

From Seeing Reds to Being Feds: the Pittsburgh Bureau of Investigation Field Office in Transition, 1920-1925.

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During the Great War the need to protect western Pennsylvania steel, coal, transportation, and manufactures from sabotage and work stoppages fostered the rapid growth of federal domestic intelligence apparatus in Pittsburgh. What began as an effort to thwart German spies, when given teeth by the Espionage Act (1917) and Sedition Act (1918), became a war against dissent as agents and informants of the Justice Department's Bureau of Investigation (BI, renamed the FBI in 1935), joined by their Military Intelligence Division, and Office of Naval Intelligence counterparts, swarmed after alien and domestic anti-war and leftist elements—anarchists, socialists, pacifists, and industrial unionists.¹

During the Red Scare that followed the war (1919-1920) BI agents took center stage as the Justice Department's Radical Division led by twenty-four-year-old J. Edgar Hoover conducted a nationwide campaign against the left. The climax was the so-called (Attorney General A. Mitchell) Palmer raids that netted thousands of alien anarchists and communists.

1. The BI was created by President Theodore Roosevelt's 1908 order amid controversy over the need for a federal political police. From just thirty-four investigators in 1909 and only 300 special agents in 1917, it grew by 1920 to 579 special agents plus clerical staff and informants operating from more than 50 field offices. Richard G. Powers, *Secrecy and Power: The Life of J. Edgar Hoover* (New York: The Free Press, 1987), 132-37. See also Max Lowenthal, *The Federal Bureau of Investigation* (New York: William Sloan Associates, Inc., 1950), 3-9. Two unpublished works on the early Bureau are John Allen Noakes, "Enforcing Domestic Tranquility: State Building and the Origin of the Federal Bureau of Investigation, 1908-1920" (Ph.D. diss. University of Pennsylvania, 1993) and David Joseph Williams, "'Without Understanding': The FBI and Political Surveillance, 1908-1941" (Ph.D. diss., University of New Hampshire, 1981).

From the end of the Red Scare (1920) until the first full year of Hoover's directorship (1925), the future of the BI was in doubt. Haphazardly administered and overstaffed, with inadequate control over its field agents, it lacked a significant peacetime mission and suffered from poor press, public, and Congressional relations. Only by undergoing major changes was it able to survive post World War I demobilization and tight budgets in the Republican 1920s to rise again in the gang-busting 1930s. During the upheaval no one's job was safe and employee morale in Pittsburgh deteriorated to the point where agents turned on each other in a Hobbesian war of all against all. To promote their own job survival they employed hearsay, rumor, and innuendo—the same tactics they sometimes used to “get the goods” on radicals.² “Loyalty,” “friendship,” “goodwill,” official watchwords of the modern FBI's Society of Former Special Agents, were nowhere to be found.³

In 1915 there had been only two special agents in the BI's Pittsburgh field office. By the summer of 1920 fifteen (plus two stenographers and a clerk) worked out of five rooms on the fourth floor of the St. Nicholas Building on Fourth Avenue near Grant Street. Three agents supervised by the Special Agent in Charge (SAC) made up the heart of the operation, the radical squad. They studied, infiltrated, and sought to foil anti-war and anti-capitalist groups and prevent pro-union labor agitation.⁴

Pittsburgh's wartime SAC had been Robert S. Judge. In 1915, single and twenty-six, with a budding tendency to live beyond his means, he left the small town in West Virginia's northern panhandle where he had grown up for the great corporate center Pittsburgh. His credential was a West Virginia University Law degree; his experience brief army duty, managing his father's drugstore, a lackluster private law practice, and part time work as the Bureau's white slave (Mann Act) officer at Wheeling. As Pittsburgh SAC, Judge had the authority to hire his own agents locally, subject to higher approval. But one so green had little choice but

2. The FBI files of the Pittsburgh BI special agents cited below (Fred M. Ames, Richard B. Spencer, John C. Rider, Henry J. Lenon, Robert S. Judge, Michael I. Yankovich, and John R. Dillon) were released to the author under the Freedom of Information Act/Privacy Act. The files of Ames, Judge, Spencer, Rider, and Lenon are cited by the agent's file number, eg. 67-1592 for Ames. There are no file numbers for Yankovich and Dillon, so those files are cited by surname, eg. FBI “Dillon—no file # given, FOIA/PA”.

3. See anon., *Society of Former Special Agents of the Federal Bureau of Investigation* (Paducah, Ky: Turner Publishing Company, 1996).

