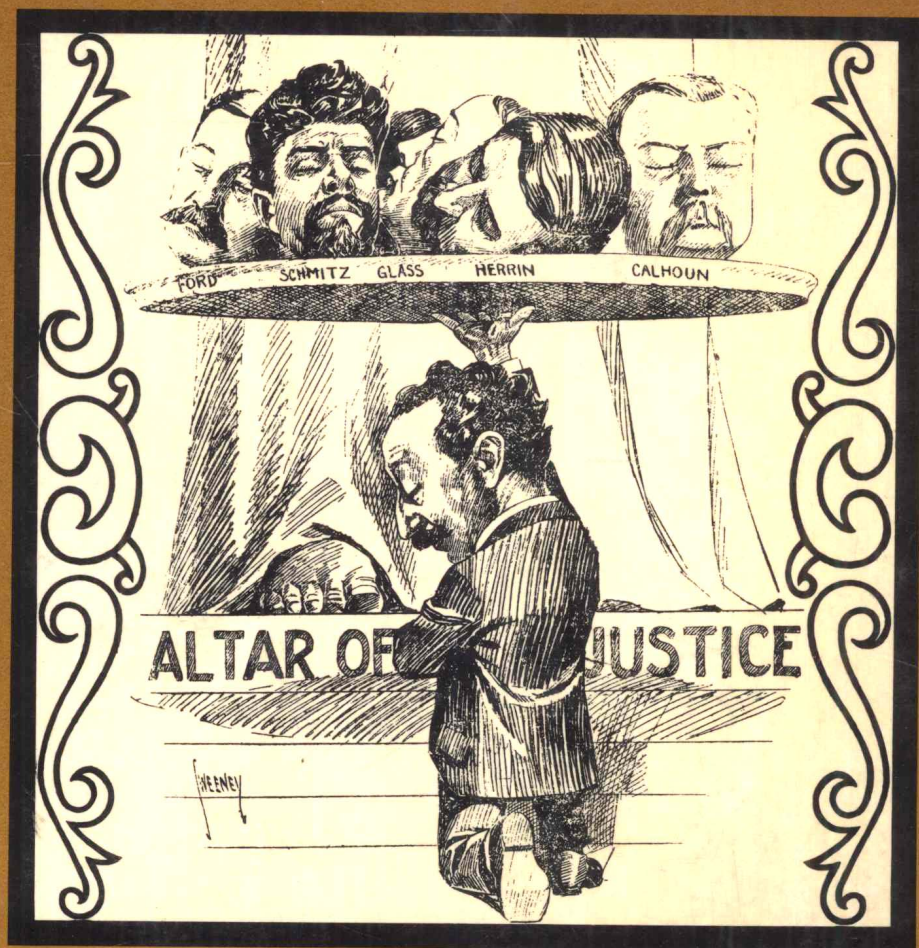


# WALTON BEAN BOSS RUEF'S SAN FRANCISCO



The Story of the Union Labor Party, Big Business, and the Graft Prosecution

*Boss Ruef's*  
*San Francisco*

*THE STORY OF*  
*THE UNION LABOR PARTY*  
*BIG BUSINESS, AND*  
*THE GRAFT PROSECUTION*

*by Walton Bean*

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*For Beth and Charles*

# Preface

THE shortcomings of American city government have been major problems since the days of Aaron Burr, if not earlier. But these problems were especially acute in the age of industrialization and urbanization between the end of the Civil War and the rise of the progressive movement in the early twentieth century. It was an age in which large cities, large corporations, and large organizations of labor grew so rapidly that government and law could not keep up with them. One symptom of this condition was an increase in the power of the city boss, an extra-legal figure who could furnish a bridge between the lagging institutions of politics and the overwhelming demands of expanding economic organizations. It was an age in which corrupt alliances between big business and politics were a menace to democracy throughout America. And it was within this period that Lord Bryce, in *The American Commonwealth*, and Lincoln Steffens, in *The Shame of the Cities*, wrote classic accounts of boss rule.

