

*N.J. Legislature. Assembly. Committee to  
inquire into certain matters in Bergen County*

REPORT of the Committee appointed pursuant to the Resolution adopted by the House of Assembly January 14, 1935, to inquire into certain matters in Bergen County.

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*To the Honorable, the House of Assembly of the State of New Jersey:*

The report of the Committee appointed pursuant to the Resolution adopted by the House of Assembly on January 14, 1935, respectfully shows as follows:

Immediately after the appointment of your Committee it organized and appointed Paul P. Williams its Secretary, Jesse Merwede, Sergeant-at-Arms, James D. Carpenter, Jr., Counsel, and Michael Shershin, Assistant Counsel.

Your Committee has held a great many hearings, both public and private, and has examined a large number of witnesses. The evidence which we disclose in this report shows that an investigation into affairs in Bergen County was required and necessary. If our recommendations are adopted our work will be done and the way will be opened to cleaning up conditions which have been a public scandal.

The primary purpose of the appointment of your Committee was to inquire into the ballot box frauds following the last general election that were revealed during the contest of Senator Winant Van Winkle, which was started by his opponent, former Senator William H. J. Ely. The Resolution for the investigation fortunately was sufficiently broad to cover the administration of justice in Bergen County and the acts of public bodies and officials.

At the outset we desire to commend the attitude of Sheriff Mort L. O'Connell, who immediately wrote our Committee offering the facilities of his office and every cooperation which he could render to the Committee.

The offer made by Mr. O'Connell has been faithfully performed. He has explained fully the method used in the selection of grand and petit jurors in Bergen County, and has expressed his entire confidence in Mrs. Lena Anderson, the Clerk to the Jury Commissioners, whom we have examined and whom we find is extremely capable and performs her duties with care and fidelity.

We find that the method of selecting jurors, both grand and petit, in Bergen County is exemplary and congratulate the Sheriff and the Jury Commissioner, Mr. Schneider, upon the method which they have adopted.

Testimony was given before us, however, that certain jurors for whom subpoenas were issued for jury service at the present term of court were not served, although they were in the County, and the responsibility for this was upon the Under-Sheriff, John Doscher, who, when the matter was called to the attention of the Court and the Sheriff, served these jurors.

There was also introduced before us evidence indicating that John Doscher attempted to slip into the jury list names of persons for jury duty who had not been approved by either the Sheriff or the Jury Commissioner, in accordance with their system. This was stopped by the Sheriff when the matter was called to his attention.

### I.

#### **The election frauds in North Arlington and Fairview.**

Following the last general election some persons opened the ballot boxes in certain districts in North Arlington and Fairview after the ballots had been counted and after the results had been certified to the County Board of Elections, and marked the ballots so as to increase the number of votes cast for former Senator William H. J. Ely, as well as for certain candidates for local office in these two municipalities.

We have opened the ballot boxes and examined the ballots in the questioned districts in North Arlington and Fairview, and the ballots themselves show beyond any question that the ballots were tampered with. A sufficient number of ballots were altered in favor of Mr. Ely to change the result had the fraud not been discovered. The alterations clearly appear from an inspection of the ballots. In some instances the marks were made with entirely different pencils. In other instances, the marks were made with the ballots resting on different surfaces, and in other instances, the marks were made obviously by different hands. Senator Ely was not the only one who received the benefit of these changes. Other local candidates also had their totals increased. Although we did not make a complete recount, no other contest having been started, no other person than Senator Ely attempted to gain an advantage because of these frauds.

#### **(a) The North Arlington Frauds.**

The witnesses we have examined have testified to the following facts:

On election day, November 6 last, there were a number of New York automobiles, carrying numbers of strange men, who were described as tough characters, cruising about North Arlington. The center of the activities of these men seemed to be the home of Councilman Finnegan, political ally of Mayor Rentschler, who was closely associated in politics with the Prosecutor, John J. Breslin, Mr. Breslin being the Borough Counsel for North Arlington. We have not discovered what the purpose was of having these New York cars in North Arlington. However, there is testimony before the Committee that numerous automobiles had all four of their tires punctured with ice picks by men who drove away in New York cars. The men whose tires were thus punctured were opponents of Rentschler, and were working for the election of the entire Republican ticket. The

witnesses before us testified that as many as twenty-five cars, bearing New York licenses, were working for the so-called Ely-Breslin ticket during election day, and that they went so far as to warn opposing workers away from the neighborhood of the polls and even threatened them with pistols. Not one of these out-of-town men was placed under arrest or interfered with in their attempts to interfere with the election. Because of these facts and because of rumors which they had heard around town during the day and toward evening that the ballots were to be stolen or otherwise tampered with, two of the councilmen, Mr. Emery and Mr. Allen, took the precaution of arranging that the ballot boxes after the vote should be brought to the Borough Hall in police headquarters where they were locked in the police department cell under the supervision of these councilmen. These two members of the City Council remained at the Borough Hall all night guarding the cell in which the ballot boxes were locked, seeing that nothing happened, until the last ballot box was placed in such cell. After all the ballot boxes had been placed in the cell, City Clerk Jenkins locked the door and councilman, Mr. Allen, affixed a water department seal to the door so that the ballot boxes could not be removed, at least without the seal being broken.

From the time the boxes were locked in the cell until they were removed to Hackensack for the recount, the keys to the cell were continuously in the possession of the City Clerk, Mr. Jenkins.

These councilmen frankly stated that the reason they put the seal on the door and guarded the ballot boxes, as aforesaid, was because they did not trust Jenkins.

The seal remained on the cell door from Wednesday morning, November 7th, until Saturday, November 10th, when Jenkins removed it, saying that such a seal on the door was a reflection on his honesty and that he was responsible for the ballots and would remove any other seals placed on the door.

The testimony shows that between the time the seal was removed and the time when the ballot boxes from North Arlington were taken to the Circuit Court in Hackensack to be counted during the election contest, four police officers were, in turn, continuously on duty in the North Arlington Borough Hall, at a place so close to the cell that the ballot boxes could not have been removed or tampered with without their knowledge.

We examined each of these officers. Officer Kaufhold admitted that before the election he had been promised that he would be made Deputy Chief of Police and that the result of the election spoiled his chances, although an unsuccessful attempt was made subsequent to the election to fulfill the promise. Kaufhold was the only one of these police officers who was slated for promotion, depending upon the result of the election.

Jenkins was active in the last election and he admitted that had his party been successful, he would have been reappointed as City Clerk, which would have given him tenure of office.

Both Jenkins and Kaufhold, therefore, had personal and pecuniary interests in the result of the election.

It is the opinion of the Committee from the manner of Kaufhold and Jenkins upon the stand that both were extremely nervous, both were attempting to conceal something, both told inconsistent stories, both told stories that differed from those of other witnesses, and it is our opinion from these facts that both participated in the North Arlington fraud in some manner not fully revealed.

We had a handwriting expert make a careful study of the ballots in North Arlington and marks made by all the persons under suspicion, but he has reported that he is unable to identify the marks on the ballots as having been made by any particular person or persons. He reports that there is no doubt but that the ballots were changed because two sets of marks are on many of the ballots.

