

New York City Correction

In Remembrance:

Warden Peter A. Mallon, Keeper Jeremiah Murphy, 1926, The Tombs.

Of the six instances of inmate violence resulting in the deaths of the uniformed personnel cited on the digital memorial plaque shown here, the violent event having the greatest impact on the Department of Correction — with its effects on training and security continuing through eight decades to the present day — was also the most publicly dramatic. Thousands of New Yorkers on streets and in buildings near the Tombs witnessed it.

They heard and/or saw the half-hour shootout between lawmen and the armed trio of inmates attempting to break out of the city jail the afternoon of Wednesday, Nov. 3, 1926. The eventual death toll: the warden, Peter Mallon; a keeper, Jeremiah Murphy; and the three inmates: Herman "Hyman" Amberg, Robert Berg, and Michael "Red" McKenna.

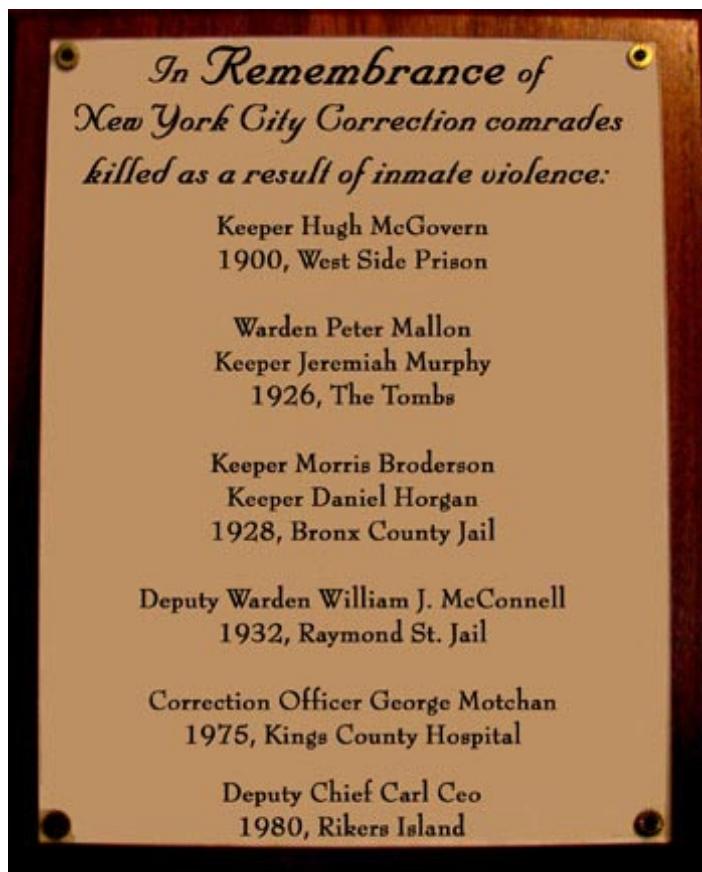
Wounded but surviving: Daniel O'Connor, a keeper at the Tombs, and J. Allen Steadwell, a New York Life Insurance executive whose eighth floor office in the nearby Conklin Building, across Lafayette Street, overlooked the jail yard.

The civilian was hit in the right hand by a bullet from the gun of an inmate firing back at one of the police snipers positioned at office windows on that floor. Other police — perched on fire escapes of the Board of Transportation Building across Leonard Street or positioned inside the jail complex — had also joined Correction staffers trading shots with the armed trio.

The 30-minute gun battle ended when the would-be escapees, realizing that their breakout plot had failed and that their ammunition had all but run out, turned their weapons on themselves rather than allow themselves to be taken alive.

The real-life prison breakout drama witnessed by many Lower Manhattanites that chilly 1926 afternoon resembled the climatic scenes of the gangster prison movies that would come into vogue during the '30s and '40s.

Those New Yorkers not near enough to the Tombs to have heard or seen the shootout themselves nevertheless experienced it vicariously through vividly detailed newspaper accounts that evening and the next morning. Stories about the subsequent investigations and trials generated by the



Above is a digital plaque image memorializing eight uniformed Correction personnel who died as result of inmate violence since NYC became a five-borough municipality in 1898.

thwarted escape continued in the days, weeks, months and even years that followed.

Events Antecedent to Escape Attempt

Events antecedent to the Nov. 3rd event also had generated news accounts in their own right but discerning their ultimate significance required the advantage of hindsight.

Among the news stories that could be counted as precursors were the Sept. 1, 1926 accounts of Herman "Hyman" Amberg being remanded without bail to the Tombs to await trial on charges of having murdered Aaron B. Rodack, a Broadway jeweler. The Amberg brothers — Hyman, Louis "Pretty" and Joseph — were among the most feared gangsters in the Jewish neighborhoods of Brooklyn.

The precursor news reports also include the Sept. 29, 1926 stories about a third foiled attempt in three weeks to smuggle into the jail various contraband items to facilitate an escape. The third try involved someone on the outside at night tossing over the jail's Centre St. gate a package containing two guns, ammunition, a hacksaw, and nine saw blades. An earlier attempt involved a rope.



Commissioner
Frederick A. Wallis.

Additional antecedent news accounts were Oct. 14, 1926 reports about Correction Commissioner Frederick A. Wallis' plea to Mayor Jimmy Walker and other members of the Board of Estimate to increase the Department's budget lines for hiring more keepers to cope with the jails' overcrowded conditions. He cited the guns and other equipment — obviously intended for escape purposes — discovered at the Tombs only weeks earlier.



Mayor James
"Jimmy" Walker.

The agency had not received any new

keepers in 1926, despite inmate population pressures forcing double occupancy of single-occupancy cells at that jail and the Department's other facilities. The number of prisoners in the entire system had grown from the 3,200 level of a few years earlier to 4,800. The Tombs' daily inmate count had increased from about 500 to nearly 600, sometimes even reaching 650. Its rated capacity actually was closer to 400. On Nov. 3, the Tombs held 581 prisoners.

Wallis' request to add 67 in 1927 was rejected. That number was cut to 30 by the board and the budget office.

The mayor told Wallis "You have been pretty successful in the past in avoiding jail breaks . . ." and that "30 new guards ought to help considerably." Walker noted a staffing survey of city agencies was slated for Nov. 1 through Dec. 1 and "you might get more men."

THE COMMISSIONER'S REMARKS DREW HEADLINES SUCH AS "FEARS PRISON BREAK FOR LACK OF GUARDS. PISTOLS FOUND AT TOMBS. BUDGET FRAMERS CUT HIS REQUEST FOR MORE MEN TO 30. WALKER PROMISES SURVEY."

Wallis had warned the mayor and the board that “Up to now it is mere luck that we haven’t had jail breaks . . .”

“Luck” ran out about 3 p.m. on the third day of the month-long staffing survey the mayor had cited.

Inmates Feign Illness

That’s when third tier inmate Hyman Amberg, 22, began groaning and complaining he was feeling very ill. He pleaded to see the jail physician, Dr. Perry M. Lichtenstein.

Despite the doctor’s long-stated policy not to have inmates brought to him unless he himself had asked for them or they had open or healing wounds to be dressed, that stricture had eroded over time. Inmates often initiated doctor’s office visits, carried out under keeper escort.



The Tombs, where the Nov. 3, 1926 breakout was attempted but thwarted, was the second in a number of iterations of the city jail bearing that nickname. It was built in 1902 to replace one built in the same vicinity long before the Civil War. This image shows the front of the castle-like building facing Centre Street.

trio drew guns. Instead of turning right to the doctor’s office, they ran straight ahead through a doorway whose door should have been locked but apparently wasn’t.

Hyman’s tier keepers accommodated him on this occasion.

Keeper William Reynolds routinely patted the inmate down to check for weapons.

Detecting none, Reynolds turned the escort task over to his tier partner, Keeper Christopher Shea.

The inmate and escort proceeded down one flight of stairs to the second level where Keeper Peter Martin asked if Shea would also escort some doctor visit inmates from that tier.

When Shea saw Martin meant adding four inmates from the second tier to the escort task, he protested that was too many.

But he agreed to take two, selecting the inmates who happened to be nearest — Robert Berg and Red McKenna. Shea watched the start of Keeper Martin performing the pat-downs routine. The thoroughness of those routine pat-downs by the keepers would become a question later.

At the bottom of the last flight of stairs, as the keeper and the three inmates went through a stairway door on the main (ground) floor, the

Centre Street Gatekeeper Defies Armed Inmates

Being no match for inmate gunmen, the lone unarmed escort sought aid while the trio rushed

toward the big iron gate at the main entrance on Centre Street. They ordered the gatekeeper, Louis Lorsh, to open it. Veteran of two wars, he refused. Instead, Lorsh told them where to go for eternity.