4. Telegram, R. B. Spencer to Frank Burke, 19 Jul. 1919, FBI 67-519-2. For the story see Charles H. McCormick, *Seeing Reds: Federal Surveillance of Radicals in the Pittsburgh Mill District, 1917-1921* (Pittsburgh: University of Pittsburgh Press, 1997).

to defer to the politically appointed U. S. attorney in selecting personnel and deciding what to investigate. This meant much of his work was to abet the open shop policies of area industries.⁵ In March 1919, no longer green, Judge resigned to begin a long career as a union-busting, Red-hunting private detective.⁶

Judge's successor was Richard B. Spencer, a relatively cosmopolitan, well traveled Wilsonian Democrat. Thirty-nine years old and married with three children, he came from an old Maryland family and held degrees from St. John's College in Annapolis and Georgetown Law in Washington, D.C. His father was the assistant librarian at the U.S. Naval Academy. Starting as a three dollar-a-day BI special agent in Chicago in 1914, by the end of the war he headed the Madison and Milwaukee field offices and was thought highly of at headquarters. Chicago BI superintendent Hinton Clabaugh labeled him potentially "a first class man." The Pittsburgh job was a promotion and it paid nine dollars a day.⁷

Whereas Judge had been a Pittsburgh man training to serve corporate interests by working for the BI, Spencer was a federal career man who was more inclined than Judge had been to please Washington head-

5. In 1915 Judge's only investigator was John R. Dillon, a former Washington, D.C. probation officer about whom little information is available. The four pages of Dillon's unnumbered FBI file are two unsigned memos dated 1914 describing his background, plus resignation documents. For Judge's pre-BI experience see Application for Appointment, 10 Oct. 1913; Chief to Judge, 16 Jan. 1915, FBI 67-96008-1.

6. Judge was long associated with W. W. Groves who in the 1920s and 1930s ran Federal Laboratories, Inc., a supplier armored cars and all sorts of labor control weapons and ordinance, especially tear gas shells and grenades. Groves also controlled the private detective firms Central Industrial Services Company, Railway Inspection and Audit, and Library Service Bureau. Judge worked for and was a shareholder in the latter two. In 1936 several New York labor unions denounced Judge as a "strike breaker, a gangster, an agent provocateur, a swindler, a public enemy and an associate of criminals." [name redacted], memos for E. A. Tamm, 4, 10 Mar. 1941, FBI 67-96008-3; U.S. Congress. Subcommittee on Education and Labor. *Hearings to Investigate Violations of Free Speech and Assembly and Interference with the Right of Labor to Organize and Bargain Collectively*. 74th Cong., S. Res. 266, 1937-1938 (Washington: GPO, 1938), 2685-86, 5346.

7. After college Spencer toiled at a Philadelphia shipyard, on railroad surveying crews, and as an assistant clerk in the Boston federal courthouse. Spencer, Application[s] for Appointment, 23 Mar. 1914, 7 Nov. 1923; Clabaugh to Bielaski, 24 Mar. 1916, all FBI 67-519-2. From 1909 to 1913 he worked at the Library of Congress and studied law at Georgetown. See letters of recommendation and background investigation in 1913-1914 in FBI 67-519-2, especially Alexander B. Bielaski ["lovingly, Papa"] to A. Bruce Bielaski [BI chief] 27 Aug. 1914.

quarters and less inclined to cater to federal DAs, Carnegie Steel, or the Pittsburgh Employers' Association. During the Red Scare his men earned praise from both Washington and the Pittsburgh establishment by playing a leading role in suppressing and discrediting coal and steel strikers and building strong cases against aliens swept up in the Palmer raids.⁸ However by the summer of 1920 there was a backlash against the Justice Department's alleged civil liberties abuses in connection with the raids. Criticism from judges, prominent lawyers, legislators, and muckraking journalists forced the BI to downsize, reorganize, and reinvent itself to fit a leaner, peacetime bureaucracy. Bowing to pressure, at the end of July 1920 BI director Flynn ordered field offices to drop most (not all) paid spies and reduce anti-radical activities. Pittsburgh, with its mostly unskilled, immigrant workforce and obvious potential for industrial unrest, was among a few cities allowed to keep undercover operatives and agents on full time radical work. But the squad was cut to two full time agents.⁹