**(b) The Election Frauds in Fairview.**

After the ballots were counted the ballot boxes were sent to the Borough Clerk in Fairview, who stored them in the Recorder's court room in the Borough Hall, where they were not accessible to anyone except when the court was in actual session. After the court closed, no one could get into the court room without passing through police headquarters which were in an adjoining room. The ballot boxes could not have been tampered with, in our opinion, while they were so stored in the Borough Hall.

On November 19th, Freeholder Koester and Sergeant-at-Arms Bartenwerfer of the Criminal District Court went to Fairview on personal business of Koester's. Bartenwerfer went into the office of Borough Clerk Ebel, spoke to the Borough Clerk, and took him outside and introduced him to Mr. Koester. Joseph Castel, a Democratic worker, a lawyer who lives in Fairview, a friend of John J. Breslin, Jr., the Prosecutor, who has appeared in court on behalf of Breslin's firm, upon seeing Bartenwerfer talking with Ebel, the Clerk, immediately telephoned to Mr. Breslin, the Prosecutor, and told him he suspected some attempt to interfere with the ballot boxes. He could not explain to our Committee what there was about this circumstance to cause him any suspicion. Our inquiries did not disclose any reason whatsoever for this circumstance causing Castel, or anyone else, to suspect any ballot box tampering. Shortly after this call was made to Breslin, Chief County Detective Lockwood appeared at the Borough Hall in Fairview and he posted Patsy Polifroni, a special investigator attached to the Prosecutor's office, who has never been paid for this or any service, so far as we can learn, to guard the ballot boxes during that night, although the ballot boxes at the time were in the Recorder's court room within a few feet of a police officer, who was on duty in the police headquarters throughout the night.

Polifroni sat in police headquarters all night on this assignment to guard the ballot boxes. No guard was continued after the following morning. Three days later the ballot boxes were removed by employees of the Borough, upon order of the City Clerk, from the Borough Recorder's court room to the North Arlington pump house. This building is located on a tract of land approximately an acre in area and is rather isolated. There were two keys to this pump house. One was kept hanging in the sewage disposal plant, where one J. Mahoney was in charge, and the other key was carried about by Dan Capelli, the Borough truck driver.

The Committee finds that there was no opportunity to tamper with the ballot boxes before they were removed to the pump house. They had been tampered with before they were delivered at the Court House, Hackensack, during the recount contest. Therefore, they must have been tampered with at the pump house.

In connection with this, the Committee finds as a fact that one evening shortly before the ballots were removed to Hackensack, the Prosecutor's special investigator, Patsy Polifroni, stopped at a gasoline station within 500 feet of the pump house, identified himself to the man in charge as coming from the Prosecutor's office, explained as the reason for his presence that he was looking for a gasoline station bandit, stayed with the gas station operator for an hour at least, and finally, remarking that he had received the busy signal from his companions, departed, walking down the road to a car parked directly in front of the pump house, where he was joined by a man who got into the car at the same time as he.

The operator of the gas station, besides testifying to the presence of this man for an hour, said that he could identify the man if he was produced, and identified Patsy Polifroni as being the man who had engaged him in conversation on that evening.

Polifroni, upon being questioned, admitted the entire story, saying that he had been in company with Prosecutor's Detective Gallione and a stool pigeon, whose name

he refused to reveal, in Polifroni's own car; he admitted his conversation with the gas station man, admitted the purported object of the visit, but said that he had only remained there a matter of fifteen minutes and that his companions had ridden up and down the road while waiting for him. Strange to say, the car which Polifroni owned and which contained his companions on this nocturnal adventure, did not stop at the gas station to pick him up, but he waited at the gas station for a signal and then walked to the car that was parked close to the pump house, and there entered the car and drove off without the gas station attendant having an opportunity to identify the car or its occupants.

The Committee has been unable to obtain any proof that the ballot boxes were opened and the ballots altered that night, but every inference to be drawn from circumstantial evidence indicates that the act was done on that night and that these are the men who committed the crime.

During the contest and the counting of the ballots before Circuit Court Judge Caffrey, Joseph Castel aforementioned approached James Mercer, the County Clerk, and James Devine, Custodian of the Bergen County Court House, and pointed to a newspaper headline referring to the great gain Ely was making in Fairview, and said: "What did I tell you? I can tell some names." This remark was made in the presence of both Mercer and Devine. Mercer said that the subject was never again mentioned to him by Castel, but Devine testified that on several occasions thereafter, with reference to the same subject, Castel said: "I know the rats that done it and I can put my fingers on them."

Castel previous to the testimony of Mr. Mercer and Mr. Devine had denied before our Committee making any such remarks, and he further denied that he knew who marked the ballots. The statement that he made to Mr. Mercer and Mr. Devine was made in the Court House while the contest was actually proceeding, when his conduct and his knowledge were not in question, and

when he was probably speaking the truth. In fact he was bragging about his knowledge.

This Committee is satisfied that the election officers in both Fairview and North Arlington properly performed their duties, and that the marking of the ballots was done after the election by persons favorable to the election of Mr. Ely.

#### (c) Other Election Frauds in Bergen County.

In the 1934 school election in Lyndhurst the testimony before us proves that some 250 persons who were recorded as having voted did not in fact vote. Some who were recorded as voting were out of the State that day. The evidence convinces us that the election officers deliberately put into the ballot box at least 250 votes for their own ticket.

Although this took place in Lyndhurst, where Mr. Breslin, the Prosecutor, resides, and although it was specifically called to his attention by Leo J. Reilly, counsel for one of the defeated candidates for school commissioner, and by Stanton T. Lawrence, counsel of the Board of Education, not a single member of the election board was indicted.

One of the candidates who was elected at said election was Charles J. Rogers, an uncle of the Prosecutor, John J. Breslin, Jr., who was in charge of the Prosecutor's Office at that time.

There was an election scandal in Bergen County in the primary of 1932, when Andrew Knox, candidate for freeholder, claimed that he was defeated by reason of election frauds, which were openly charged, but no one was ever indicted.

Although the frauds of the last election were patent and glaring, not a single person has been indicted by the Grand Jury.

No attempt was made by the Prosecutor's Office to investigate the frauds of the last election until after the resolution for this investigation was introduced in the Assembly.

How can the public expect any such investigation by the Prosecutor's Office to be successful, when the circumstances above related concerning the guarding of the ballots in Fairview on the night of November 19, and the visitation of Polifroni and Gallione, two of the Prosecutor's investigators, to the vicinity of the Fairview pump house, at night, as above related, is given due weight?

After the ballot box frauds of last fall were disclosed, Mr. Horace R. Bogle, Mayor of Lyndhurst, made a public address, in which he charged the "Breslin-Ely Gang" had engineered the tampering with the ballots. Mayor Bogle testified that on the day after his speech he received a tip from Hackensack that Mr. Breslin had ordered an execution to issue out of the County Clerk's Office against him on an old judgment, and that the execution would be levied that morning. The execution was levied.