The role of the city boss was filled by many remarkable personalities, of whom William M. Tweed of New York, "Czar" Martin Lomasney of Boston, Ed Butler of St. Louis, and "Doc" Ames of Minneapolis are well-known examples. But San Francisco, always cosmopolitan, impish, and proud of its special flavor, might have been expected to produce a political boss as colorful and out of the ordinary as the city itself. Abe Ruef had a brilliant intellect and a good university and legal education, and he left a detailed and valuable set of memoirs. He was of Jewish ancestry, which was equally unusual among prominent American city bosses. And he rose to power through

a phenomenon almost unique in American history—a Union Labor party, elected, under his skillful guidance, to complete control of the city government. Ruef, whose interest in labor was primarily opportunistic, was largely responsible both for the party's temporary success and for its subsequent disgrace, which damaged the cause of labor in politics throughout the nation.

The San Francisco story has a special significance, also, in that so much can be known about the actual inner workings of boss government under Ruef. Through a remarkable combination of circumstances, one of the longest, ablest, and most determined graft prosecutions on record succeeded in laying bare the roots of the problem in pitiless detail. A crusading editor, Fremont Older of the *Bulletin*, persuaded a millionaire, Rudolph Spreckels, to guarantee the very large expenses of the investigation. Older then persuaded President Theodore Roosevelt to lend the services of an already famous team—William J. Burns, the federal government's star detective, and Francis J. Heney, one of its best special prosecutors. When an assassin's bullet temporarily disabled Heney, Hiram W. Johnson distinguished himself as Heney's substitute, and was thus launched upon his political career.

The leaders of the prosecution adopted Lincoln Steffens' theory that big business was chiefly responsible for the corruption of politics; and in the light of this theory, they gave immunity to a number of Union Labor politicians, and set out to put a number of leading captains of industry in prison. Most of the powerful forces of the business community sympathized with the indicted corporation executives, and opposed the prosecution. The trials occurred during the aftermath of the disastrous earthquake and fire of 1906, and the emotional tensions of the time heightened the bitterness of the struggle. It was a dramatic story of class and personal conflict. Before it ended, it had unfolded a panorama of urban society, and provided a case study of boss government, municipal corruption, and the difficulties of reform.

The most important sources for each chapter are given in the notes beginning on page 319. A manuscript of the book, containing a much more fully and specifically detailed set of foot-

notes, is in the Bancroft Library, University of California, Berkeley.

For many valuable suggestions on the whole or extensive parts of the manuscript, I am indebted to the late Frederic L. Paxson, and to John D. Hicks, Lawrence A. Harper, Carl Bridenbaugh, Arthur Knodel, and Sigurd Burckhardt. During the early stages of writing, the late Max Radin inspired me with some of his own enthusiasm for the narrative possibilities of the story.

Few books could owe as much to the constant interest, advice, and encouragement of the author's wife as this one owes to Beth Phillips Bean.

For access to documents or other important information I am especially indebted to Howard Jay Graham, Franklin Hichborn, Stanley W. Moore, Rudolph Spreckels, Helene M. Hooker, Ella Winter, George Mowry, Hiram W. Johnson, Jr., Edward I. Sugarman, and Noel Sullivan. The staffs of the Bancroft Library, the California State Library at Sacramento, the San Francisco Public Library, the Stanford and Yale university libraries, and the Haynes Foundation of Los Angeles were notably helpful. And to all the other friends, old and new, who helped in the making of this book, I wish to express my deep appreciation.

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## CHAPTER I

### *A reformer turns opportunist*

MANY city bosses have been endowed with native cleverness, but few have been highly literate. Tweed, for example, had only the rudiments of an education. Ruef, on the other hand, was an unusually cultivated man.

Ruef was born in San Francisco on September 2, 1864, the only son of a fairly wealthy family. His parents, born in France, had come to California in 1862. His father, Meyer Ruef, operated a large dry goods store on Market Street in the 'sixties. Later he prospered as a dealer in real estate, and was listed in the city directory as "capitalist." Abraham was a precocious boy, and he graduated with high honors from the University of California at eighteen, the age at which most young college men of his generation were matriculating. His curriculum at Berkeley was in classical languages; he spoke several modern languages fluently, and he took an intense intellectual interest in philosophy, art, and music. Although he was never to be more than five feet eight inches tall, he was rather striking in appearance during these early years. His hair was dark and curly. As soon as possible he began to wear a mustache, perhaps in order to modify two aspects of his features—youthfulness, and a rather prominent nose. He had a ready wit, and an affable and ingratiating manner, and his slight frame was vibrant with energy. Constantly active in student affairs, he was one of the founders of the students' co-operative store and permanent secretary of the class of 1883. After graduating from the university's Hastings College of Law in San Francisco, he was admitted to the bar in 1886.