As part of a reorganization in September 1920, Spencer became superintendent of the BI's Division 2 (District of Columbia, Maryland, Delaware, Pennsylvania, and West Virginia field and resident offices) with a pay increase from \$9 to \$12 a day. He pledged that he would use his position to promote a "keynote of the pioneers that each individual agent in the field ... would have a man to represent him at Washington," and to improve on the situation where "in the old days [SACs] sometimes went two or three years without personal contact with anyone from Washington." However, the Bureau's Committee on Field Organization was mainly interested in eliminating marginal offices and winnowing the ranks of agents and clerks. Dutifully, by December 1920 Spencer had proposed closing six semi-rural, mostly one-agent resident offices. The large offices (Philadelphia, Pittsburgh, Baltimore, Washington, or Norfolk) were to absorb their workload. This would mean sub-

8. For Judges's taste for high living, see [name redacted], memo for E. A. Tamm, 12 Mar. 1941, FBI 67-96008-2. For Spencer's conflict with western Pennsylvania U. S. Attorney E. Lowry Humes over the transfer of the then head of the Pittsburgh radical squad Edgar B. Speer to Philadelphia, see McCormick, *Seeing Reds*, 123, 127; Palmer to Spencer, 16 Aug. 1920, FBI 67-519-1.

9. Powers, *Secrecy and Power*, 112-24; New York kept five agents on full time radical work, Chicago three, and Philadelphia two. Cleveland and St. Louis radical squads were disbanded. Chief to various SACs, 26, 27 July 1920, Bureau of Investigation (BI), Old German file (OG) 374217, Microfilm M1085, Rolls 821-22, Record Group (RG) 65, National Archives (NA).

stantial administrative savings, especially if, as expected, the affected agents opted to resign rather than be transferred.¹⁰

Spencer also favored closing the Charleston, West Virginia resident office. The workload there was usually routine and often insufficient for one full time agent. Furthermore, it was hard to recruit men for such a rough and remote area. The resident agent did not "keep in proper contact with the bureau" and undermined its independence by sharing a stenographer, filing cabinets, and an office suite with the federal DA for southern West Virginia. Both men even held positions with the same oil company. But events conspired to keep Charleston open. It lay in the middle of a bitter war between coal operators and miners (1920-1922) as the United Mine Workers of America (UMWA) tried to unionize the southern West Virginia coal fields. So Spencer had to keep three or more men there. To upgrade the staff, in 1921 he sent thirty-eight year old Harold "Pop" Nathan, who wanted out of the Norfolk office, to supercede the resident agent. Spencer recognized and praised Nathan's ability and skills, which included fluency in German, Yiddish, and "Slavish," and trusted his judgement and familiarity with the "long drawn out struggle between operators and union miners ...[to make him] a much better man to weigh reports from both sides carefully and advise the Bureau of the exact situation." Nathan, one of a handful of Jewish G-Men, would advance in the BI by 1930 to be Hoover's deputy.¹¹

The Bureau wanted to keep the West Virginia state government, widely regarded as the apotheosis of corruption and incompetence, at arm's length. Through much of 1921 and 1922, southern West Virginia was under martial law and Spencer ordered Nathan not to hire informants and to leave spying to military intelligence. This reduced Nathan

10. Palmer to Spencer, 16 Aug. 1920, FBI 67-519-1; Spencer to Chief, 27 Apr. 1921, FBI 67-519-2. Wilmington, Harrisburg, Scranton, Richmond, Martinsburg, and Wheeling were to close. The closings caused two special agents to resign. One was Wheeling's John B. Wilson, who was too independent and who had failed to get the goods on area radicals. The other was the loyal, but only marginally competent, Martinsburg agent Ernest Lambeth. Spencer to Chief, 26 Nov. 1920; same to same, 5 Jan. 1921; same to William J. Neale, 15 Sept. (four letters), 29 Sept. 1920; same to Lewis J. Baley, 14, 18 Oct., 2 Nov. 1920 (two letters); Baley to Spencer, 18 Oct. 1920, all FBI 67-519-2.

11. Telegram, Spencer to Baley, 10 Mar. 1921; Chief to Spencer, 8 Mar. 1921; Spencer to Chief, 6 May 1921, all FBI 67-519-2; same to same, 20 July 1921; same to Burns, 2 Sept., 30 Nov. 1921, FBI 67-519-1; same to same, 14 Oct. 1921, FBI 67-519-2; Sanford Unger, *FBI* (Boston: Little, Brown & Co., 1975), 327; *Time*, 19 Jul. 1963, 62.

to filing reports based largely on newspaper accounts.¹² Such lack of support for its cause helps to explain why the West Virginia corporate-political establishment later tried to have Spencer removed as Pittsburgh SAC.