Bogle testified that the day after the execution was levied, he went to Mr. Breslin's office in Lyndhurst and spoke to him, asking what he meant by pushing this judgment that had been permitted to lie dormant for some years. Mr. Breslin, according to Mayor Bogle, said: "Well you are not going to make public statements in the paper against our character and reputation, and unless you make a statement retracting everything you said, we are going ahead with it." Mr. Breslin thereupon, according to Bogle, asked him to stop making such statements. Bogle testified: "I told him I did not know whether the statement in the paper was exactly what I said or not, but I was still of the opinion that he engineered the tampering with the ballots, and he said to me, 'You can't prove it, Horace'. I said, 'No, you probably have to see it done'."

Prosecutor Breslin and Mayor Bogle had been friendly for many years; they had been in business ventures together, and a short time before this statement was made Bogle had joined Breslin in signing a renewal note in a bank, which was their joint obligation.

Although this statement of Mayor Bogle was made publicly during the recount proceedings, and although he testified to this statement in a public hearing in Newark on March 9, 1935, Mr. Bogle was never called as a witness before the Grand Jury.

Mr. Breslin was appointed Prosecutor in Bergen County in 1934. Senator Ely moved his confirmation as Prosecutor in the State Senate. At the next general election Ely was a candidate for re-election. The returns showed him defeated. Before any contest was started in Court we find the Prosecutor's subordinates assuming to guard the ballot boxes in Fairview. The ballot boxes in Fairview are then removed to a remote pump house, facing on the meadows. We then find a petition for a contest of the election filed by Mr. Ely specifying irregularities in North Arlington and Fairview, as well as other districts. Upon being opened the ballot boxes are found to have been tampered with, and the ballots altered in favor of Ely, the candidate who Mr. Breslin supported for State Senator.

#### **Crime Conditions in Bergen County.**

On July 22, 1932, the Riviera Catering Corporation was incorporated to do a restaurant business in the Villa Richard, Coytesville, New Jersey. Thereafter that well known establishment was run as the Riviera, a roadhouse of distinction located on the Palisades, just north of the westerly end of the George Washington Bridge.

The testimony before our Committee is that this venture was run at a loss, and that some of its original backers withdrew from the enterprise because thereof. However, in the spring of 1934, the testimony and the bank records show that it immediately started doing business on a large scale and apparently at a large profit.

It is also significant that gambling activities were instituted at the Riviera immediately upon its opening in May, 1934, and the reason for the increased business and profit may lie in the opening of gambling activities.

It is also of significance, as will be subsequently pointed out, that the Prosecutor at the time gambling activities were instituted, was Mr. Breslin.

One of the witnesses before your Committee testified that he was present and saw at least three roulette tables in action, a bird cage game, a crap game, and a game of twenty-one, also known as black jack, on the evening after the opening night in May, 1934. He testified that the rules of the black jack game were special house rules, which he had never seen used before, although he had visited places where that game was played, and that the rules used at the Riviera were unusual in that they were exceptionally favorable to the house.

Another witness testified that he was present sometime in May or early June and saw the same things.

A third asserted that he went there toward the end of June, because of a statement by Mr. Thomson in the newspaper, which was on June 23, and found gambling in operation at that time.

Two further witnesses testified that they were there on the night of July 4, and saw gambling in operation.

All of these witnesses gave exact and similar descriptions of the so-called Marine Room where the gambling operations were in progress. These witnesses testified on different days, and except for one occasion, the witnesses were unacquainted with each other, and did not testify in each other's presence.

The Committee has in its possession a specially made chip used in the gambling in the Marine Room, in every respect similar to the ordinary poker chip, stamped on both sides with the words "Marine Club", and a small representation of a ship.

In addition to direct evidence from witnesses who saw gambling in the Riviera, we have the testimony of newspaper articles and newspaper men who declared that either from personal experience or from unimpeachable sources they knew that gambling was conducted at the Riviera. In this connection, we have the article appearing in the New York Herald Tribune of July 21st, saying that:

"The most plush and platinum of New York's sin palaces isn't, as a matter of fact, in Manhattan, but across the Washington Bridge on the New Jersey Palisades. . . .

"But the real feature of the establishment is the game room downstairs. Only Bradley's Palm Beach Club is more formally luxurious and, while we had no way of estimating the stakes the evening we were present, they were said to be very high."

A complete copy of this article is annexed to this report. The article was written by Mr. Lucius Beebe, a columnist for the New York Herald Tribune.

On August 4, 1934, the Bergen Evening Record described the place in the following terms:

". . . the busy Riviera that hangs on the edge of the Palisades with its swank terrace, its game room, and its thousands nightly."

This quotation is from a column called "Simeon Stylites," which appears on the editorial page of the Bergen Evening Record and which is written by William Caldwell, who has testified before your Committee.

On August 10, 1934, an editorial appeared in the Passaic Herald News of that date, written by William M. McBride, the editor of that paper. This editorial, headed "What's Breslin's Idea?", started with the following words:

"For insouciance and a gay disregard for informed public opinion, the palm seems to go to Prosecutor Breslin of Bergen County. . . .

"But while the County was being gone over with a fine-tooth comb for penny ante stuff, Ben Marden's Riviera at Coytesville ran on undisturbed. True, gambling stopped for 24 hours or so after Douglas G. Thomson revealed before the Republican County Committee the big play that was going on nightly at the Riviera, but right after that the Marine Room was once more opened to those who wanted to risk a roll. There you can play craps for five dollars and up a throw. You

can venture your luck at the birdcage game, playing not less than a dollar (or as much more as you wish) on each numbered spot. There's roulette. There's everything that Canfield had in his Saratoga Springs gambling casino."

The full editorial has been copied and is attached to this report as an exhibit.

In May of 1934, the New Jersey Crime Prevention League reported to Prosecutor Breslin, by registered mail, that gambling was being conducted in the Riviera and asked him to investigate. The Prosecutor's files show that he received this letter. The New Jersey Crime Prevention League at the time it wrote this letter was in possession of an affidavit of its investigator that gambling was going on in the Riviera, the kind of gambling that was going on, and the names of the proprietors of the gambling business. The Prosecutor never asked the New Jersey Crime Prevention League for any information that it may have had and did not acknowledge receipt of the letter until a second letter had been sent to him, calling his attention to the first letter.

On June 21, 1934, a certificate of incorporation of "The Marine Club" was filed in the Bergen County Clerk's Office, incorporating that organization as a corporation not for pecuniary profit, formed "to promote the civic welfare and to provide recreation and amusement for its members and to do such other lawful acts as may be necessary or may appear advisable to accomplish the aforesaid purposes."

The Marine Club ran the gambling end of the business in the Riviera. It had specially made gambling chips.

On June 23, 1934, the newspapers of this State printed prominently an address by Mr. Douglas G. Thomson, of Edgewater, who stated that a big gambling game was being run in the Riviera and criticising officials for having one set of laws for the big fellow and another set of laws for petty violators. Thomson at that time was never called before the Grand Jury to give any facts

that he might have and was only called after this investigation was started.

The testimony before this Committee is abundant and conclusive to the effect that from the time the Riviera opened in the Spring of 1934, until it closed in the Fall of 1934, for the Winter season, gambling continued practically without interruption in the Marine Room of the Riviera. It was so notorious that it was referred to in the public press as a second Monte Carlo.