His bold and loud defiance startled them long enough that he was able to duck out of their immediate line of fire, take cover and seek help.

By then, Warden Mallon whose main floor office was situated near the Centre Street entrance, had arrived on the scene and was about to draw his weapon. But he was cut down by a hail of bullets from the would-be escapees. Thwarted at breaking out the front gate, they ran through a passageway leading into the prison yard, hoping to intimidate guards at the Lafayette Street gate to open it.

But both of them, Keepers Jeremiah Murphy and Daniel O'Connor, were busy separately elsewhere in the jail complex and had their keys with them. Hearing shots fired but not sure from

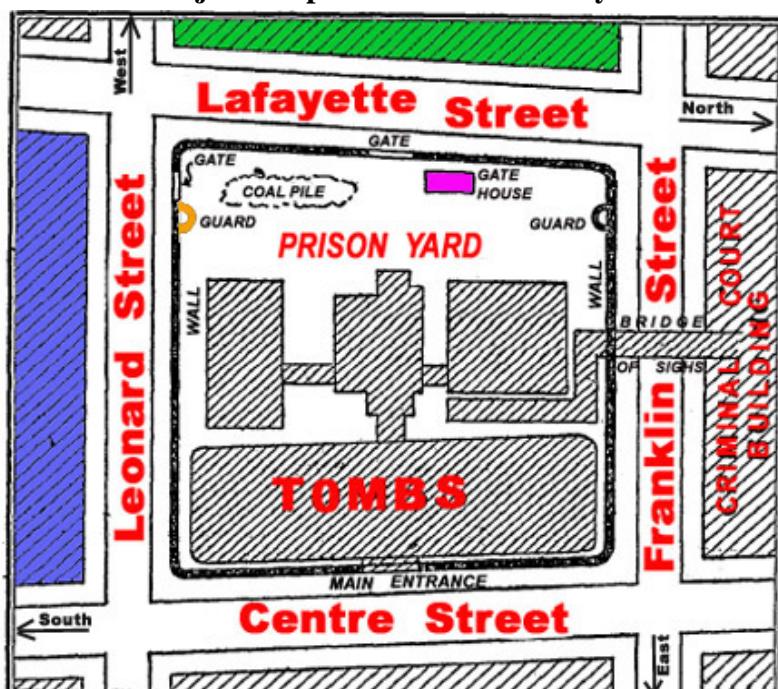
where or what was going on, each of them decided that the proper place to be was at his assigned post until the situation clarified or he was ordered elsewhere.

Meanwhile, the inmates had hidden themselves behind a huge coal pile in a corner section of the yard between the Lafayette Street gate and the Leonard Street gate.

Keepers Murphy and O'Connor — unaware their returning to their post placed them within the inmate gunmen's easy target range — ran toward the Lafayette Street gate house.

Both Lafayette Street Gatekeepers Shot by Inmates

Before reaching it, O'Connor was downed with a bullet wound in his side. Murphy reached the gate house and immediately began providing cover fire for his fallen partner. But a bullet from one of the trio's guns smashed into Murphy's mouth and lodged in his brain, killing him instantly.



This image depicting the Tombs of Nov. 3, 1926 is partly based upon a black-and-white illustration in the *New York Times* the next day. In the version above, arrows are shown pointing north, south, east and west. Shown in blue is the vicinity of the Board of Transportation building on Leonard Street from where police on fire escapes fired into the jail yard. Shown in green is the vicinity of the Conklin Building from where police at eighth floor windows fired into the yard. Shown in violet is the Lafayette Street gate house of Keepers Murphy and O'Connor. Shown as a gold semi-circle is the Leonard Street gate house where the armed inmates sought protection from the crossfire.

When the three inmates ran from the protection of the coal pile seeking to retrieve keys from the keepers they had shot, they were driven back by gunfire from Correction keepers positioned at certain jail windows and doorways facing the yard.

The trio moved to points along the Leonard Street wall beyond the lines of fire from those keepers in the jail building. Amberg even attempted to scale the gate there but failed.

He and his comrades looked for anything resembling a rope or ladder that confederates on the outside might have tossed over the walls to aid the escape.

These scouting excursions came to a halt when police began positioning themselves on the fire escapes of the Board of Transportation Building on Leonard Street and firing over the south wall into the jail yard.

One of the bullets from the inmates in response rico-



Would-be jailbreaker Robert Berg.

cheted around the office of insurance executive Steadwell and hit the meaty part of his right hand.

The inmate trio was now trapped by lines of fire from three directions and by jail yard walls they couldn't scale. Their ammunition was running low. Two of them had been wounded: Berg and Amberg.

All three faced the prospect of the electric chair for, so far as they knew, killing

Mallon, Murphy and O'Connor during the failed escape attempt.

Electing not to be taken alive, one by one, each put a pistol to his head and squeezed the trigger as onlookers in surrounding buildings watched: first Berg, then Amberg, and lastly McKenna.

But their suicidal acts did not immediately end the day's drama.

McKenna's self-inflicted wound was found to have been mortal indeed but life lingered sufficiently long enough for him to be hospitalized.



Would-be jailbreaker "Hyman" Amberg.



Would-be jailbreaker Red McKenna.

Warden Mallon had been rushed to Beekman Hospital where doctors fought a losing battle into the evening hours to save his life.

Keeper O'Connor also went to the hospital though his gunshot wound appeared less threatening.

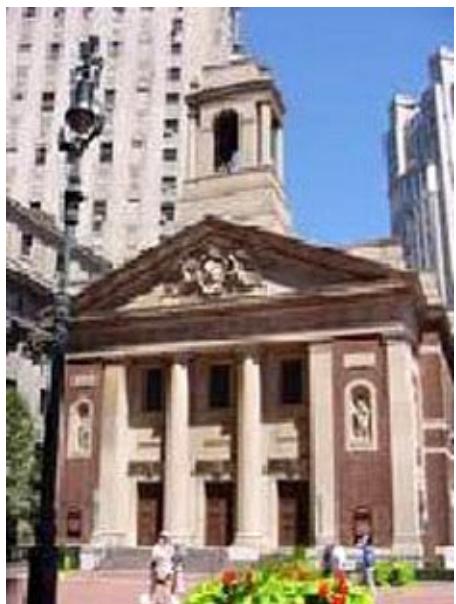
As police and keepers moved into the yard following the suicides, they had no way then of knowing whether any other inmates were in hiding there and armed. They didn't know that a laborer, Peter M. Kelly of West 106th Street, Manhattan, had taken cover in a sewer line ditch he been digging in the yard when the shooting started.

When the uniformed forces retook the yard, he ventured to emerge, only to be driven back into the ditch by a hail of bullets. Kelly shouted that he was just a workman and poked his shovel above the ditch only to have it promptly shot down.

He continued to holler that he was just a ditch digger. Eventually the police decided to let him climb out of his trench, provided that he kept his hands in full view at all times. In due course, his workman status was confirmed.

Wallis Lauds Warden, Keepers Shot by Inmate Gunmen

After Correction personnel and police had conducted a thorough search and had done a complete inmate count to determine no would-be jailbreakers remained on the loose in the facility, Commissioner Wallis issued comments about the wounded and hospitalized warden and keeper, respectively Mallon and O'Connor, as well as about the slain keeper, Murphy:



St. Andrew's R.C. Church, at 20 Cardinal Hayes Place, off Duane St. near Centre St. in the civic and court center, Lower Manhattan. Chaplain Cashin, who gave last rites at Tombs Nov. 3, 1926, was its pastor.



Tombs Warden Peter A. Mallon.

"Warden Mallon is one of the oldest wardens in point of service in the department, knows no fear and is efficient, conscientious and faithful to the last degree of service."

"He was promoted from Warden of the District Prisons to become Warden of the Tombs upon the retirement of Warden John A. Hanley on June 13, 1925."

"Keeper Daniel O'Connor has also been in the employ of the department about 10 years. He is a competent, faithful man and has a family."

"Keeper Jeremiah Murphy, who was keeper at the gate, has been in the employ of the department about 10 years, has a splendid record and was assigned to an important position. He was found at the gate, dead with his pistol in his hand. He leaves a wife and children."

When the opportunities to do so presented itself, Father William E. Cashin administered last rites as Tombs chaplain.