One of Spencer's duties as superintendent was to assemble evaluations of the agents in his division for Washington. In the form of short essays (before Hoover there was no standardized form), these evaluations offer a valuable picture of a BI workforce in 1920-1921 that contrasts sharply with the modern Bureau. Writing in the aftermath of Watergate, Sanford Unger found among agents, who were required to have a college degree, a low turnover rate, high representation of Roman Catholics (particularly northeastern Irish Catholics), and a strong sense of loyalty to each other and the Bureau. Not surprisingly the institutional culture was politically conservative and biased against socialists and labor unions and toward property and capitalist interests. More recent social science studies describe FBI agents as "relatively young, predominately white male, and most satisfied working traditional criminal type cases in the smaller field offices." They are strongly attracted to the "professional" and "national" reputations, "integrity," and "job prestige" of the FBI and worried less about job security than typical police officers.¹³

The forty-odd agents of Spencer's division in 1920-1921 were all white, all male, usually Protestant, and generally in their thirties and forties. Most had been hired during the war, in part because their age or other factors made them draft exempt. There was much turnover and very few had been with the Bureau more than three years. The reports

12. Spencer to [Nathan], copy to Burns, 29 Aug. 1921, FBI 67-519-1; Nathan, reports., 16-20 May, 12-20 June, 2-3 Sept. 1921, Bureau Section File 210625-07, Microfilm M-1085, roll 944, RG 65, NA; David A. Corbin, *Life, Work, and Rebellion in the Coal Fields: The Southern West Virginia Mines, 1880-1922* (Urbana, Ill.: University of Illinois Press, 1981), 195-224.

13. Unger, FBI, 322-36; Wayne E. Girardet, "Holland's Theory and the FBI: An Exploration of the Characteristics of Special Agents and their the Work Environment (Holland's Theory of Vocational Preference)" (Ph.D. diss., Rutgers University, 1994); Kathleen L. McChesney, "Organizational and Vocational Characteristics of the Federal Bureau of Investigation and the Special Agent Position that Motivate Men and Women to Select Careers as FBI Special Agents" (Ph.D. diss., Golden State University, 1987). A more recent study of FBI "values" found that all respondents rated five of twenty-one sub-scales highest: "achievement, economic security, ability utilization, personal development, and lifestyle." Whether economic security in the 1990s corresponds to job security in the 1980s is open to question. John D. Glover, "Work and General Values of F.B.I. Agents: Variations by Gender, Race and Ethnicity" (D.P. A. diss., University of Southern California, 1996).

suggest that the agents were motivated by some admixture of patriotism, the romance of "sleuthing," the status and power thought to attach to a federal badge, and/or the prospect of steady white-collar employment.¹⁴

Testifying before the House Rules Committee in June 1920, with young Hoover at his side, Attorney General Palmer misled Congress and the public when he said that most BI agents were "college men, university men," and "trained lawyers." That was not true. Generally speaking in Spencer's division only SACs were (non-practicing) lawyers and few agents were college men. Some agents came to the Bureau with Internal Revenue Service, Immigration Bureau, police, military and/or private detective experience. Many others were high school and/or business school graduates without legal training, who were expected to master their craft on the job. Some supplemented their pay, typically \$5 to \$7 a day, with secondary employment or business activity.¹⁵

Division 2 SACs praised men who were loyal to the organization, wrote clear reports, and would uncomplainingly work sixteen-hour days. They criticized those who were "nervous and flighty," unwilling to do "rough work," or too much influenced by the local U. S. Attorney. A Norfolk agent was a "disorganizer" who impaired office efficiency. A brainless Philadelphia agent was a "sky-rocket type" who would attempt to "run all of the agencies of the government and ... perform all the functions of the police agencies in the country ...[and who] has a mania for wanting to arrest someone in and out of season." Another Philadelphian could work a single case, but "give him several apart from a radical matter to really think about and he goes rather wild and is likely to telephone across the state to Pittsburgh to get information available around the corner" Still another would bring in three or four people when one was enough.¹⁶ In a category by himself was Joseph E. Sainsbury, a forty-five year old Baltimore agent awaiting trial for bribing a Prohibition agent. According to his supervisor he was

full of soft spots and easily imposed upon and terribly slow. I don't know what other kind of job he could get. He has a way of making