We attach to this report copies of certain newspaper articles which refer to the Riviera, for the purpose of showing that the newspaper men knew all about the place, and that the readers of said papers likewise had notice of it. Moreover, direct notice of the operation of this place was given to the Prosecutor by the New Jersey Crime Prevention League, as above recited, in May of 1934, within two weeks after it opened; the Prosecutor had knowledge of it through the address of Mr. Thomson a month later. Nevertheless, the Riviera was not raided at any time in the year 1934 nor has anyone who participated in its operation been indicted up to this time or even placed under arrest.

Moreover, during the first week of March, 1934, former Judge Harry Joelson, of Paterson, testified before your Committee that either on July 4th or on Labor Day, 1934, he, in the company of his brother and their wives, had dinner at the Riviera, and that following the dinner the diners, numbering over a thousand, were publicly invited to go down to the Marine Room. Judge Joelson and his brother went to the Marine Room and there saw roulette games and the birdcage game in operation, gambling going on, and they left because of the crowd and the physical discomfort they experienced and their disgust at the conditions. Neither Judge Joelson nor his brother have been called as witnesses before the Grand Jury of Bergen County to this time, although Judge Joelson's testimony before this Committee was given prominence in the newspapers.

In the latter part of August or the first part of September, 1934, a gambling house was opened in Ingold's Garage, River Road, Edgewater, diagonally across from the ferry house and a short distance from the police station. It was in plain view of a police booth near the ferry entrance, where a police officer was constantly stationed. The evidence before this Committee is abundant and conclusive that this place was run as a gambling house every day of the week from early September, 1934, until the resolution for this investigation was introduced into the Assembly. At that time this gambling house was closed and it was moved to a location outside of Bergen County.

The existence of this gambling house was notorious and was the subject of newspaper comment.

For example, on September 1, a few days after the place opened, the column entitled "Simeon Stylites", on the editorial page of the Bergen Evening Record, said:

"That Edgewater gambling joint keeps running wide open . . . a club room on the River Road . . . within a fallaway slide of the cops' booth at the ferry plaza . . . Willie Moretti is alleged to be the guarantee man . . . and if Breslin knows about this one, what's making him wait?"

On September 8th in the same paper and column the following appeared:

"That Edgewater gambling house has moved . . . from the club rooms to an old garage on River Road . . . within half a block of the Plaza police booth . . . where the cops couldn't miss seeing it even by looking the other way."

On Monday, January 21, 1935, in the same column of the same paper we have the following words:

"Mr. Moretti . . . has taken his gambling joint, pool room, saloon and philanthropical interests out of the utopian and askew province of Edgewater."

The Committee has information that this place was run as a place where bets were placed on horse racing in the afternoon and where a large scale crap game was carried on at night as well as other gambling games.

The records obtained by the Committee show that two telephones were installed in this place on September 6, 1934, and discontinued on January 6, 1935. These telephones were installed upon order of "Thomas Motor Co." and the slips show a tremendous telephone business from this garage during the months in which the telephones were installed there. Moreover, the electric light bills show that the consumption of electric current for lights in this garage between September and January was much greater than in preceding or subsequent months.

The patrons of the Edgewater gambling house, according to the testimony before the Committee, came in large groups and in quite a steady stream. They came by ferry and by automobiles. On the ferry boats they customarily studied sheets of racing information but were warned to keep them out of sight until they reached Edgewater. Late in the afternoons large numbers of men used to leave Ingold's garage and they dropped racing forms on the public streets where they were visible to passers-by.

The Committee has in its possession pictures of the exterior of this place, with men entering it, and it has minute descriptions of the interior and of the activities therein from several witnesses who actually played there.

The State Police in October, 1934, received an anonymous communication calling their attention to the Edgewater gambling house. This complaint was referred to Sergeant Carl Fuchs, in charge of the Alpine Barracks, who personally reported the matter to Police Chief Joret, of Edgewater, and then to Prosecutor Breslin personally. Nothing happened. About the same time, two citizens went to police headquarters in Edgewater and reported to them that there was a gambling house being

operated in Ingold's garage and requested that the place be closed. One of these persons spoke to Lieutenant Flannery, who asked if the complainant would swear to a complaint upon which a search warrant might issue. The citizen answered in the affirmative. Lieutenant Flannery then went into another room and conferred with Chief Jaret and returned and said that the Chief's decision was that the matter should be taken up with the Prosecutor. The citizens' complaint was not accepted. The gambling house was not raided and no action whatsoever has been taken from that time to the present. No action was taken on any of these complaints.

Likewise, two police officers from Passaic County, while looking for a fugitive, detected the gambling house was in operation in Ingold's garage and reported the matter to Lieutenant Flannery of the Edgewater police in person.

Shortly before the first of January, 1935, the Newark police had occasion to look for a fugitive who had been implicated in a hold-up and who was reported to be working at that time in the gambling house in Edgewater. Lieutenant Kass of the Newark police department sent two of his men to the Prosecutor's office, Hackensack, for cooperation and they spoke to Chief of County Detectives, Henry B. Lockwood, reported their mission to him and gave him the information they had concerning the fugitive. Chief Lockwood sent two county detectives to Edgewater with the Newark police officers, the Bergen County detectives preceded the Newark detectives in a separate car, and led the Newark detectives to Ingold's garage where they waited in the street for some time looking for the fugitive to appear. The Bergen County detectives did not enter the gambling house and the fugitive was not apprehended. Lieutenant Kass testified before our Committee that in this instance his men did not get the proper cooperation from the Bergen County Prosecutor's office and the fugitive was not apprehended.

One of the Edgewater citizens who complained to the Edgewater police and was referred to the Prosecutor said he did not go to the Prosecutor's office because he had seen in a newspaper an article which indicated that the Prosecutor's attention had already been called to the existence of the gambling house and he did not consider further information necessary.

The proof is overwhelming and convincing that the Prosecutor himself, the Chief of the County Detectives, and the Edgewater police officials all knew of the operation of the Edgewater gambling house; that they knew, or had reason to believe, that it was operated by William Moretti, alias Willy Moore, and that they did absolutely nothing to suppress it.

A striking contrast in law enforcement is furnished by the instance of a small political club, organized by one Frank Perricante, a special policeman of Edgewater. This place was repeatedly visited by Bergen County detectives during December, 1934, and January, 1935.\* This place was not run by William Moretti or any big time racketeer with influence sufficient to keep law enforcing officials away.

#### Vice Conditions Were Covered Up.

The Borough of Fort Lee detailed two special officers to duty at the Riviera, at the expense of the Riviera. These two officers were on duty all of each night until the Riviera closed at three, four, or five o'clock in the morning. They made no reports of their work until after the address of Mr. Thomson, which was published June 23rd, after which time they were required to make a weekly report of their activities, one copy going to the Fort Lee Chief of Police, the other to the Prosecutor.

\* The County Treasurer reports that the Prosecutor's staff consists of 3 assistant prosecutors, 5 county detectives, and from January 1, 1935 to March 7, 1935, 20 separate special investigators were on the payroll, but 5 of these appear to have served only part time, varying from one to 20 days.

