assembling a corps of competent instructors from the Attorney General's department—District Attorney's and others—who gladly donated their services. I placed the school under the immediate direction of Lieut. A. B. Moore, who, as a member of the department, was developing into one of the outstanding police instructors in the country. During the second term we opened the school up to policemen in the United States, and had students from as far west as Texas, for the following reasons.

A very amazing thing (at least it seemed to me) occurred in con-

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nection with the school. We gave a very intensive course in Police Conduct, a study of the Penal Code, how to be a witness, about safe-guarding evidence, the subject of cruelty to children and to animals, jiu-jitsu, revolver practice, civil rights, etc., and our students worked diligently.

At this time following the war, there were a great many men of high intelligence who were admitted to the department. The reason for this was that following the war a good many men, who had had one or two years in college, had gone in service—and for one reason or another had not gone back to college. They were restless and wanted outdoor work. The idea of becoming Troopers appealed to them.

When our men graduated we sent them as replacements to the Troops, feeling that they would be unusually valuable. Imagine my horror when I began to receive word from captains that these men were inefficient to a high degree, and that they had to call them back to the barracks, our experienced sergeants and corporals all declaring that these men were not satisfactory. I was greatly discouraged. Before our next term I had practically decided to give up the school, and had called a meeting of the instructors to talk the matter over. I had been home in Kingston, but while on a train on my way to Albany I happened to read a succinct article on the question of clinical teaching versus theoretical teaching in medical schools. This is a subject that has been debated widely.

The tendency today is to take medical students and put them

through the theory first, giving them clinical experience later. When I was in college we had clinical experience primarily, and our theory came along with the clinical teaching. This gave me a thought, since I had always recognized the similarity between the work of a doctor and that of a policeman.

At the meeting of the instructors I talked the matter over thoroughly, and suggested that we continue the school with the exact curriculum as before, but that we limit our students to men in the department who had at least one year's experience in practical work as police. We also opened up the school to outside police departments, stipulating that no man could attend the school unless he had had one year of experience in police work.

The next term went along much as the first, only we found that the questions asked by our pupils were very much more to the point than during the first session. We graduated them, sent them back to troops, and were delighted to find that these men were invaluable, and that the school had done exactly what we wanted it to.

This taught me quite a lesson about the subject of teaching. It seems to me that where pupils are interested and know something about what they wish to learn, that they will pick up the salient things and make use of their knowledge. In other words, they will think—rather than just recite the information given them.

I felt that the school should be under the supervision of the Regents of the State, but as no police school ever had been in any

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state in the Union, I did not know how to go about it. Professions are standardized by education under the Educational Department of the State, so why not police? Before any school can be recognized by the Regents, there are certain requirements—such as a suitable building, it must have been in existence for three or more years, and many others. Recognition of our school seemed to be out of the question.

I knew William Baker, the Editor of the Post-Standard in Syracuse, who was a Regent. Then I learned that there was to be a special meeting of the Regents very soon—this information having been obtained from the janitor of the Educational Building in Albany. I was there that night. I knew nobody but Baker. Finally he came through the entrance and saw me.

He said:

"I know what you are after!"

I had often talked to him about the school, and the idea of making police a profession. He said:

"Wait here, and I will see what I can do for you."

After about an hour he reappeared, and beckoned me to follow him. I entered a large room, and seated around one of the biggest tables I ever saw, were the Regents—a very austere body of men. One of them said, with great dignity:

"We understand from Mr. Baker that you have something to say to us."

I was surprised, but started to tell them about the history of police: how recent it was, and how necessary it was that men should be trained—so that they could the better give protection to the public. After about an hour's talk, and the answering of many questions, they voted to send an inspector to the school the next day, and if he made a favorable report they would sanction the school.

The inspector came and, after staying two days with us, made such a favorable report that the

school was given a charter, and we were authorized to give our graduates "Certificates of Qualifications," under the authority of the Educational Department of the State. The school is still going on, and has graduated over three thousand men from many parts of the United States.

After this I continued to perfect the department, and in December 1923, I again resigned, as I felt that my work was done. Governor Smith was still Governor at the time. As soon as the fact that I had resigned became generally known, Governor Smith was importuned on all sides by candidates for the position. Politics immediately reared its ugly head. One day, while I was at home, I received a telephone call from Governor Smith, in which he asked me if I would do him a favor. I told him, "Gladly!" He then said:

"I would like you to nominate the man to be your successor as Superintendent of State Police. Will you do it?"

I said: "Yes!"

He said: "This will keep politics out of the matter, and I want to do it as I do not think the Police should be political. It is perfectly logical that I ask you who should carry on, since you originated the department. I will write you a letter in a few days, asking you to name the man, and I will see that it is published in the papers, so that it will be generally known. You then write me a letter, in which you name your successor, and I will see that this letter is published."

Governor Smith wrote me, the letter was published, and I answered him in a published letter—naming Captain John A. Warner, who was commanding Troop K at White Plains. Governor Smith sent his name to the Senate without having met him. He was at once confirmed and has done excellent work up to the present time.