14. Spencer to Baley, 14 Oct. 1920, FBI 67-519-2; same to Burns, 5 Apr., 30 Aug. 1921, FBI 67-519-1.

15. U.S. Congress. House. Committee on Rules, *Investigation of Charges Made Against the Department of Justice* (66th Cong., 2d Sess.), 75; Evaluations are from Spencer to Burke, 5 Apr., 19 Jul. 1920; same to Baley, 14 Oct., 2 Nov. 1920; same to chief, 29 Nov. 1920, all FBI 67-519-2; same to Burns, 30 Aug. 1921, FBI 67-519-1.

16. Spencer to Baley, 14 Oct. 1920, FBI 67-519-2.

friends and is altogether attractive, in spite of his appearance, in an odd sort of way. He lived in China, India, etc. for a long time and has a most unusual assortment of information, Oriental stupidity, Christian Science, Hypnotism, and a good education. He would stick to anything he was put on, without ever getting much evidence, and bring in anybody, any number and delights in fighting if anybody said [sic] anything about this office.¹⁷

Spencer, perhaps self-servingly, described his own Pittsburgh office as "well balanced, efficient and, like Philadelphia, ... much above average." He singled out five men who had borne the brunt of the war and the radical squad work as the heart of the operation.¹⁸

First was John C. Rider, forty-five years old, married, Protestant, Republican, and a Mason. A graduate of Franklin, Pennsylvania high school and Duff's Business College, he came to the BI in February 1918, from a "butter, egg, and cheese" and hotel business background. He came recommended by federal District Attorney E. Lowry Humes and in search of steady employment until the end of the war. Rider proved to be loyal, personable, and adept at office work and tedious investigations such as bankruptcy cases. Another point in his favor, according to Spencer, was that Pittsburgh's "higher type" businessmen liked him. During the war he had organized and supervised the Cambria County American Protective League (APL), part of the controversial 250,000 member Justice Department civilian auxiliary. Weighed against Rider's strengths was a weakness for occasional binge drinking, usually at moments of high stress in the office. And he had no stomach for the BI's "rough work."¹⁹ In the gangster-chasing Bureau culture of 1930s, his lack of legal training would hurt him less than his reputation for being "old womanish" that grew out his inability to drive a car or qualify on the firing range.²⁰

17. *Ibid.* Sainsbury was cleared of bribery and still on the job a year later, when his SAC praised his "thorough knowledge of the cosmopolitan life both here and abroad" and his expertise in installing dictagraphs. Spencer to Burns, 30 Aug. 1921, FBI 67-519-1.

18. Spencer to Burke, 19 Jul. 1920, FBI 67-519-2; same to Burns, 30 Aug. 1921, FBI 67-519-1.

19. Rider, Application for Appointment, 20 Feb. 1918, FBI 67-26-117; Judge to A. Bruce Bielaski, 26 Feb. 1918, FBI 67-26-1; Spencer to Burke, 15 May, 19 July, 1920, FBI 67-519-2; same to Burns, 30 Aug. 1921; E. H. Blackmon, report, 16 June 1924, FBI 67-519-1; Spencer, report, 2 Nov. 1921; Rider to Burns, 19 Feb. 1924; E. E. Hohman to Burns, 29 Feb. 1924, all FBI 67-26-1; Clyde Tolson, memo, 11 Apr. 1930, FBI 67-26-61; E. A. Tamm, ERS, Rider and memo, 31 Mar. 1934, FBI 67-26-117.

20. Late in his career, after an episode when he became flustered upon learning that he was speaking to J. Edgar Hoover, himself, on the phone, Rider became so timid that he

Frederick M. Ames, in his mid-thirties, Protestant, and married without children, joined the BI in 1918 after five years as an army non-com and seven years with the Pennsylvania State Constabulary. The Greensburg, Pennsylvania resident belonged to the Masons and the Sons of the Revolution. Unfortunately for Ames, his impeccable patriotic credentials were yoked to a fifth grade education and a dearth of the polish and personality the Bureau desired in a special agent. Ames was not an office man, but liked rough work so much that he once formally suggested to Hoover that agents making arrests should routinely carry blackjacks "to eliminate a lot of unnecessary tussling." According to Spencer, every well balanced office needed an Ames—loyal, fearless, and a dogged investigator, especially in cases of labor trouble and radical activity.²¹