These reports really gave no information and were obviously designed and intended to act as a cover-up for the police officers and the Prosecutor's office. We say this because there was no honest investigation of either the Riviera or of Ingold's garage to discover whether gambling was going on, nor was any effort whatever made to suppress either place. An honest investigation would have disclosed the facts and proper prosecution would have resulted in closing both places and the indictment and conviction of the operators. The reports turned in by these two officers were identical in wording from week to week, so that the first report turned in by each of them had no more and had no less in it than the last. They bore every indication of being a mere copybook exercise.

The Committee recognizes that whether or not an individual gambles is a matter for his own conscience. The vice of the existence of ~~the~~ gambling houses, contrary to law, however, lies in the inevitable corruption of municipal and county officials and police wherever it exists.

We have examined the police officials of both Edgewater and Fort Lee. Each of these officials testified that he had no knowledge whatsoever concerning the operation of gambling houses either in the Riviera or in Ingold's garage, in spite of the fact that the existence of gambling in both these places was common public knowledge, and that in Edgewater at least, the Newark, Passaic, Paterson, <sup>and</sup> State Police knew of the existence of gambling.

The police of Edgewater and Fort Lee cannot escape their responsibility by saying they had no knowledge of what was actually going on.

Our Supreme Court held in 1907, in the case of *State vs. Castle*, reported in 75 N. J. L. at page 192, the following:

"Whatever may be the powers of the police as to the suppression of houses of ill-fame, we think that if the police force of a city wilfully

permits such houses to be kept without interference as this indictment charges, it is at least the duty of the police commissioners, charged by statute as they are with the discipline of the force, to investigate the conduct of the police under their control, and that if the police commissioners, with the knowledge which the indictment charges they had, wilfully neglect to inquire into the conduct of the police force in permitting such a public nuisance, they are themselves guilty of neglect of a duty imposed upon them by law, and are indictable therefor."

This decision of the Supreme Court not only makes the police officials subject to indictment for nonfeasance, but also the officials of the local government, who had under their directions and control the officials of the police department.

Likewise the law places upon the Prosecutor the obligation of enforcing the laws. The law gives him ample assistants and ample funds with which to perform his duties. He cannot escape or evade his responsibility by leaving enforcement of the law to local officials, who are derelict in their duty or by closing his eyes to violations of the law, or by subservient reliance upon "cover-up reports" of officers that are obviously designed as a cloak.

We have evidence that Henry B. Lockwood, Chief of the Bergen County Detectives, three times visited the Riviera on inspection tours, and Chief McDermott of Fort Lee says that he visited the place on numerous instances, although his testimony to this effect is disputed by the special police who were on duty at the Riviera. It is an old saying that "None are so blind as those who will not see." These officers cannot escape their responsibility under the law by failing to see that which was actually going on, and by wilfully failing to suppress open and notorious violations of the law. If any such excuses as these men have offered are to prevail, then the enforcement of the law will forever rest upon the caprice of officials.

**The Prosecutor's Attitude Toward This Investigation.**

In marked contrast to the attitude of Sheriff O'Connell, and County Clerk Mercer, who assisted the Committee in every way in its investigations, is the attitude and conduct of the Prosecutor and his staff.

A Committee appointed by the Legislature to investigate conditions in a county has the right to expect cooperation and assistance from those it is their duty to investigate. Our duties were in the public interest and for the purpose of promoting the public good and welfare, and it is considered that only a sense of guilt could have motivated the Prosecutor and his assistants in their attempts to thwart the Committee's activity.

While the Committee makes no attempt to excuse the conduct of its investigator Meyers, and the witnesses produced by him, Switz, Voros and Russell, and while the Committee expressly states that in preparing this report no credence has been given to their testimony, it is, nevertheless, a fact that directly such testimony had been given concerning vice conditions in Bergen County, which did not in any way implicate the Prosecutor, or his office, the Prosecutor and his supporters immediately made every effort to browbeat, intimidate and terrify the witnesses who had testified before the Committee, thereby apparently seeking to frighten off others who might have knowledge of actual facts and conditions from testifying before this Committee of such fact.

These witnesses were picked up by the Prosecutor's detectives on orders from the Prosecutor, taken to the Prosecutor's Office in Hackensack, held and questioned for long periods of time by numerous people who included Lockwood, Chief of the County Detectives, Judge Del Mar of the Common Pleas Court, John Borg, a member of the Grand Jury, and proprietor of The Bergen Evening Record, Assistant Prosecutors Ferry, Carella and Sher, and Mr. Wynkoop, an editor of The Bergen Evening Record. This questioning lasted all day Satur-

day following their testimony before our Committee, and until between two and four o'clock Sunday morning.

At the end of this long period of examination by this group, Meyers was taken to the county jail on a legal warrant, but the witnesses Switz, Voros and Russell were held in the county jail on a simple letter on the stationery of the Prosecutor of the Pleas, of which the following is a true copy (Exhibit C, March 11, 1935):

“PROSECUTOR OF THE PLEAS  
COUNTY OF BERGEN  
HACKENSACK, N. J.

March 9th 1935

Mort L. O'Connell, Esq.  
Sheriff of Bergen County  
Hackensack, N. J.

COMMIT, one ROLAND RUSSELL, residing at No. 189 Moore Street, Hackensack, N. J. upon a charge of being a necessary and material witness for the State of New Jersey, against one Thomas Meyers, charged with the crime of subornation of perjury.

HENRY B. LOCKWOOD  
Chief of the County Detectives.”

A similar letter was signed and filed by Mr. Lockwood for each of the two other witnesses.

At the same time there was posted on the bulletin board in the county jail the following (Exhibit E, March 11, 1935):

“THOMAS MEYERS  
NO BAIL AND NO VISITORS  
BY ORDER OF MR. FERRY, PROSECUTOR'S OFFICE”

“NO VISITORS  
NO BAIL  
NO LAWYERS

ARTHUR SWITZ  
ROLAND RUSSELL  
ALBERT VOROS  
BY ORDER OF PROSECUTOR”

These letters and these orders were without any warrant of law. No affidavit and no complaint had been made that warranted any of these men being confined in the county jail. No magistrate had issued any warrant for their arrest or any commitment to jail as a defendant or as a material witness, although Judge Del Mar, Common Pleas Judge of Bergen County, was present in the Prosecutor's Office at the questioning of them and Meyers until some hour early on Saturday evening.

The Prosecutor himself, when examined before our Committee, testified that he ordered Chief Lockwood to arrest and hold Voros, Russell and Switz, with the orders and instructions: "No visitors, no bail and no lawyers."

It is indeed strange that any official of the power and dignity of a Prosecutor of the Pleas should order the arrest and confinement of any man, no matter what the crime might be of which he was charged, without the authority of any sort of legal process. This is the sort of thing that we have heard has been done in an absolute monarchy, but it is wholly foreign to a democracy, especially in America, where every man is presumed to be innocent until he is proved to be guilty, and where the law permits no man to be committed to jail, except upon a sworn complaint.