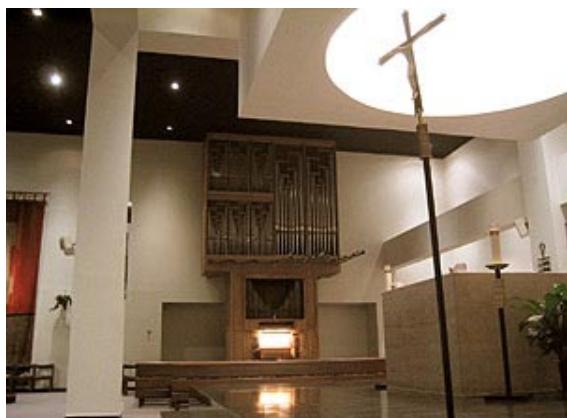
Chaplain at Sing Sing several years, he had become Tombs chaplain after his appointment in 1924 as pastor St. Andrew Catholic Church, situated a few blocks south, near Duane and Centre Streets. Under Fr. Cashin's supervision, the old church built in 1841 and renovated in 1861, was demolished to make way for the federal courthouse and the present structure was erected.

Given that St. Andrew's was then, as it still is, surrounded by city, state and federal courts, the Rev. Cashin organized the Catholic Lawyers Guild and established the famous Red Mass that is offered annually at the start of each court term.

Eventually elevated to the rank of Monsignor, the Right Rev. Cashin also was the chaplain the Anchor Club, Patrolmen's Retirement Association and Veteran of Foreign Wars and a leading figure in city and church affairs until his death in 1945.

Before being transported to Beekman Street Hospital where doctors tried to save his life, the dying warden told Commissioner Wallis:

"Break the news gently to my wife. They shot me when I attempted to reach for my gun.



Altar and organ in Catholic Church of St. John the Evangelist at 55th St. and 1st Ave., Manhattan. Photo taken as part of the NYC Chapter of the American Guild of Organists' on-going NYC Organ Project.

"But not one of them got away, Commissioner. I am thankful that not one of them got away!"

The bullet that had torn through his body — piercing his left arm, his chest, his abdomen, and his right arm — caused massive internal bleeding. Beekman medical staff gave him a blood transfusion but Warden Mallon died at 8:15 that evening.

Warden Mallon's Funeral Massive

The *New York Times* of Nov. 7 reported that the requiem mass offered for Mallon by Father Henry L. Sullivan in the Roman Catholic Church of St. John the Evangelist at 55th St. and 1st Ave., was attended by hundreds.

A Police Inspector commanded a detail of police officers assigned to crowd control duty at the Yorkville Magistrates Court and District Jail, 153 E. 57th St., where the Mallons made their home on the ground floor.

The two-story structure, built during the Civil War, served various municipal functions during nearly a century of use, including as a court and district jail. The last judicial proceedings held there would take place in 1954.

Just before the November 1926 funeral procession left the building to head to the church for the requiem mass, Magistrate Norman E. Marsh, who had been presiding in a courtroom elsewhere in the building, halted proceedings as a gesture of tribute "in honor of a brave man and valuable public servant."

Besides family, including the widow, Mrs. May Mallon, and a sister-in-law, Mrs. Anne Stanton, many leaders in city government and politics were among the mourners. These included Magistrates Marsh, John V. Flood, Maurice Gottlieb, and Ralph F. McKiniry; District Leaders Thomas

M. Farley, and Martin G. McCue, and former Tombs Warden John Hanley, Mallon's predecessor in that post.

While the NYC Correction payroll lines for 1926 were not found in web research, the pay list for 1921 was. It shows that the Tombs warden, then "J. J. Hanley," and District Prisons warden, then "P. A. Mallon," each were at the top salary rung among wardens within the five boroughs — \$3,240.

Having served as warden of the city's district prisons, Mallon was well known to many of the town's crime beat reporters and occasionally figured in their stories.

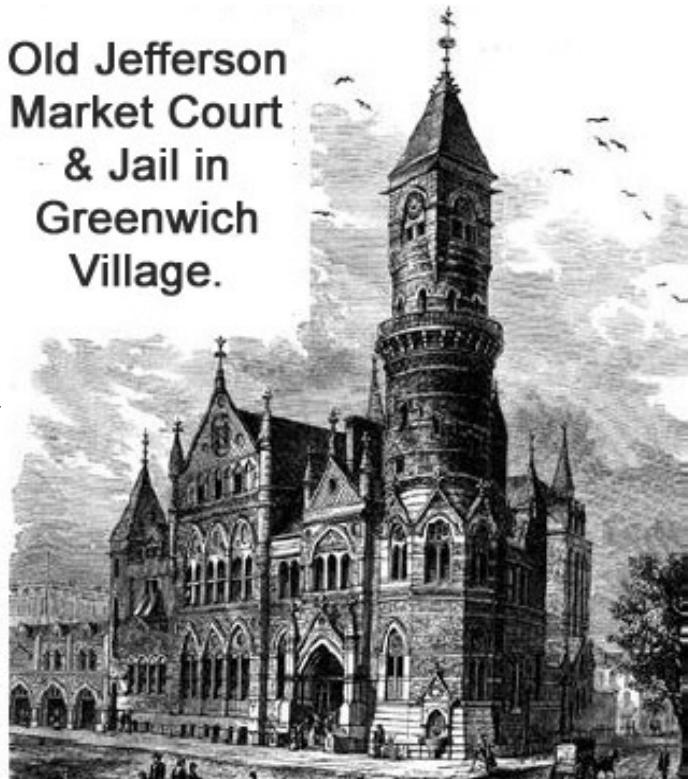
Mallon's investigations into two separate prisoner suicides drew newsprint mentions: the case of a female inmate who used a bed rope at Jefferson Market Prison in August of 1908 and the case of a male inmate who used a hidden razor blade at the Essex Market Prison in April of 1909.

While at Jefferson Market Prison, the warden drew mention in March of 1910 when he helped an aged and confused Philadelphian at Night Court and in July of 1910 when he escorted a bejeweled French duke on a tour of the facility as part of a royal visit to Night Court.

In November of 1910, the warden figured in a story about chauffeur who was turned over to the Department of Correction at the Tombs for detention in lieu of bail as a result of an assault charge growing out of an auto accident.

When keepers found a loaded gun on the in-coming detainee, Warden Mallon ordered him arrested again, this time on a weapons charge. An investigation was begun into how he had the gun despite having been in police and court custody prior to his being searched by Correction keepers.

Old Jefferson Market Court & Jail in Greenwich Village.



Posthumous Medals, Special Pensions to Widows

The *New York Times* of Jan. 7, 1927, reported that the Board of Estimate on the preceding day had awarded special compensation of one-year's salary to Keeper Jeremiah Murphy's widow. The award had been previously authorized by the Municipal Assembly.

On October of 1927, Mayor Walker presented both widows with gold medals posthumously awarded their husbands. Receiving silver medals for their part in thwarting the escape were Keepers David O'Connor and Joseph P. Murphy.

Six days after Mallon's death, Commissioner Wallis named as the warden's successor Robert Barr, who had been with the Department nearly three decades, including his then most recent five years

as warden of Rikers Island institutions. Fifth District Prison Headkeeper Frederick L. Moorhead was named acting warden of Rikers and would eventually become a full warden.

Barr would generate the considerable newsprint during his eight years as Tombs warden. He retired in July 1934 after 37 years with DOC, having joined as a keeper. His first assignment, as his last, was the Tombs. He had served in various posts at the Penitentiary and Workhouse on Blackwell's/Welfare Island, the Raymond St. Jail in Brooklyn, and the Queens Prison.



Physician, psychiatrist, and lawyer, Dr. Perry M. Lichtenstein, whom the would-be escapees were being escorted to visit when they attempted their breakout, had been the Tombs doctor 13 years at the time. He continued in that capacity about another five years before accepting appointment as medical assistant to the Manhattan District Attorney in 1931. He served in that role until his sudden death in the corridor of Queens General Court, Jamaica, June 14, 1954, after giving testimony in a civil case involving the city. Author of hundreds of articles and two books on criminology and psychiatry and an instructor in those subjects at NYU, Dr. Lichtenstein was 67 when he died.

the Commissioner's ouster made headlines.

If a municipal agency can be said capable of experiencing trauma, then the events of Nov. 3, 1926, at the Tombs, and their related developments in the months and years that followed, deserve being categorized as traumatic in their impact on New York City Correction. The aftereffects are still

One of his first acts on taking over as Tombs warden Nov. 10, 1926, was to reinstate the rule that had been laid down by the prison physician, Dr. Perry M. Lichtenstein, that only inmates with open or healing wounds be brought to his office unless summoned by him.

The doctor examined and treated ambulatory patients among the inmates when he made his regular rounds of the tiers. During his tier rounds he would check on inmates whose health complaints had been reported to him by keepers.

The rule had been breached so often by keepers bringing inmates to see the doctor without visible wounds or prior appointment that it became dead letter.

But Barr restored it and insisted upon strict adherence. He also ordered that a keeper be stationed at the foot of the tiers stairway in the main floor corridor leading to the doctor's office and to the "counsel cells" where inmates and their lawyers would confer through wire mesh.