Henry J. Lenon, married with grown children, was, at fifty, the oldest man in the office. The Presbyterian son of an Irish immigrant, he was also a "100 percent American" and a conservative Republican activist. He was first hired in 1918 as resident agent at Erie after an APL apprenticeship in Pittsburgh and remained there until the job was abolished in 1919. In 1920, he left his job as an American Steel and Wire detective in Cleveland to take over the all-important radical squad. Lenon had a sixth-grade education and a résumé that included an eclectic array of night-school courses. He had held various low-level factory and white collar jobs, many of them probably as covers for labor espionage work. Despite being a joiner (Odd Fellows, Knights of Pythias, 32d degree Mason), he was an insecure workaholic with a prickly personality and a distrust of everyone.²²

The relative newcomer and odd man out among Spencer's key agents was Michael I. Yankovich, a single, twenty-four year old Wilkes-Barre native. He was an ex-doughboy and the son of a Russian immigrant coal miner. Before the war he attended a Russian Orthodox Seminary in Cleveland. After the war he did spy work for the Pennsylvania State Constabulary. Fluent in "Russian, Ruthenian, Slavic, and Polish," he answered Spencer's need for an operative to infiltrate Slavic radical groups. First hired in late 1919 for covert work, he won promotion to

refused to answer calls from Washington. E. A. Tamm, ERS, Rider, 31 Mar. 1934; Tamm, memo, both FBI 67-26-117; Hoover, memo for E. A. Tamm, 17 Sep. 1934, FBI 67-26-109.

21. Ames, Application for Appointment, 15 Apr. 1921, 9 Nov. 1923, FBI 67-1592-1; Ames to Director, 18 Dec. 1934, FBI 67-1592-124; Spencer to Burns, 30 Oct. 1921, FBI 67-519- 1.

22. McCormick, *Seeing Reds*, 20-21, 170-71.

special agent in October 1920 after he fingered members of the Union of Russian Workers (UORW) at Monessen, Pennsylvania, and translated during interrogations of Russian immigrants and alleged UORW members detained at Fairmont, West Virginia, during the Red Scare. He got on well with Ames, who shared his Pennsylvania state police and military background.²³

Two years older than Rider and with a few months more BI seniority, agent Kenneth K. McClure was an area native, high school-educated, and married without children. His pre-Bureau experience was in the hotel business. He was active in Allegheny County Spanish-American War veterans' affairs and maintained good contacts among businessmen. During the Great War he had handled most of the slacker (draft evasion) and white slavery (prostitution) cases. Like his colleague (and nemesis) Rider he was an office man who shied away from shadowing and other rough work. Unlike Rider, he did not get along with Spencer, whose appointment had thwarted his ambition to become SAC. It did not help that Spencer formally reprimanded him for his "childish" reaction to Rider's becoming assistant SAC.²⁴

Spencer had better relations with Washington than with his agents. Some, like McClure, coveted his job, opposed change, and/or resented him as an outsider. Whatever the cause, the records make clear that he was undone by their disruptive internal squabbling.

In November 1920, soon after Warren G. Harding and the Republicans won the White House and Congress by a landslide, an embarrassed Spencer had to investigate allegations from some of his agents that others, their colleagues, had violated the new Prohibition laws. The trouble began when an ex-agent who had been fired by Spencer as a suspected bootlegger retaliated by claiming that Spencer's right-hand-man Rider had tried to sell 1,000 cases of illegal liquor. The accuser soon admitted fabricating the story, but now other agents came forward "reluctantly." Apparently on two occasions unnamed agents had sold pints of whiskey in the office. Spencer downplayed this to Washington as "undoubtedly a violation of the Volstead Act, but ... so petty a matter, that it is best, perhaps, to pass it by."²⁵

23. Yankovich, Application for Appointment, 29 Nov. 1919, 16 Apr. 1921; J. T. Suter to Spencer, 18 Feb. 1920; telegram, Spencer to George W. Ruch, 1 Oct. 1920; Hoover, memo for the Chief, 8 Oct. 1920; Palmer to Yankovich, 15 Oct. 1920, all FBI Yankovich [no file # given]; McCormick, *Seeing Reds*, 158-59.

24. Spencer to Chief, 5 Jan. 1921, FBI 67-519-2; same to Burns, 26 Oct., 24 Dec. 1921; Blackmon, report, 16 June 1924, all FBI 67-519-1.