Again, without attempting to give credence to the testimony of these witnesses, the Committee asserts that in this instance the Prosecutor far transcended the proprieties of his office, as he had previously done, in using his office for his personal spite against Mayor Bogle, as above recited, and that if such liberties are allowed to be taken by the Prosecutor, no man, innocent or guilty, can expect to remain long free from persecution in Bergen County, if the Prosecutor decides to take vengeance upon him.

Last Friday, April 12, Edward J. Ryan, a trusted investigator of this Committee, brought before the Committee in Newark, one Harry Truax, who Ryan had been informed had been employed for sometime at the lunch

counter in the gambling house at Edgewater. This witness apparently came voluntarily, without the service of a subpoena, and although the Committee is informed that he had been drinking, none of the Committee observed that he was in the slightest under the influence of liquor, or otherwise under any disability. He was sworn as a witness and examined by members of the Committee, neither of its counsel being present until the last few minutes when Mr. Shershin came in. Truax was examined in a room in the Robert Treat Hotel, in response to his own request that no publicity of the fact that he had appeared before the Committee and testified, be given. He was extremely desirous that the fact of his testifying should be kept secret and especially be not known by the authorities in Bergen County.

Truax testified that he worked at the lunch counter in the Edgewater gambling house, receiving pay of three dollars a night, and taking Thursday nights off. He testified to the exact method by which the gambling house was entered; to the exact location of the lunch counter; the exact location of the pool table on which the crap game was carried on; the exact location of the table where bets were placed on the horses; the exact location of the telephone, and to the fact that no hard drinks were served at his counter because of objections from the neighboring saloonkeepers.

He further testified that he had seen Willie Moore, which the Committee knows to be an alias for William Moretti, in the place; that Moore had been pointed out to him by the man who picked up the dice as the person who got him the job in the place, and as the brother-in-law of that man, who received \$10 a night for his services.

He testified that the night watchman and others in the place were armed, and that he knew that fact because they used to leave their guns on his counter before the place closed in the morning. He said that had seen newspapers containing racing information scattered about the floor, but that he had seen no racing forms,

because it was the habit of those in charge of the place to collect them and remove them from the place. He said, however, that the floor was often ankle deep in newspapers.

The Committee believes the testimony given by Truax was the truth.

Three other witnesses who testified that they had frequented the place from October until December, separately, gave a description of the interior which exactly coincided with that given by Truax. To assume that Truax would lie concerning the interior and have his lies exactly coincide with the testimony of witnesses, produced from a different source, without Ryan's knowledge and without Ryan having any knowledge of their testimony at a different time and at a different place, is supposing a coincidence which is beyond the power of the miraculous.

The following Monday we were informed that Truax had voluntarily gone to Prosecutor Breslin that morning and had confessed to him that he committed perjury before this Committee; that he was paid \$25 by Ryan for testifying, and that Ryan had purchased drinks for him, and that he was intoxicated when he testified.

The Prosecutor without communicating with any member of our Committee, and without making any inquiries from any of us, or our counsel, as to what Truax had testified, or whether he had testified, or whether he was drunk or sober, and without making any inquiries of Ryan, caused a complaint upon information and belief to be made against our investigator Edward J. Ryan, for subornation of perjury, by John Keane, a special investigator in the Prosecutor's Office, and caused a warrant to be issued for Ryan's arrest.

Mr. Ryan has testified before our Committee that he did not give Truax any money; that Truax attended voluntarily as a witness before the Committee, and that Ryan made no suggestions to him as to what his testimony should be. The Committee is convinced that Ryan did not pay Truax twenty-five dollars.

In this connection the Committee submits that it is curious that this allegedly self-confessed perjurer should have been released on his own recognizance whereas bail for Ryan was fixed upon his surrender in the sum of \$2,500. It is further significant that the Committee has continuously sought without success to serve a subpoena on Truax and his partner, Hector Rowland, for the purpose of examining them as to what pressure was put on Truax, and by whom, to induce him to retract his testimony, ever since the story of the retraction was made public by the Prosecutor. Truax has since disappeared and so has his partner.

The conclusion is irresistible that Truax has been intimidated in a most remarkable degree, and his disappearance has been aided by the Prosecutor, at least to the extent of requiring no bail for him, and for the obvious purpose of preventing an inquiry as to the reason for the alleged retraction of his testimony. What was the purpose in all this? Nothing else than to discredit this Committee and force, if possible, a conclusion of our investigation, and second, to cover up and protect William Moretti and the gang of racketeers, who ran the gambling house in Edgewater, and the officials in Bergen County whose nonfeasance in office permitted it to run without interference.

From the quotations in this report from the Bergen Evening Record it is evident that the proprietor of that paper had full knowledge of the gambling conditions at the Riviera and at the Edgewater garage and as a member of the Grand Jury it was his duty to divulge that information to the Grand Jury. If he did not do so he was derelict in his duty as a member of that body and effectually protected the criminals about whose activities he had knowledge.

#### **The Bail Bond Racket.**

The testimony before this Committee is to the effect that Edward F. Corriston, above mentioned, has a practical monopoly of the bail bond business in Bergen

County. We have had the records searched and our searcher has testified that he finds of record 170 bail bonds on which Corrison acted as surety in Bergen County in the last two years. Furthermore, Corrison has furnished as surety for persons held to bail, several other persons, one of whom is Jeffrey Yost, a close associate of Corrison. We have other names of persons used by Corrison as sureties. A further inquiry into this matter is required to determine whether Corrison has been guilty of any misrepresentation or any perjury in the affidavits of justification attached to his bonds or the bonds furnished by his associate sureties.

The Hackensack telephone directory shows that for the past two years and down to the present date the telephone listing of E. F. Corrison and of John J. Breslin, Jr., in Hackensack is given at an identical address and an identical number, namely, 15 Main Street, Hackensack, and telephone Hackensack 2-1050. An inference arises of some sort of association between the Prosecutor and the bail bond king of Bergen County.

As above stated, the tie-up between the Prosecutor and Corrison is established by the telephone book. The evidence before the Committee is that the bail bond racket exists in Bergen County and the Committee is convinced by evidence that it has the approval of the Prosecutor. It could not exist with his disapproval.

#### CONCLUSION.

Since this Committee started its investigations, it has been discovered that Joseph F. Murphy, Receiver of Taxes of the Borough of Edgewater, embezzled large amounts of Borough funds. We do not have the exact amount but are informed that it is in excess of \$10,000.00. The Borough Auditor has testified before us that the Receiver of Taxes was not bonded as required by law and that a year ago the fact that he was not bonded was called to the attention of the officials of Edgewater and yet no bond was required. Those responsible for permitting him to continue to hold office without being under

bond should be indicted for nonfeasance of office in this matter.

It is common knowledge that in the last year or two there have been a number of instances of embezzlement of public funds in Bergen County. To what extent the operation of gambling houses and lax enforcement of law against prominent violators of the law is responsible for such conditions, no one will ever know.