This corridor, 18 feet long and 15 feet wide with an iron bar gate at each end, was where the inmate trio drew their weapons and dashed through the unlocked gate seeking to escape. Under Barr's plan, the corridor keeper would control the opening and closing of the gates with his keys.

All was not sympathy, promotions, praise and honors in the wake of the bloody thwarting of the attempted Tombs breakout.

Probes, Criticisms, Calls for Ousting Wallis

The integrity and competence of the Department's administrators and uniformed staff were openly and severely questioned. Three separate investigations were launched. Long-standing institutional practices and policies were denounced. Calls for



Deputy Commissioner Robert Lee Tudor involuntarily became the sounding board for Tammany District Leader Martin G. McGue's denunciation of Wallis. Tudor would serve as Acting Commissioner after the resignation of Wallis' successor, Richard C. Patterson, Sept. 27, 1932, until the appointment of William J. Cahill as Commissioner May 25, 1933 by Mayor O'Brien. Tudor continued as Deputy Commissioner under Cahill during the latter's short tenure and during the even shorter tenure of the latter's successor, Wilbur T. Wright. When LaGuardia took over as mayor in January 1934, both Wright and Tudor were dismissed from their appointed positions. Tudor, a longtime Tammany club leader, accepted his firing as part of the fortunes of political war. Former Army Major Wright resisted, citing his status as a WWI veteran and invoking a 1909 NYC law barring the dismissal of a war veteran without a hearing and a finding of misconduct or incompetency. Still, LaGuardia's appointee as Commissioner, Austin H. Mac Cormick, took over the post on Jan. 10th. Tudor was involved in a dispute concerning his 1938 appointment as City Clerk by the City Council. A Tammany associate of Tudor, Michael J. Cruise, had been City Clerk under the old City Charter. He claimed no vacancy existed and that two more years remained in his term. Throughout 1938, while the dispute was litigated, both men signed documents necessary to keep city government running. Eventually, Cruise's claim was upheld but Tudor received compensation for services rendered in the office. Tudor had served a number of years in the NYS Assembly before his appointment in 1918 as NYC Correction Deputy Commissioner.

discernible eight decades later although largely forgotten is this background of their origin, including the venomous nature of some of the criticism at the time.

The vicious verbal attack on Commissioner Wallis by Tammany District Leader Martin G. McCue at an Aldermanic committee hearing exemplifies the kind of the intemperate public commentary that ensued in certain quarters after the bloody breakout attempt.

Turning to then Deputy Commissioner Robert L. Tudor who was representing the agency at the Board of Alderman Finance Committee hearing in City Hall Nov. 17th, McCue declared:

"I charge your Department and your Commissioner with being as guilty of the murder of these two men (Mallon and Murphy) as were the men who shot them down. . . two men lie dead in their graves today, and if your Commissioner had done his full duty, these men would probably have been alive today."

He dismissively referred to Wall as the "ex-Commissioner"

This outburst came during an argument that McCue was making to the finance committee that a maintenance charge in the Department's budget for Sidney Brewster be eliminated because allegedly the "maintenance" was based on a fiction that the Correction staffer worked on Welfare Island whereas he worked — according to McCue as "a clerk" — at the Commissioner's office in lower Manhattan.

The convoluted reasoning by which former Assemblyman/former State Senator McCue construed the bookkeeping issue involving Brewster as evidence of Wallis' culpability for the death of the Tombs warden and keeper was not explained in the news report headlining the outlandish charges.

Perhaps because McCue, an ex-boxer and one-time saloon keeper, was known for his aggressive and inflammatory oratory, little credence was

given it. Still it must have rankled Brewster as well as Wallis.

Brewster had an impressive record of service to his country and his city. A veteran of the Spanish-American War and the Philippine Insurrection, the retired Marine Major left employment with the NYC Water Department to don a military uniform again during WWI. He served in the Judge Advocate office at the Brooklyn Navy Yard.

Upon return to civilian life, he succeeded Lewis E. Lawes as head of the NYC Department of Correction Reformatory at New Hampton Farms, Orange County, NY, in 1919 after Lawes became Sing Sing Prison warden.

Two years later Brewster was promoted to assistant warden of the Department's operations on Hart Island.

Four years after that he advanced to warden of all city jails on Manhattan Island except the Tombs. Regardless where the entry for his "maintenance" was placed in the departmental budget, the Warden of 10 City Prisons was hardly "a clerk." Every newspaper editor in the city knew this, which is perhaps why the McCue bombast was given just a one-day run for its grabber headline value.



Appointed as Commissioner of Accounts in January 1926, Joseph A. Warren investigated the Nov. 3 attempted breakout at the Tombs for the mayor. He became Walker's Police Commissioner in April 1927 but in November 1928 he was told to resign in the wake of the Arnold Rothstein murder case. He resigned in December and died eight months later at age 47.

More Credible Sources of Criticism

Far more creditable sources of criticism were New York County (Manhattan) Chief Assistant District Attorney Ferdinand Pecora and Walker's Commissioner of Accounts Joseph A. Warren.

The latter had been assigned by the mayor to investigate the attempted breakout.

Warren had been Jimmy Walker's college chum, law partner and fellow member of the Assembly years prior to the mayoral appointment in January 1926 as Commissioner of Accounts.

His report virtually recommended that Wallis' resignation be requested.

It claimed that insufficient precautions had been taken to prevent the breakout which had been anticipated in the wake of unsuccessful attempts in preceding weeks to smuggle weapons into the prison.

Walker received the Warren report Nov. 10, 1926, (and later appointed him Police Commissioner) but gave time for Wallis to complete his own departmental investigation of the attempted escape, an investigation that for months had to mark time in deference to the probe being conducted by the Manhattan DA's Office.

In April 1927 Warren became Walker's Police Commissioner but was told in November 1928 to resign after public indignation over the ineffectiveness of police investigations into a series of murders related to racketeering and political corruption, including the Arnold Rothstein case.



Ferdinand J. Pecora was the star prosecutor in the office of Manhattan DA Joab H. Banton, often drawing more attention than the DA. Little is known of the latter's career after his 7 years as DA (1922 - 1929) whereas Pecora went on to play major roles in city, state and national affairs. Son of a Sicilian immigrant shoemaker and baptized in the Episcopal Church, Ferdinand gave up his wish to become a priest and instead pursued a law career because his family needed financial support. Having earned a law degree at NY Law School and after serving with distinction in the DA's Office, Pecora was named chief counsel of the U.S. Senate Committee probing the causes of the Wall Street Crash of 1929. Known as the Pecora Commission, its vigorous investigations uncovered various irregularities and led to enactment of reforms, including establishment of the Securities and Exchange Commission. Originally a Teddy Roosevelt Progressive Republican, Pecora was named by FDR in 1934 to serve as a SEC Commissioner. The following year, NY Gov, Herbert Lehman appointed him a State Supreme Court Justice, in which post he served until 1950 when he resigned to run on the Democratic and Liberal Party ticket for mayor but was defeated by incumbent Mayor Vincent R. Impellitteri. Pecora had a distinguished career in private practice, including his arguing major cases before the U.S. Supreme Court. He died in 1971.

Warren resigned in December and died eight months later at age 47. The family blamed strain of the NYPD post during that murder series as a factor bringing on a debilitating nervous condition ending in a fatal stroke. Warren's successor as Police Commissioner, Grover A. Whalen, had flags at all NYPD facilities flown at half-mast for a month in mourning

Prosecutor Focuses on Tombs Workers

Chief ADA Pecora's criticism chiefly addressed issues about the integrity and conscientiousness of people regularly working at Tombs

Fewer than three days into his investigation, Pecora was already being reported as declaring that the evidence indicated some person or persons connected with the Tombs aided in the escape attempt. He said the evidence pointed to that as a conclusion but had not established any Tombs worker in particular as criminally culpable.

Interestingly, the prosecution theory at the 1927 murder trial of alleged outside accomplices — Robert Weiner, aka Werner and Oscar Amberg, brother of would-be escapee Hyman Amberg — contended the guns which ended up in the hands of the breakout attempters had been tossed over the wall by those two, not smuggled into the prison by a worker or workers at the Tombs.

Once that contraband package landed over the wall, someone "on the inside," presumably a non-inmate with freedom to move around, accordingly retrieved it and then delivered it to its intended recipients. The identity of that presumed "insider" was never established.

In part because his mail room duties included searching packages before delivery to inmates, veteran Tombs Keeper Thomas F. Colton, 60, became the target of rumors and speculations. They so preyed upon his mind that in March of 1927 Colton attempted suicide by cutting his throat.