25. The fired agent's name was redacted by the FBI. Spencer to Baley, 12 Nov. 1920, FBI 67-519-2.

But there was more. Evidently another former agent had peddled five barrels of whiskey in the office. Two others had been present at the sale of a truckload of whiskey behind an East End pharmacy after which one of them escorted the cargo safely to his mother's Homestead saloon. Lamely, Spencer rationalized that no harm had been done, because the shotgun-riding agent had since resigned and that during the incident had not shown his badge, used his government authority, or directly profited from the deal.²⁶

Next Yankovich reported overhearing an office phone conversation relating to eight trunks of bottled whiskey, which were being held by Prohibition agents at Pittsburgh's Union Station. When questioned, a Prohibition agent told Spencer that McClure had offered him part of a \$500 profit if he would release the whiskey for sale. It turned out that the Prohibition agent meant Lenon, who admitted intervening for a "party" to secure the release of the whiskey. He had merely passed on to the Prohibition agent the party's verbal offer to pay a \$500 fine if the whiskey could be released without a formal court procedure. Lenon insisted that he dropped the matter when the Prohibition agent insisted that it must be handled in the "usual," *i.e.*, legal way. Spencer made light of the affair, reassuring Washington that Lenon "could not be dishonest if he tried." ²⁷

Then another agent (name redacted) related that months earlier while he and McClure were drinking in the William Penn Hotel room of an Erie "underworld" leader, McClure talked about making \$1,000 on a liquor deal. The very next day the same crook came to the office to see McClure under "suspicious circumstances." McClure admitted being in the hotel room and joking that he could get any amount of booze "if he knew who wanted to buy it." But he insisted that he had been only "remarking on the general liquor situation because he happened to know someone with a large stock on hand." Spencer told Washington that, like Lenon, McClure must be innocent, because his "manner and whole appearance was [sic] entirely devoid of any embarrassment or of any evidence of wrong doing." He added as if it were evidence of McClure's innocence that a bootlegger would have lots of money and everyone in the office knew McClure was broke and in debt.²⁸

26. *Ibid.*

27. *Ibid.*

28. *Ibid.*

Widespread violations of dry laws were endemic throughout the Northeast. Spencer explained that in Pittsburgh "liquor dealing ... is so open and notorious as to be on the lips of a great many citizens and discussed in street cars, etc." As if it were an excuse, he added, this was "perhaps, not the first time when this mistake has been made when a man wants a drink." When the "blow off" came because of so many Volstead violations, thanks to the investigation his men would be in the clear. Venting the accusations, he concluded, "has had a most wholesome effect upon the Pittsburgh office and both agents and employees can now proceed with their usual duties without the air of suspicion that has hung about ... for some months past." Granting that human nature is flawed and the prohibition laws were controversial, what Spencer did not say was that the liquor fiasco was at least partly about agents jockeying for position and favor to avoid the job losses that Harding's "normalcy" might bring. Moreover his reports failed to propose how he planned to address the serious lack of ethical standards and collegiality among his men.²⁹

While not blaming Spencer directly, Washington concluded something should be done. Director Flynn brought in a new SAC, Clarence D. McKean, like Spencer a Georgetown Law alum, to run the Pittsburgh office while Spencer was busy with Division 2 affairs. But unresolved problems made McKean's job difficult. McClure, Rider, and Lenon, who all wanted to become SAC, had been passed over again for the outsider McKean. And Spencer did not tell his superiors about chronic problems on his staff such as Rider's drinking. On the other hand he was quick to charge McClure with cowardice. The incident occurred in October 1920. On the eve of what was expected to be a violent local election at Welch, West Virginia, McClure, pleading illness, had deserted his post and fled to Pittsburgh.³⁰

By 1 January 1921 some Bureau field offices had lost half their agents to budget cutting. Pittsburgh was down from fifteen to eight. Ames, Lenon, McClure, Rider, and Yankovich survived, but more cuts seemed imminent. Absent public fear of the Red Menace, once the backlog of war related fraud cases was cleared, only an unpredictable volume of white slave, bankruptcy, fraud, interstate auto theft, and prize fight film

29. Ibid.

30. Under orders to drop an agent a year later, Spencer chose McClure, then deferred to McKean who wanted to drop J. J. McCall. Spencer to Baley, 14 July 1921, FBI 67-519-1; same to same, 2 Nov. 1921; same to Burns, 26 Aug. 1921, all FBI 67-519-2.