In the course of his studies, the fledgling lawyer had acquired a sincerely idealistic ambition to work for the reforming of poli-

tics, which, he knew rather vaguely, were not all they should be. With several young friends who were like-minded, including John H. Wigmore, home from Harvard for a summer, and Franklin K. Lane, Ruef formed a club for the study of civic problems, the Municipal Reform League. They corresponded with other such groups. One of these, as Ruef recalled, had a corresponding secretary named Theodore Roosevelt. They burned to put their ideas into practice, and planned an active ward and precinct organization to beat the bosses. The little group disbanded when Wigmore returned to his studies at Harvard in the fall. Wigmore was later to become Dean of the Law School of Northwestern University, and *Wigmore on Evidence* was to be a great legal classic. Lane was destined to be Secretary of the Interior. Both Lane and Wigmore became life-long crusaders for better law and better government. The youthful idealism in Ruef's ambitions was not to be so long sustained.

Ruef first took part in real politics, according to his memoirs, in the primaries of the Republican party of San Francisco in the elections of 1886. He had just opened his law office, and it was the first year in which he was old enough to vote. Attracted by a newspaper announcement of a meeting of the Republican club of his district, he made his way at eight in the evening to the advertised address on Sansome Street. This proved to be a dark and dangerous-looking three-story boarding house for sailors, under the cliffs of Telegraph Hill. It was a district where shanghaiing was still practiced, and it took all Ruef's courage to knock. The boarding house keeper led him with a lantern to an upstairs room and introduced him to the only person present, a saloonkeeper. The two men said that a meeting of more than a hundred and fifty Republicans had already adjourned, having elected these two as officers with unanimity and enthusiasm. As the disappointed Ruef turned to leave, he was asked, "Young man, can you write?" Giving an affirmative answer, he was designated secretary of the district Republican club and furnished with a vivid account of the meeting, which he wrote down and carried to the office of a newspaper. His glowing account of a large and intelligent gathering was published the next morning just as he had written it. Not until later, he asserted, did he realize that there had been no such meeting, and that so forbidding

a place had been scheduled in order that no one would attend and his two hosts might elect each other.

Impressed by his abilities, the faction which controlled the district club rewarded its promising young adherent with the captaincy of two precincts in the primary campaign for the election of delegates to the San Francisco Republican convention. He was soon to discover, among other things, the significance of the fact that California, like most states, had not yet attempted to regulate party primaries by law. Legally, the party was a private enterprise. In the city and county of San Francisco, the central organization of the Republican party was the county committee. The "primary branches" were the Republican clubs, one in each district represented in the Assembly, the larger house of the state legislature. These district clubs were organized and recognized by authority of the county committee, which was, in turn, made up of one representative from each club. In practice, the party bosses maneuvered the selection of all the officers in this machinery.

Primaries for the election of convention delegates were conducted by the district clubs, under the auspices of the party, not of the state. Most citizens other than the bosses' followers regarded the primaries with apathy, or cynicism, or both, and seldom voted in them. As a result, they were perfunctory affairs, unless rival factions of would-be bosses arose. Ruef discovered eventually that such was the case in 1886, and that he was enlisted in a faction led by Jim McCord, superintendent of the Sutter Street Railroad, which was disputing the mastery of the incumbent Republican leader, Bill Higgins, and his lieutenants, Phil Crimmins and Martin Kelly. McCord's rebellion was secretly financed by the state political machine of the Southern Pacific Railroad, which had chosen to demoralize the San Francisco Republicans in that year in order to insure the election of "Blind Boss" Chris Buckley's Democrats.

In such circumstances, the absence of legal restraints on the primaries gave free reign to violence and fraud. Meetings turned into pitched battles between rival gangs of "rockrollers," little standing armies of bosses' mercenaries, known also as "the push." Fists, clubs, and rocks were used freely, although guns were usually considered unethical. Polling places could be located at

inaccessible spots and kept open only at inconvenient hours. In any case, the boss who controlled a safe majority of the party's committee could handpick its subcommittee on returns and contests, which named the election officers. Years later, Martin Kelly claimed to have preserved as a curiosity a ballot box with a false bottom, capable of concealing enough pre-stuffed ballots to ensure a majority. It was an unnecessary refinement in primaries, since the ballots were "counted" behind locked doors. Ruef came to suspect that one real purpose of holding such elections at all was to discover the "safest" districts, in order to apportion them the largest representations in later conventions.