Although he survived and although both Commissioner Wallis and the DA's Office publicly cleared him of any complicity in the escape attempt, "Old Tom" continued to brood about having been sus-



Judge John F. O'Brien wrote the opinion for the unanimous decision of the state's highest judicial panel invalidating Robert Weiner's murder conviction in the slaying of Warden Mallon because the case hinged on a "confession" obtained as a result of a brutal beating by police interrogators. A native of Watertown, NY and graduate of Georgetown College, O'Brien earned his law degree at New York Law School in 1898. An Assistant Corporation Council for NYC, he was appointed Judge of the Court of Appeals in 1927 to fill the Cardozo associate justice vacancy after that jurist became the court's Chief Judge. Son of Judge Denis O'Brien who served as Court of Appeals judge 1889 - 1907, John O'Brien served on that panel until 1934 when he retired. He died Christmas Day 1939.

McKenna's claims concerning Colton, aired not at Weiner's trial but only after the keeper's suicide.

Nevertheless, in May 1928, Weiner's murder conviction as an accomplice in Warden Mallon's murder was overturned on different grounds by the state's highest bench.

All seven judges joined in the decision finding that police had beaten Weiner to confess that he

pected in the first place.

That humiliation, added to whatever other depressing factors may have been undermining his mental health, could well have contributed to Keeper Colton again cutting his own throat the following October, this time succeeding in taking his own life.

The Colton suicide provided an opening for Weiner's attorney David H. Slade to move that his client's March 1927 conviction as an accomplice in the murder of Warden Mallon be vacated and a new trial granted. Weiner's codefendant, Oscar Amberg, had already been acquitted in the case as a result of a directed verdict by the trial judge Francis X. Mancuso who ruled no evidence had been introduced to tie him into the breakout conspiracy.

Amberg Pal Bids to Beat Escape Accomplice Rap

At a court hearing in November 1927 on Weiner motion for retrial, Slade presented Red McKenna's brother John, a Clinton Prison inmate, who testified to the effect Keeper Colton, not Weiner, had smuggled into the Tombs the escape attempt guns.

Both McKenna brothers had been Tombs inmates, in separate cases, for months preceding the breakout attempt but John was transferred elsewhere shortly before it went down. He claimed to have been privy to its planning and to Colton's involvement for money.

Asked why he hadn't come forward with this claim of relevant information at the time of Weiner's trial earlier in the year, John McKenna said he was at that time still "too upset" about his brother's death "to care about the trial."

Only after learning from other Clinton Prison inmates about Colton's suicide in October did John McKenna write to Weiner's lawyer about the case.

In January 1928, General Sessions Judge Mancuso rejected the motion for a new trial, characterizing as unreliable John

threw over the Tombs wall the guns for the breakout.

Without that forced confession, the evidence for conviction was insufficient as a matter of law, according to Judge John O'Brien, who wrote the opinion for the unanimous Court of Appeals.

Judge O'Brien acknowledged,

"Evidence indicates the existence of reasons justifying the strongest suspicion that [Weiner] participated in some way in the prisoners' attempt to escape, and was prepared to supply further."

In support of that "strongest suspicion," the justice cited Weiner's eight visits to Amberg at the Tombs, his forging a chauffeur's license, his renting a car that day, his being in that car in front of the Tombs when the breakout attempt began and his driving away upon hearing shots fired inside the jail complex.

Nevertheless, without the "confession" tying him directly into the plot, the prosecution had no sustainable case as presented to the jury.



Sing Sing's death row as it looked around the time Robert Weiner was there awaiting execution in connection with Tombs Warden Mallon's murder.

The trial judge had left to jury to decide the voluntariness of the confession.

The written opinion clearly indicated that the trial judge should himself have ruled the "confession" inadmissible and should not left the issue of its voluntariness up to the jurors.

Conviction Overturned Due to Police-Forced Confession

The jury finding it voluntary was against the weight of the evidence, according to Judge O'Brien who wrote:

"That defendant was assaulted and threatened between the times when he was seized by the police and when he was brought to the district attorney's office cannot be doubted. . . .

"Shortly after the alleged assaults and threats, defendant was led into presence of two assistant district attorneys, to whom he complained of the treatment to which he claimed to have been subjected by the police. One of these assistant prosecutors did not appear as a witness.

The other admitted that when defendant was brought before him, he had a mark on his right cheek, and red spots on his shirt and tie.

"A keeper in the [sheriff's] jail in Queens County to which defendant was transferred November 5 testified that the prisoner's nose was swollen, and that there was an abrasion on his right cheek bone. The prison records include notation to the same effect. Similar evidence was given by a keeper in the prison in New York. Defendant's description of his treatment may be exaggerated; yet proof of the assaults is too abundant to be evaded. . . .

"The defendant may be guilty of the crimes charged in the indictment. He may have supplied the pistols with which the murders were committed. Suspicions against him in that regard are of the gravest character. But not a shred of proof outside his involuntary confession can be found in the record."

Since the case against Weiner and Oscar Amberg for the murder of Keeper Murphy was essentially the same as that against them for Warden Mallon's murder, those charges likewise eventually fell too.

Weiner, who had spent 13 months on Sing Sing's death row until his conviction was reversed in the Warden Mallon murder, was sentenced in February 1929 to three years at that prison on a guilty plea in a burglary that took place Dec. 5, 1928, about seven months after his winning his murder conviction appeal.

On April 23, 1935, Weiner died at age 33 from a gun shot wound in the throat, one result of a shootout on West 76th St. during which another also was shot in the neck. One news report said that Weiner had started working as a fish peddler in his late teens but turned to a life of crime instead, getting himself arrested 13 times in 13 years.

'Ex-Commissioner' Wallis Ran DOC Another 9 Months

Despite Tammany District Leader Martin G. McCue's dismissively referring to Wallis on Nov. 17, 1926, as "ex-Commissioner," the latter continued to head the Correction Department for another nine months. In fact, after tendering his resignation July 15, Wallis was asked to remain in his post until a replacement was chosen.

Both his resignation and the appointment of Richard C. Patterson as his successor were announced August 10th. Even then Wallis was asked to remain until Patterson could actually take office Aug. 15th.

Mayor Walker praised the effectiveness of Wallis' public service and said his resignation was accepted with regret and reluctance. In his resignation letter, the Commissioner expressed gratification that "various Grand Juries and prominent civic organizations have given unqualified support and commendation to what we have been able to accomplish."

First on his letter's list of accomplishments:

"All records have been broken in reducing the net loss of prisoners by escape to zero. Formerly the loss was from 15 to 25 annually. This new record has been established in the face of a largely increased [inmate] census. . . ."

No mention of the Nov. 3, 1926 Tombs' attempted escape was made in either Wallis' letter or in Walker's.



Richard C. Patterson's tenure as NYC Correction Commissioner, 1927 - 1933, must be counted as one of most constructive, using the term "constructive" both in the broader sense of having instituted long-lasting improvements of the city jail system, and in the narrower sense of building key facilities that shaped department operations for decades to come. Among the latter were the Rikers Island Penitentiary, the Rikers Island Hospital and the Women's House of Detention in Greenwich Village.

Grand Jury Sides With Wallis

After the initial emotional reaction to the bloody shootout had somewhat subsided, the rush to judgment to fix on Wallis as the easy scapegoat slowed considerably. Calmer heads noted that, had Wallis' various warnings of understaffing been heeded in the preceding weeks, months and years, the deadly event might have been prevented.

The Grand Jury that investigated the breakout attempt appeared to share that view, according to the *New York Times* Dec. 11, 1926, story concerning that panel's report on its probe:

“In my opinion.” said Chief Assistant District Attorney Ferdinand Pecora, who presented the matter, ‘the presentment is an endorsement of Commissioner Wallis’ administration and policies. This, to my mind, is indicated not only by the absence in the presentment of any finding by the Grand Jury criticizing the Commissioner but also by the fact that all of the recommendations contained in the presentment are endorsements of the requests and recommendations which Commissioner Wallis has laid before the municipal authorities for the last four years.’

“When asked if the Grand Jury felt Commissioner Wallis was to blame for the attempted escape or for the conditions criticized in the report, one of its members said: ‘Decidedly not!’

Inmates With Up to \$1,000 in ‘Pocket Money’

The Grand Jurors were quite aware that well in advance of the Nov. 3, 1926 breakout attempt, Commissioner Wallis had sought both the authorization and the necessary appropriation to end the long-standing practice of permitting inmates to keep with them up to \$1000 in “pocket money.”

That such a situation could ever have been permitted to prevail boggles the minds of correction professionals today, if and when they hear about it. But eight decades ago when Wallis sought to end the custom by having inmate monies held in safekeeping by bonded staffers, his proposal was regarded as a pioneering reform or a radical reform, the characterization depending upon how one back then viewed such a marked departure from traditional practice.