The fact is that elections in Bergen County have too long been corrupted by fraud without any serious attempts being made to punish the guilty. Big gambling houses like those described in this report cannot run many days without the officials charged with enforcing the law learning about them. Everyone knows that people who run such places contrary to law are willing to pay and pay well for the privilege of operating. When they are permitted to operate for months on end without interruption, a fair inference arises that they are permitted to run because of the corruption of the officials whose duty it is to suppress such places. When, in addition to their being not molested, we find such obvious efforts to cover them up as are described in this report, the conclusion is irresistible that the law enforcing authorities are in league with the criminals.

The condition in Bergen County as it has existed for the past year is like a cancer. It grows and feeds upon healthy tissue until the end comes. The time has arrived for the surgeon to apply the knife and the operation cannot longer be delayed. The Prosecutor and his entire staff should be immediately removed from office and that office placed in control of a fearless, able and impartial prosecutor, who will see to it that the laws are enforced.

What action shall be taken by the Grand Jury of Bergen County in the matters herein mentioned being exclusively for the judicial branch of the state government, we refrain from making any recommendations. We are confident the Grand Jury will be specially instructed upon the matters to which we have referred.

Of this we may properly speak: the presentation of the evidence, preparation of indictments and trial of

such matters should not be entrusted to the present Prosecutor or any of his staff. Their conduct too is the subject of investigation.

We further recommend a statute requiring the State Police upon receipt of complaints of crime conditions in any county forthwith to report in writing to the local authorities and the County Prosecutor, and that if the conditions complained of are not eradicated within 30 days it become the duty of the State Police to go in, secure the evidence and act themselves. Gambling houses operated by racketeers will not exist much over 30 days with such a law.

We recommend that this report be referred to the Judiciary Committee of the House, to the end that resolutions may be drawn and presented for the impeachment of the Prosecutor of the Pleas of Bergen County.

While there are further matters that our Committee could inquire into, matters which have been called to our attention by a host of good people in Bergen County who desire to have conditions righted, we are confident that an honest, able and fearless prosecutor can right every wrong complained of and remove Bergen County from the control of gangsters and racketeers and their kind.

We extend our thanks to the Civil Service Commission for furnishing us a stenographer, and personally thank Miss Jane Brown for her efficient and friendly service.

We recommend that the Committee, upon submitting within one week, a report of its expenses, be discharged from further service.

Dated, April 22, 1935.

Respectfully submitted,

A. R. RIGGS,  
J. EDWARD KNIGHT,  
HENRY YOUNG, JR., *Chairman,*  
Committee.

NOTE: Mr. Pascoe after having partially served as a member of this Committee was appointed to another Committee, which consumed so much of his time that he could not sit at more than a few sessions of this Committee. Other duties prevented Mr. Sherred from attending some of our meetings.

Copy of article entitled "This New York" by Lucius Beebe, published on page 4 of New York Herald Tribune, on Saturday, July 21, 1934.

The most plush and platinum of New York's sin palaces isn't, as a matter of fact, in Manhattan, but across the Washington Bridge on the New Jersey palisades. And, we assure you, it is a real old-fashioned road house with the whole scene stepped up to a scale embracing celebrities and monocles.

The outdoor terrace over the evening Hudson is a lovely place to dine as there is, and the food, while costly, is excellent. Some notion of the price scale may be derived from the circumstance that all wine is a flat \$12. A floor show with a celebrated Broadway entertainer at a \$6,000 and percentage weekly salary provides a mad-house vista of feminine arms and legs just across the table from your salad, and the modernist bar has more bottles behind it than you've ever seen anywhere before.

But the real feature of the establishment is the game-room downstairs. Only Bradley's Palm Beach Club is more formally luxurious and, while we had no way of estimating the stakes the evening we were present, they were said to be very high. A dinner-jacketed major domo with a single eyeglass superintended the scene. Evening-dressed croupiers spun clicking wheels and lynx-eyed cashiers collected the cash boxes from each table at frequent intervals. The smallest bills visible were of hundred-dollar denomination and most were larger. The place is Cecil de Mille's idea of a luxury resort. There are servants to do everything but place your chips for you and huge sums of money are extracted with the painless elegance which only trained and accomplished croupiers can achieve. You can, if you are of a mind, buy a gardenia corsage for your girl for \$10 from a cruising nymph, and 1875 cognac is only \$2 a glass. More than a thousand carriage trade patrons an evening drive up the portecochere and are saluted by the phalanx of footmen on duty, and you have to reserve your table days in advance.

Copy of extract from the column of Simeon Stylites, printed on the Editorial Page of The Bergen Evening Record, on Saturday, August 4, 1934.

Add Police Candor.

Not to mention the Fort Lee policeman who has been doing traffic duty at the busy Riviera that hangs on the edge of the Palisades with its swank terrace, its game-room, and its thousands nightly.

Someone asked him about it. "How," was the question, "do you like your assignment up at the Riviera?"

He bristled up. No trick questions were going to trap him.

"Let me get you straight," he muttered. "Just what Riviera are we talkin' about?"

Copy of extract from the column of Simeon Stylites, printed on the Editorial Page of The Bergen Evening Record, on Saturday, September 1, 1934.

That Edgewater gambling joint keeps running wide open . . . a club room on the River Road . . . within a fallaway slide of the cops' booth at the ferry plaza. . . . Willie Moretti is alleged to be the guarantee man . . . and if Breslin knows about this one, what's making him wait? . . . And what is the Courthouse comeback to that Republican bigshot's rotunda discourse the other day on the charge that three other major game joints are going with lids off and no questions asked?

Copy of extract from the column of Simeon Stylites, printed on the Editorial Page of The Bergen Evening Record, on Saturday, September 8, 1934.

That Edgewater gambling house has moved . . . from the club rooms to an old garage on River Road . . . within half a block of the Plaza police booth . . . where the cops couldn't miss seeing it even by looking the other way . . . upwards of fifty poolroom veterans are hanging out there every day . . . and talking horses and bets and waving form sheets under the cops' noses . . . somebody spotted Nate Allyn, who used to be interested in this sort of thing, in the neighborhood the other day . . . it didn't raise a ripple . . . that's not Nate's specialty any more.

Copy of extract from the column of Simeon Stylites, printed on the Editorial Page of The Bergen Evening Record, on Monday, January 21, 1935.

Willie (Baby Face) Moretti, who like Prince Florizel of Bohemia, has gained the affection of all by the seduction of his manner and a well considered generosity, has yanked his last remaining commercial enterprise out of this parish, and a hurtful blow it is. Mr. Moretti, well known to police as a good spender and the original of the classiest photograph in the Bergen County Prosecutor's rogues' gallery, has taken his gambling joint, pool room, saloon and philanthropical interests out of the utopian and askew province of Edgewater. Henceforth Mr. Moretti's joint (for short) will ornament the pastoral borough of Pine Brook, half way between Newark and Caldwell, where by mentioning Benny's name you can proceed to lose your shirt at galloping dominoes, galloping gee-gees, or galloping d. t.'s; it is all one to the house.

Copy of extract from the column of Simeon Stylites, printed on the Editorial Page of The Bergen Evening Record, on Monday, January 28, 1935.

A great fog of hypocrisy and hooey has, it is plain, obfuscated the facts of the forthcoming legislative investigation of Bergen County affairs. The facts are these:

Someone either stole or tried to steal the last election.