Ruef was elected a delegate among the minority permitted to the insurgent faction. He had worked hard and honestly in his own precincts, and he was eager to attend, partly from a kind of horrified fascination with politics, partly from a lingering hope for their reform. The municipal convention of 1886, however, completed his disillusionment. True, the externals of the machinery worked with finesse and even with some dignity. Few of the delegates were mere roustabouts. Many were merchants, manufacturers, and professional men, flattered at being in politics, quite willing to be "bellwether delegates," taking the program of the bosses and voting for party nominees whose names they might never have heard before. The long slate for elective city and state offices was monotonously rubber-stamped by the regular majority.

The political scene, as Ruef found it in the 'eighties, was hardly attractive to young men of principles. The machinery of boss politics in San Francisco had the general characteristics of the institution as it had evolved in most large American cities. It had been part of the transit of civilization from the East to the Pacific Coast. In California, the subservience of politics to big business was especially facilitated by the dominance of a single great corporation in the state's economy. Most of the railroad mileage in California was merged under the name of the Southern Pacific, a holding company whose charter, granted by the state of Kentucky, empowered it to do almost anything except to operate in Kentucky. The Southern Pacific, allied with lesser corporate interests, notably public utilities, maintained a confidential political organization of which the bosses of both major parties in California were satellites. The management of this not entirely

invisible government was then in the hands of Charles F. Crocker, who had been entrusted with it as a compromise in a feud between Leland Stanford and Collis P. Huntington. From his offices in San Francisco, the younger Crocker dispensed the loaves and fishes which meant success to practical politicians. Not only did the railroad control the party organizations, but it played them against each other and secretly fostered new factions to keep the old ones in check. As Ruef recalled it, the railroad's money "was the power behind almost every political throne and behind almost every insurgent revolt."

According to his memoirs, Ruef first became associated with the leading Republican party bosses of the city as the result of a deathbed request from Boss Bill Higgins, one day in 1888. Ruef relates that the old man called him to his bedside and expressed great concern for the future of his Republican party organization. His lieutenants, Phil Crimmins and Martin Kelly, had been trained to inherit it, but they had grown up in the rough school of politics south of Market Street, and were lacking in finesse. Ruef made a promise to call at their headquarters in Crimmins' saloon.

There, in one of the rooms set aside for conferences, Ruef had a long talk with Martin Kelly, with whom he was destined to be associated, as a servant and later as a rival, for years to come. At the time of Ruef's first conference with him in Crimmins' saloon, Kelly was thirty-eight, a stout, genial, bearded man, easily and frequently cartooned as a boss.

Kelly offered Ruef a junior partnership in a going concern, and the reasons he gave for doing so were as flattering as he could make them. Ruef's education and abilities, he said, would add polish and eloquence to the combination of Crimmins and Kelly, who "knew men better than books." Then he made the point, which, as Ruef recalled it, was most effective. On his way through the saloon, Ruef had noticed a judge who was up for reelection, engaged in convivial conversation with a group of the voters, reporters, and politicians who crowded the bar. The career of a young lawyer, Kelly suggested, would be substantially helped by an acquaintance with judges before whom he practiced, and whom he might have done much to elect. Ruef had a vision of power and success.

From that evening in 1888, on through the decade of the 'nine-

ties, Ruef was a "comer" in Republican politics. His law practice grew with his political importance, and brought material prosperity which he increased by investments in real estate. He became obsessed with the dream of going to the United States Senate.

Fascination with politics made him a tireless worker. Occasionally he forgot to eat and sleep. He learned the methods of Kelly and Crimmins, and when it suited his purposes he served them by making their nominating speeches and writing their platforms. Often, however, he was found in independent "reform" factions of the party, mainly because his growing ambitions made him impatient at being a mere tool of the regulars. "But the people were apathetic," he wrote, "and so I drifted with the machine. Whatever ideals I once had were relegated to the background."