Wallis received token authorization to confiscate inmate monies but not the necessary appropriations for additional staff, training and bonding to set up such a fiduciary system. For those (such as the Grand Jurors) who were aware of the actual background details, the Warren report criticism of Wallis for failing to end the inmate “pocket money” practice must have come across as highly disingenuous, to say the very least.

Although still seeking funding for a permanent system of safeguarding inmate monies, Wallis coupled announcement of Robert Barr’s appointment as Tombs warden with notice that a staffer was being temporarily assigned inmate monies management duties. The *New York Times* of Nov. 11, 1926, quoted Wallis’ statement:

Pending action by the Board of Estimate to authorize funds . . . to fill this position, a temporary assignment has been made, effective Thursday morning. James A. Starrs, assistant auditor of the Department of Correction, has been assigned to assist the warden in this important work.”

Within a few months, Wallis had in place a system whereby each inmate could draw up to \$5 a week from his cash deposits held at the jail but that \$5 was given in the form of aluminum tokens

good only at the Tombs commissary.

Jail Commissary a ‘Catering Service’ for Inmates With \$

In addition to making available for purchase by inmates such items as toiletries, cigarettes, dry snack food, cookies, and candies, the commissary in that era, as in preceding periods, also offered cooked meals made to order from a bill of fare. It was a kind of catering service that employed



Correction Commissioner Katharine Bement Davis (1914-1915), the first female commissioner running any NYC municipal agency, ended the practice of rival outside “commissaries” competing for Tombs customers, sending waiters in and out of the jail, taking inmate orders and returning with items ordered, including meals. She licensed only one provider so as to better supervise its operations.

“runners,” sometimes called “waiters,” who brought the items ordered, including meals, to the inmate customers on the tiers.

Those prisoners who did not like the meals provided by the Tombs’ own kitchen staff and who had money to order from the commissary menu did so. The fact that commissary staffers were not Correction employees as such, was a cause of continuing concern to jail administrators and those authorities with oversight responsibilities.

At least as far back as the very early 20th Century, different outside “caterers” competed at the same time for Tombs inmate customers’ orders. But Correction Commission Katharine Bement Davis ended that in 1914 by awarding a single outside caterer an exclusive license to provide commissary services. Her purpose was to exercise greater control over commissary operations and over those employed in it, thereby reducing contraband smuggling and other security problems. Her successor, Commissioner Burdette G. Lewis, extended control over commissary operations even more in 1917.

By the time Wallis was appointed in 1923, the role of the Commissioner’s Office oversight involvement in operation of the jail commissaries was well established. He further advanced the evolution, already underway, of those commissaries into a kind of extracurricular activity of the agency itself, not yet fully a Departmental function but no longer a for-profit private enterprise. It had amassed a surplus of \$150,000 which he ordered be converted into 4.5 percent interest-bearing NYC bonds. He directed that the principle never be reduced during his tenure, but only added to from operating surpluses, and that the interest earned annually

from such investment be expended on items and services to benefit the inmates.

The fund generated by inmate commissary purchases, minus operating expenses, was thus regarded as reserved for the welfare of the inmates. An appointed trustees board of leading citizens decided on what projects and items to spend the fund’s interest earnings. Expenditures went for such things as inmate vocational training equipment, radio receivers and large speakers so inmates could hear selected broadcasts of educational value as well as entertainment shows, laundry marking machines so that inmates’ clothes would not get lost in the wash, and wool sweaters for the inmates.

Wallis expanded membership on the commissary fund’s board to include leaders of major religious, charitable and reform organizations. He directed that any decisions on spending the fund’s

earnings had to be unanimously approved. The fund underwent periodic audits throughout the year, all monies and bonds being held in the Coal and Iron National Bank on Liberty St.

Not so much the commissary fund itself, but rather the freedom of access that the commissary “runners” (aka “waiters”) had to the cell tiers, taking and delivering orders, came under critical scrutiny in the wake of the Tombs attempted escape. While no evidence ever emerged implicating any commissary workers, the fact that they had such access yet were not Correction staffers, nor even municipal employees, raised serious questions about the wisdom of such an arrangement, despite its having originated many decades earlier.

True, the era of outside caterers having their runners going in and out of the jails multiple times a day to serve the financially better-off inmates was long gone.

True, the profit-making aspect had also been eliminated.

True, the books were regularly audited and fund expenditures were in the hands of a quasi-public directorate.

Nevertheless, the notion that the commissaries, by then all located physically inside the jails, employed “outsiders” (not Correction staffers, not municipal workers) having easy access to the inmates did not sit well on the minds of authorities nor the informed public at large.

Given that unease with the arrangement, its eventual disappearance is hardly surprising. Today, correction professionals, if and when they learn about it, are surprised such an arrangement, so obviously fraught with potential for security breaches, ever existed at all.

Staff Shortcomings Nov.3, 1926 Figure in Keeper School Start

In addition to its bringing about an immediate end to inmates having “pocket money” and its contributing to the eventual phaseout of jail commissaries employing “outsiders,” the bloody breakout attempt at the Tombs Nov. 3, 1926, also figured significantly in Wallis’ successor starting up a training school for city jail keepers, the first in the nation and the forerunner of the present Correction Academy.

In December 1927, fewer than six months after being appointed commissioner, Patterson established the school on paper with classes actually beginning the following month (January, 1928).

The *New York Times* story of Aug. 11, 1929, provides insight into his thinking behind the training school start-up:

“Commissioner Patterson had not been in office very long before he determined to open a school for the guards and keepers of the Department of Correction. He found that the jails were manned by inexperienced keepers—men who had no training

“Important among the things to be taught a jailer are knowledge of how to search a prisoner for concealed weapons, how to inspect his cell for hidden means of escape and how to shoot. . . .

“Every man in the service, veteran and rookie alike, is obliged to ‘go to school’ . . . and each must take target practice until he has proved himself proficient. To stimulate interest, a system of awards has been introduced for good marksmanship. When Commissioner Patterson took over the adminis-

tration of the Department of Correction, he found that not only were many of the men inefficient in the handling of firearms but that their weapons were not in condition for use and that they were not always readily available. All that has been changed.

“Commissioner Patterson, an engineer by training, rose from the rank of captain to that of lieutenant colonel in the World War [I]. . . .”

Clearly high on his list of curriculum priorities was instruction in very subject areas where strong criticisms had been directed against the Tombs uniformed staffers for their performance prior to and during the breakout attempt:

- the failure to find the weapons stashed for the escape despite awareness that an attempt was imminent,
- the failure to detect weapons on the would-be escapees during their pat-downs on the tiers, and
- the failure to use firearms effectively against the three inmates once they drew their hidden weapons.

The causal connection between Tombs staff performance shortcomings before and during the November 3, 1926 breakout attempt and Commissioner Patterson’s establishing the keepers training school was made explicit January 22, 1928 in the Department’s announcement about the start of classes. The Jan. 23, 1928 *New York Times* headline for the announcement read:

CITY TO OPEN SCHOOL FOR ITS PRISON KEEPERS; WAYS TO AVERT JAIL BREAKS WILL BE TAUGHT

The story’s second paragraph, quoting from the DOC announcement, spelled out the connection:

. . . Through the training in the school, which is said to be “the first of its kind in this country,” the correction authorities, according to an announcement yesterday, hope to “make improbable a repetition of such prison outbreaks as that at the Tombs recently, when a warden, [a keeper] and three prisoners lost their lives. The guards at that time had not prevented the smuggling of firearms, and when they were confronted with armed prisoners, they were not well-enough trained to handle their own to their advantage!”

Acknowledging evident shortcomings in staff response to the anticipated and then actual escape attempt in no way diminishes the heroism of Warden Mallon, Keepers Murphy, O’Connor, Lorsh and many other Tombs keepers responding in the situation.

Rather Commissioners Wallis and Patterson’s taking appropriate action to correct the shortcomings should be counted to the Department’s credit as reflecting readiness to learn from past mistakes in order to prevent repeating them.



Commissioner Patterson’s DOC annual reports included photos of his Prison Keepers School in action: Photo left was titled “The Wrong Way;” the other, “The Right Way.” The caption read: “*New keeper in Keepers’ School being taught how to search prisoner.*”

Thus, the Department's starting the training school can be seen as seeking to make sure the sacrifices and heroism of Nov. 3, 1926 had not been expended in vain.

So too, the present-day Correction Academy — descended as it is from that first prison keepers training school — can be viewed, in a very real sense, as a continuing and living remembrance of the heroism and scarifies that afternoon eight decades ago.