Innumerable scandals of municipal finance in the past two years have involved higher-ups.

Gambling has gone forward in at least two recognized places without determined police prevention.

The erection and equipment of the Bergen County Administrative Building was characterized by evidence of collusion, extortion, and wholesale corruption.

There is evidence that political appointees got their jobs by virtue of bribery.

Local police have taken little or no action since the repeal of Prohibition toward suppressing their old friends the illicit distiller and the shakedown man.

There is evidence of at least a warm and understanding sympathy between certain municipal officials and the operators of a Passaic slot machine ring.

\* \* \* \* \*

These are the facts of the matter. Their corollary is that Bergen County could stand a real investigation.

Its cost, \$25,000, will be insignificant if it results in the adoption of a tax collection system supplanting the one which is costing hundreds of thousands in embezzlements; or if it wipes out dime gambling on back streets by dole-supported paupers; or if it guarantees the safety of, to be enthusiastic, the next three elections; or if it sets the example of stern punishment for the Administrative Building and gambling joint thieves.

Copy of extract from the column of Simeon Stylites, printed on the Editorial Page of The Bergen Evening Record, on Saturday, March 9, 1935.

The ascendance of the dapper Willie Moretti and the bulbous Chicago Fat Szabio from the status of mugs to the status of causes celebres, which is a classy French word meaning big time, only goes to show.

Five years ago Willie and Chicago Fat didn't even know each other. Moretti was rustling beer for Waxey Gordon in Paterson, and just scraping together enough to build himself a comfy little place in the suburbs—Market Street, East Paterson.

And Chicago Fat was a small time plug-ugly, noted largely for the ineffable repulsiveness of his pan, operating in the toplofty vicinage of New Haven, Conn. William Lyon Phelps and Angelo Lapaduro were also residents.

Here, you would have said, are two dime-a-dozen low-brows who will wind up either on the soup line or the morgue's waiting list. They had no great talent to speak of; they were rather soft-spoken and retiring as that ilk runs, and they have sprinted fifteen city blocks to avoid trouble.

Yet today they are the big timers in North Jersey rackets, if Young Committee testimony is worth the paper it's shorthanded on. Their old maties even—Angelo Alba and Sally Moretti and Kid Steech—are in jail or dead or missing. Lapaduro has been forgotten. Cheechy Lovullo, as bland a chef as ever stuck a revolver in a man's kidney, has gone and turned to dust.

Only Moretti and Szabio remain, prosperous, unassuming, and just as deadly as ever.

That, if you must know, is because they have a code. It has all the Sparton simplicity of Greek philosophy.

Willie laid it down one day for a parlor full of visitors in his marmalade-colored Spanish house down in Hasbrouck Heights.

They had asked him about the Brady murder. He was, it will regretfully be recalled, accused of shooting a Hackensack taxi service owner.

"No," said Mr. Moretti. This meant that he would withhold comment on the immediate details of the Brady murder. But he added:

"There is two ways to do a thing. The right way and the wrong way. When a person does a thing the wrong way then I think that he has something coming to him." He beamed.

It is a beautiful thought. On its rocky basis Mr. Moretti has made something of himself. His life, which is undoubtedly a success, has been directed into the simple channel of The Right Way. Anyone could do as much.

It is unfortunate that Mr. Szabio has never set down the Memoirs and deductions of his full and inspiring career. Mr. Szabio is deplorably short on wind. He puffs. When he is in a very expansive mood he says: "Umph." When he is unbearably loose-jawed he mutters "Yop." Or "Nope."

But he must have some key to character and triumph. He was unknown in 1929, and today he has gone beyond the limits of human fame and belongs to legend. How did he do it?

Well, maybe, he did it the wrong way. By all accounts, he has something coming to him. That would fit in with the Moretti philosophy, wouldn't it?

Copy of extract from the editorial in the Passaic Herald News of August 10, 1934, entitled

"What's Breslin's Idea?"

For insouciance and a gay disregard for informed public opinion, the palm seems to go to Prosecutor Breslin, of Bergen County.

For some time past he has had scads of special detectives scouring Bergen County for evidence of vice and gambling. These "vice squads" did break up a new "numbers" racket and did help to rid some ballrooms and roadhouses of "hostesses" and "come-on girls" who frequented such places, and that was work well done. But they also found it necessary to justify their employment by raiding stores for bagatelle boards and other such "vicious" amusement devices.

Now bagatelle, which is a modification of pool and billiards, it about as awful as dominoes or croquet. It affords innocent diversion and is not, per se, a gambling device, as anyone who has seen one knows. (Men can gamble on the weather or automobile registration numbers, if they are bent on doing so.) So-called "ballyhoo" boards are in the same category, except that they tempt children to beg coins to operate them.

But while the County was being gone over with a fine-tooth comb for penny ante stuff, Ben Marden's Riviera at Coytesville ran on undisturbed. True, gambling stopped for 24 hours or so after Douglas G. Thomson revealed before the Republican County Committee the big play that was going on nightly at the Riviera, but right after that the Marine Room was once more opened to those who wanted to risk a roll. There you can play craps for five dollars and up a throw. You can venture your luck at the birdcage game, playing not less than a dollar (or as much more as you wish) on each numbered spot. There's roulette. There's everything

that Canfield had in his Saratoga Springs gambling casino.

Now there's a gambling instinct in almost all of us. Most men like a friendly game of stud or draw. Men and women alike play auction and contract for stakes. There are many who like to lay a bet on the horses, and though you can be sent to jail for horse-race gambling in New Jersey, it's quite legal up at Saratoga, where Prosecutor Breslin is spending a little holiday period now.

What most people can't see is the inconsistency of raiding neighborhood stores and bars for bagatelle boards and permitting the biggest gambling outfit on the Eastern seaboard to run full blast on this side of the George Washington bridge.

Don't John Breslin, his regular detective staff and his 28 "specials" know what's going on at Coytesville, or don't they care? Almost everyone else seems to know what's going on.

Evidently a showdown with the Bergen County Freeholders is on the way since Freeholder Koester declared that the law allows a Prosecutor only 12 special investigators in second-class counties and since Mr. Breslin has had 28 on his payroll. With 68 per cent. of the Prosecutor's 1934 budget allowance already spent, it is about time there be such a showdown. The Freeholders, who happen to be of the opposition party, would like to ask the Prosecutor if he is trying to build up a personal political machine at the taxpayers' expense, spending more money while the Republican Freeholders are effecting severe economies in departments under their direct control.

They may also wish to ask the Prosecutor why he still employs as a special investigator Sammy Adamo who used to deliver Lyndhurst Republican votes en bloc for Ralph Chandless. The question is interesting be-

cause the industrious Sammy has a prison record of his own.

That institution is reminiscent of one in Passaic County some few years ago when Joe Blozzo, a gambler recently charged with murder, was slated to go on former Prosecutor's Kent's staff as special investigator, along with two other men who had police records. They weren't appointed because this newspaper let it be known that names, photographs and records of all three would be published if the McCutcheon organization dared to reward these hustling henchmen with appointment to office where only trustworthy men with clean records should serve.