In his own right, Ruef became boss of the "Latin Quarter," where he was soon a familiar and popular figure. In the school of ward politics, he mastered the various methods of garnering votes. He was active in every possible social organization. He studied the strange psychology of patronage, the moth-like fascination of the job seeker with the glamor of even the lowliest and least secure public office. It was, he observed, "a craze . . . as enslaving as the drink or drug habit," and he marveled at the often repeated pattern of a young man ruining his life by deserting a safe and promising trade or business for the mirage of a poorly paid and temporary political job. Even minor political office holders were subject to endless demands for charity, and Ruef learned that a successful boss could never refuse aid to the needy or decline to purchase tickets to a benefit. Ruef discovered, also, that one special favor bound the recipient and his friends "more tightly than a dozen general benefits to the community." Influence with police-court judges on behalf of an arrested person could produce a release form signed in blank by the judge. Friends in the assessor's office could overlook gross undervaluations of the taxable property of corporations and wealthy individuals, and cement their support for the boss. The auditor's office could expedite payment of a bill or approval of a doubtful claim. The coroner's office could modify the circumstances entered in a report of death, relating to culpability or

damages. There were as many opportunities for favors as there were functions of city government.

As a platform speaker at political meetings Ruef learned to capture the most hostile and unruly audience with a combination of humor, courage, and tact. Once, when he arrived at a rally, the platform was already dotted with "uncooked omelettes," and more were obviously being reserved for him. "Throw all the rest of those eggs at one time, so that we can get down to business," Ruef suggested. "They look like good fresh eggs. That egg man cheated you if you bought them for rotten ones." The audience laughed and cheered, and a deluge of eggs soared to the platform, spattering against posts, onto coats, and even into the band's brass horns. "Are they all in?" They were. Then, without interruption, Ruef managed a speech that ended in goodnatured applause.

Boss government in San Francisco, as elsewhere, needed revenues as well as votes. In the 'eighties and early 'nineties, some of its largest levies came from public service corporations which, in turn, depended for their prosperity and even their existence on the coöperation of politicians. The board of supervisors, the legislative body of the city and county of San Francisco, had the power to grant franchises and privileges to street railroads, for example, and also to fix annually the rates to be charged the public by gas and water companies. The Democratic boss, Chris Buckley, was believed to have accepted large payments from these corporations in the guise of attorney's fees. Payments to a boss who was not an attorney could be called campaign contributions, or given no name at all. Such payments were not bribery in the legal sense because, technically, the boss held no public office. Conspiracy to pass some of the money on to persons who were legally public officials was always extremely hard to prove.

There was basis for the general belief, however, that bribery of the supervisors was systematically practiced. The boss's ability to command the largest payments from the corporations depended on his control of a "solid seven," a majority of the twelve supervisors, able to pass an ordinance, or a "solid nine," able to override a veto by the mayor. Martin Kelly's memoirs describe several instances in which he managed the bribery of the "solid seven" supervisors whom he had succeeded in electing in 1890,



in the period of his greatest success. Corporate interests were sometimes conflicting, as when cable railroads opposed the granting of trolley franchises to would-be rivals, or competing gas companies sought preferential rates. In such cases, supervisors would not always stay bought.

Political corruption in San Francisco reached one of its frequent climaxes in 1891. In the preceding election, the Southern Pacific's organization had been extraordinarily liberal with funds for the campaign expenses of prospective legislators favorable to the reelection of Senator Stanford. The subsequent scandals both in the metropolis and in the state capitol led the Wallace grand jury in San Francisco to make a sweeping investigation. This grand jury's actions were invalidated by the state supreme court on technical grounds, but in the meantime it had accomplished several practical results. Buckley and Rainey fled the country. In the next election, in 1892, a group of reformers won control of the Democratic party of San Francisco. The most durable member of this group was a young lawyer named Gavin McNab. He established the reputation of being a "good" boss, and the period of his control of much of the city government, between the election of 1892 and that of 1901, was an era of reform.

Reform was especially apparent in the administration of James D. Phelan, a Democrat who was elected mayor with McNab's support in 1896. Phelan was the son of one of the city's most prominent capitalists, and San Franciscans loved to repeat the legend of the elder Phelan's reply to a tobacconist who asked why he smoked five-cent cigars, when his son's brands were much more expensive. The father's reply was, "I do not have a wealthy father." In fact, however, James D. Phelan's own achievements in banking and real estate had also made him a millionaire in his own right. He was capable, public-spirited, and immune to the temptations that afflicted politicians of lesser character and inferior financial independence.

In the last years of the 'nineties, Mayor Phelan sponsored the drafting and adoption of a new charter. In 1856, a state law had consolidated the city and county governments, and San Francisco had been governed under this act, with a maze of amendments, ever since. The main weakness of the system of government under the old consolidation act was the absence of centralized authority. The board of supervisors was supposed to exercise