— The Webmaster

SOURCE NOTES

The on-line service of the *New York Times* (NYT) archives was a main resource used in researching this history and in preparing this web presentation. Just as NYT Index volumes and NYT microfilm reels have long been essential research tools in libraries, so too NYT's on-line service is proving itself an extremely productive — and convenient — tool for any serious researcher into post-1851 history. While generously making its materials available for research in libraries and on-line, NYT continues to maintain and retain all rights to those materials. For more information about the NYT on-line research service, visit www.nytimes.com

Below are listed the dates of the more than 100 *New York Times* stories read in researching the above account. A complete list of the NYT stories perused would have numbered at least three times as many.

Each list entry below is linked back to the corresponding NYT on-line search page for accessing the actual Adobe Acrobat PDF file that includes the subject matter cited by the entry.

The brief descriptive notes attached to the dates listed below were worded by this researcher. They indicate the information that he found interesting and relevant to this presentation in those PDF clippings.

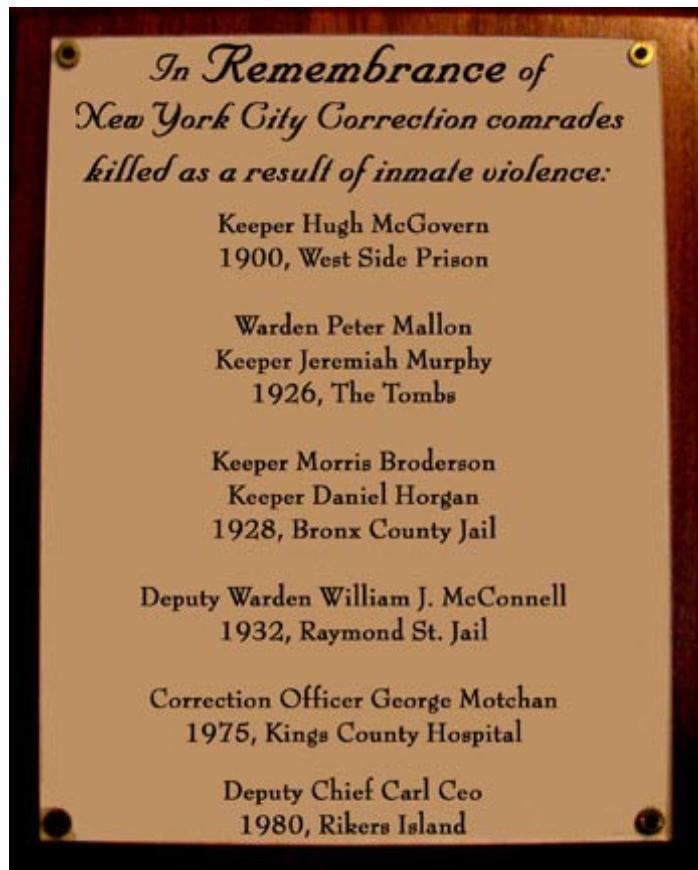
Clicking a list entry's linked date may access a NYT clipping file that includes more than one story. Sometimes the item of interest may not be the clipping's big story but the smaller or smallest one.

These entries should not be regarded as a timeline for the escape attempt and aftermath, although the list has some aspects of that. But it also reflects background research on people and issues that figure into the overall story.

A simple example: Tombs chaplain Cashin gave last rites Nov. 3, 1926. Research led to news articles from when he served as Sing Sing chaplain years earlier. Another example: Concerns about accessibility of commissary workers to inmate tiers figured in probes of the Tombs escape attempt. Research tracked other stories about the jail commissaries, including Commissioner Katharine Bement Davis' ending outside caterers taking orders from and delivering meals to Tombs inmates..

1908 — [Aug. 22](#), District Prisons Warden Mallon at Jefferson Market Prison.

1909 — [April 30](#), District Prisons Warden Mallon at Essex Market Prison.



Above is a digital plaque image memorializing eight uniformed Correction personnel who died as result of inmate violence since NYC became a five-borough municipality in 1898.

1910 — [March 21](#), District Prisons Warden Mallon at Jefferson Market Prison. [July 31](#), District Prisons Warden Mallon escorts French duke.

1914 — [Jan. 29](#), Dr. Lichtenstein's role in Hans Schmidt murder trial; [April 4](#), May [3, 8, 9, 10](#), [June 2](#), Commissioner Katharine Bement Davis ends long-standing competition of outside caterers bringing into the Tombs meals and goods ordered by and paid by inmates. She grants exclusive license to one contractor already licensed to operate a commissary within Tombs; [May 30](#), Ex-NYPD Lt. Becker on death row visited by Sing Sing Chaplain Cashin, later Tombs chaplain.

1919 — [Nov. 2](#), Citizen Union lists Robert L. Tudor, Correction Department secretary, as among Tammany job-holders get pay increases in Mayor Hylan budget.

1920 — [June 7](#), Citizens Union calls for ouster of Accounts Commissioner Hirschfield for misuse of power.

1921 — [Sept. 9](#), murder suspect surrenders to Sing Sing Chaplain Cashin; [Dec. 3](#), NYC Reformatory Assistant Superintendent Brewster sues Weinstock of State Prison Commission.

1922 — [June 9](#), Sing Sing Chaplain Cashin assists mother of condemned man on death row; [June 30](#), Italy honors Sing Sing Chaplain Cashin.

1924 — [May 14](#), Accounts Commissioner Hirschfield probes broker inmate's alleged penitentiary 'leaves'; [May 19](#), Accounts Commissioner Hirschfield wants NYC to sell women's reformatory in Orange County; [May 20](#), Accounts Commissioner Hirschfield criticizes record-keeping at Tombs.

1925 — [Feb. 4](#), Accounts Commissioner Hirschfield calls Greycourt "a women's seminary" and "country club;" [Feb. 21](#), Wallis answers Hirschfield point-by-point; [Feb. 23](#), Ex-Correction Commissioner Lewis defends Wallis against criticism by Accounts Commissioner Hirschfield; [Feb. 28](#) and [March 6](#), Accounts Commissioner Hirschfield probes jails commissary fund; [April 23](#), Accounts Commissioner Hirschfield critical of jails commissary fund expenditures.

1926 — [March 15](#), Dr. Lichtenstein speaks to GOP club about crime; [April 24, 25](#), Feds probe drugs at Tombs, keeper charged; [Sept. 1](#), Hyman Amberg arraigned; [Sept. 13](#), Two attempts to smuggle escape gear into Tombs thwarted; [Sept. 29](#), third Tombs plot fails, escape bundle (guns, saw blades) found; [Oct. 14](#), Wallis fears break for lack of guards, guns found at Tombs;

——— [Nov. 4](#), bloody breakout attempt described in detail; [Nov. 4](#), Wallis cites early warnings; [Nov. 4](#), violent criminal background of the 3 would-be escapees; [Nov. 4](#), Gatekeeper Lorch role thwarting escape; [Nov. 5](#), Weiner and Oscar Amberg arrested as accomplices; [Nov. 5](#), editorial; [Nov. 6](#), Mallon death notice; [Nov. 6](#), Accounts Commissioner Warren inquiry; Nov. [7, 8](#), Chief ADA Pecora focuses on Tombs workers; [Nov. 9](#), Grand Jurors Association cites Wallis warnings;

——— [Nov. 10](#), Barr named Tombs warden; [Nov. 11](#), Wallis may resign; [Nov. 13](#), fists fly at bail hearing for Weiner and Oscar Amberg; [Nov. 14](#), Gatekeeper Lorch reassigned to Welfare Island; [Nov. 16](#), Warren report critical of Wallis; [Nov. 17](#), Walker, Wallis confer in Warren report; [Nov. 17](#), editorial comment on Warren criticisms; [Nov. 18](#), Tammany district leader/Surrogate Court Clerk McCue charges Wallis "guilty" in warden, keeper murders; [Nov. 19](#), inmate "pocket money" reportedly used to buy special privileges against rules; [Nov. 23](#), Gatekeeper Lorch's version backed;

——— [Dec. 3](#) Wallis before Grand Jury; [Dec. 11](#), Grand Jury sides with Wallis; [Dec. 18](#), Departmental
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inquiry into Keepers Shea, Martin and Reynolds on inmate escort procedures, note no story found yet on inquiry outcome.

1927 — [Jan. 7](#), special compensation bill for Keeper Murphy widow; [March 6](#), inmates, cells searched for cash, token system enforced; [March 3, 8, 9, 10, 15, 16, 18](#) Weiner-Oscar Amberg trial; [March 25](#), Keeper Colton survives slashing self; [March 26](#), Weiner sentenced to electric chair; [June 15](#), hint of new clues in Tombs break; [Aug. 11](#), Wallis resigns, Patterson named to succeed him; [Aug. 16](#), Patterson takes office as Commissioner; [Sept. 1](#), Wallis honored by former aides; [Sept. 4](#), District Prisons Warden Brewster, others head to American Legion convention in Paris; [Sept. 6](#), Dr. Lichtenstein testifies on mental health status of a Tombs inmate trying to mount insanity defense; [Sept. 27](#), Weiner bid for retrial; [Oct. 12](#) and [Nov. 24](#), hearing on Weiner retrial bid tied-in to Keeper Colton suicide.

1928 — [Jan. 19](#), trial judge denies Weiner retrial bid tied to Colton death; [Jan. 23](#), City to Open Prison Keepers School, to Teach Ways to Avert Jail Breaks; [May 2](#), Weiner conviction overturned by Appeals Court on forced confession grounds; [May 11](#), trial judge dismisses case against Weiner; [Sept. 5](#), Commissioner Patterson and Deputy Commissioner Tudor inspect jails in wake of a federal committee report critical of conditions in them.

1929 — [Feb. 21](#), Weiner enters plea in burglary case; [Feb. 27](#), Weiner sentenced to 3 years in burglary case; [March 6](#), Commissioner Patterson orders machine gun tower built at Tombs' Lafayette St. gate; [March 2](#), District Prisons Warden Brewster announces promotion of headkeeper James T. McDermott as his deputy warden. McDermott helped thwart 1926 Tombs escape; [Aug. 11](#), Commissioner Patterson reviews record, including improved Tombs security; [Aug. 14](#), Joseph A. Warren — former Accounts Commissioner, former Police Commissioner — dies at 47.

1930 — [Jan. 19](#), Tudor reports on jail conditions; [March 26](#), hearing on Welfare Island Workhouse/Correction Hospital Warden Henry O. Schleth, cashing personal checks using inmate account monies, all checks were good, no money lost to inmates or DOC, but practice viewed negatively. Decision reserved. [June 10](#), Commissioner Patterson addresses keeper training graduation school class.

1931 — [May 17](#), Schedule Prison Keepers School graduation at Central Opera House on East 87th St.; [July 29](#), Commissioner Patterson, Deputy Commissioner Tudor, Mayor Walker at Rikers Penitentiary cornerstone ceremonies.

1932 — [Sept. 28](#), Patterson resigns as Commissioner to become NBC executive vice president; [Nov. 29](#), Investigation into Raymond St. Jail attempted escape during which the prisoner killed a deputy warden before killing himself; [Dec. 1](#), Acting Commissioner Tudor suspends Raymond St. Jail Warden.

1933 — [Jan. 4](#), Acting Commissioner Tudor announces Raymond St. Jail warden reinstatement; [Feb. 11](#), Acting Commissioner Tudor insists wardens enforce rules; [May 26](#), Cahill named Commissioner; [Sept. 4](#), Tombs breakout try recalled; [Aug. 14](#), Commissioner Cahill shifts 79 keepers; [Oct. 8](#), Commissioner Cahill shifts prison heads; [Nov. 29](#), O'Brien names Wilbur T. Wright as Correction Commissioner to replace Cahill removed for supporting McKee for mayor; [Dec. 21](#), Reformer J. F. Fishman resigns as DOC Deputy, blasts politics in agency; [Dec. 21](#), Correction Commissioner Wright presents award to Hart Island team in Department shooting competition; [Dec. 22](#), Correction Commissioner Wright dismisses Deputy Commissioner Fishman [closely associated with reform forces].

1934 — [Jan. 3](#), Unlike Correction Deputy Commissioner Tudor, Correction Commissioner Wright fights political dismissal; [Jan. 20](#), Deputy Commissioner Tudor files for pension; [Jan. 26](#), Prison Association

head E. R. Cass blamed Tammany influence undoing anti-corruption work by Patterson; [Jan. 28](#), Ex-Commissioner Cahill recalls attempt to shake up DOC; [May 13](#), review of Dr. Lichtenstein's book "A Doctor Studies Crime," [July 1](#), Barr retires as Tombs warden.

1935 — [April 21](#), Weiner shot, hospitalized; [April 24](#), Weiner dies from shootout wound; [May 8](#), Hero Keeper Lorch dead at 50.

1938 — [Jan. 4](#), City Council names former Correction Acting Commissioner Tudor as City Clerk; Jan. [16](#) and [23](#), Tudor-Cruise City Clerkship dispute; [Feb. 26](#), District Prisons Warden Brewster retires; [March 13](#), Tudor protests Marriage License Bureau staff cuts; [Dec. 31](#), court rules against Tudor as City Clerk.

1939 — [Feb. 5](#), Tudor withdraws his appeal of court ruling in favor Cruise for City Clerk post; [April 9](#). Former District Prisons Warden Brewster dies at 60.

1940 — [Dec. 20](#), Board of Estimate approves compensation to Tudor for City Clerk service.

1945 — Jan. [18, 21](#), retired Tombs chaplain Cashin dies, requiem mass attended by DOC Deputy Commissioner Henry O. Schleith among others.

1946 — [April 19](#), Tudor's successful rival for City Clerk job, Michael J. Cruise, dies at 79.

1949 — [May 15](#), Robert L. Tudor — former Acting Correction Commissioner, former Acting City Clerk, former Assemblyman — dies as 75.

1950 — [April 8](#), Former Accounts Commissioner/retired Magistrate Hirschfield dies at 82.

1951 — [Dec. 23](#), Frederick A. Wallis — former Correction Commissioner, former Deputy Police Commissioner, former Immigration Commissioner at Ellis Island, former president of the NYS Christian Endeavor Union, former Kentucky state welfare commissioner — dies at 82.

1954 — [May 21](#), Ex-Commissioner Cahill dies at 72; [June 15](#), Dr. Lichtenstein dies at 67.

The graphic pen sketches in sepia of Accounts Commissioner Joseph A. Warren, Dr. Perry M. Lichtenstein, inmates Red McKenna, Robert Berg, and Hyman Amberg are inspired by and based on photos appearing with *New York Times* stories.

The sepia image of Correction Commissioner Frederick A. Wallis is based on a b&w image of him on one of his bio-related pages on our web site:

<http://www.correctionhistory.org/html/chronic1/nycdoc/html/wallis.html>

The sepia image of Mayor James "Jimmy" Walker is based on a b&w image of him on the NYC web site page of bios of past mayors:

http://www.nyc.gov/html/nyc100/html/classroom/hist_info/mayors.html#walker

The image of the Tombs is from the Commissioner Thomas W. Hynes bio page on our web site:
<http://www.correctionhistory.org/html/chronic1/nycdoc/html/hynesbio2.html>

The sepia image of Tombs Warden Peter Mallon is based on a b&w image of him on the very excellent *The Officer Down Memorial* web site's page devoted to him:

<http://www.odmp.org/officer/16411-warden-peter-j.-mallon>

The image of Tombs Chaplain Cashin's St. Andrew R. C. Church is from the church's web site home page: <http://www.saintandrewnyc.org/>

The church web site has a detailed history page: <http://www.saintandrewnyc.org/history.html>

The illustration of the old Jefferson Market Prison is from a Women's History Month presentation on our web site, in both PDF and HTML formats:

<http://correctionhistory.org/html/chronic1/nycdoc/pdf/womenhistory3.pdf>

<http://www.correctionhistory.org/html/chronic1/amk/3firstladies.html>

The image of Acting Commissioner Robert L. Tudor is from one of the Keepers Training School pages on our web site:

<http://www.correctionhistory.org/html/museum/gallery/mills/1930classpart9.html>

The sepia sketch of Ferdinand J. Pecora is inspired by and based on a section of a b&w archival image of SEC members on the very useful *Securities and Exchange Commission Historical Society* web site:

<http://www.sechistorical.org/museum/photos/viewPhoto.php?id=27>

The image of Court of Appeals Judge John F. O'Brien is from the very fine *Historical Society of the Courts of the State of New York* web site:

http://www.courts.state.ny.us/history/Gallery_9.htm#r_1

The image of Death Row circa 1929 is from one of the pages in our web site's excerpts presentation of Guy Cheli's *Images of America: Sing Sing Prison*. On that page is a link line that, when clicked, pops up a two photos, one of which is the death row image:

<http://www.correctionhistory.org/html/chronic1/state/singsing/html/chair.html>

<http://www.correctionhistory.org/html/chronic1/state/singsing/images/chair7.jpg>

The image of Commissioner Richard C. Patterson is from one of his bio pages on our web site:

<http://www.correctionhistory.org/html/chronic1/nycdoc/html/rcpbio3.html>

The image of Commissioner Katharine Bement Davis is from Chapter 11 of her bio on our web site:

http://www.correctionhistory.org/html/chronic1/kbd/kbd_11.html

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