cases stood between BI agents and unemployment.³¹

The impending Republican takeover of the presidency with majorities in both houses of Congress in March 1921 added to the Pittsburgh agents' insecurity. Whatever their personal political affiliation, they were all Democratic administration appointees without civil service protection. Incoming Attorney General Harry M. Daugherty pledged to run the Justice Department like a business, efficiently and cheaply. How many agents would be let go was anyone's guess. Their relative lack of experience and formal education and that they were mostly middle-aged and settled made them resistant to transfer and poor candidates for retraining. Given the then current wage stagnation, inflation, and growing unemployment, it was not a good time to be laid off.³²

A symptom of agent discontent in early 1921 was an article in the Democratic *Pittsburgh Post*. It quoted the lament of an unnamed BI source that "the Sherlock Holmes type agent who used his powers of deduction and discernment ... will soon be a thing of the past ... dated up like a lyceum lecturer, ... [who] has to give accounting of his time and carry out exactly such a prearranged schedule" The writer feared that agents' individual initiative could not survive being put on time clocks. In reality, agents more resembled Pinkerton detectives or corporation "secret service" operatives than Baker Street irregulars. There was irony in that the Bureau's surveillance of labor agitators had taught the writer about "Taylorism" or scientific management of the workplace. They who had helped management to suppress industrial workers' resistance to Taylorism were now to be Taylorized.³³

More irony was on display in another *Post* article two weeks later attacking an often discussed, never consummated, proposal to consolidate nine federal investigative agencies including the BI into a single super agency under a \$10,000-a-year chief. An anonymous BI source claimed that although the rank-and-file at all the bureaus opposed the merger, some government higher-ups wanted "one big bureau" as much as Industrial Workers of the World (IWW) radicals wanted "one big union." He faulted anti-Wilson elements and pro-Red sympathizers

31. Chief to Spencer, 3 Jan. 1921, FBI 67-519-2. For a description of the BI case load see the annual Department of Justice, *Report of the Attorney General* (Washington, D.C.:GPO) for the fiscal years 1920-1921 to 1924-1925.

32. Firings, resignations, and pay freezes are in Chief to Spencer, 16, 24, 30 Dec. 1920, 5, 10, 11 Jan. 1921; Spencer to Chief, 30 Dec. 1920, all FBI 67-519-2.

33. *Pittsburgh Post*, 16 Mar. 1921.

who constantly reproached wartime BI agents as “‘hold overs’... seeking to make work for themselves in order to justify their existence.” Followers of this mistaken line dismissed “reports of radicalism ...[as] only the exaggerated self-created fictions of Federal men seeking to hold onto jobs they secured during the war.”³⁴ To add to the staff’s insecurity, in January 1921 the owner of the St. Nicholas Building, where the Bureau had leased rooms since 1915, turned off the heat after 7 P.M. and on Sundays and required agents to enter the building at those times through a rear door in the cellar. Then, knowing that the Bureau was strapped for funds, he raised the annual rent from \$2356 to \$3015 effective May 1, 1921.³⁵

No doubt insecurity and loss of status, not just “Smoketown” air, help to account for the plague of illness and internal strife that afflicted the Pittsburgh BI in the winter of 1920-1921. Spencer, who had a history of stress related physical illness, missed parts of January, February, and March, variously caring for his toddler who required a “delicate operation” to survive, in bed himself with infected tonsils, or nursing his wife through painful mastoid surgery. But that was nothing compared to Yankovich’s affliction.³⁶

Diminished energy, severe headaches, and impaired vision in one eye kept young Yankovich in Mercy Hospital and off the job for most of December for treatment of hypertension and nephritis. At the end of the year, he went home to Wilkes-Barre to rest and consult the family physician. In mid-January he returned saying he felt better. Soon, however, colleagues noticed that the left side of his face was distorted by a “slight paralysis” and he complained of a burning sensation and aches in

34. *Pittsburgh Post*, 1 Apr. 1921. Ex-special agent T. H. B. Patterson, who had written the articles, told Spencer that his information came from the Cleveland BI office. Spencer to Chief, 1, 15 Apr. 1921; Chief to Spencer, 2 Apr. 1921, FBI 67-519-2.

35. Spencer to Baley, 23 Feb. 1921; Baley to Spencer, 26 Feb. 1921, FBI 67-519-2. Before May 1 the BI moved to the House Building and after that to the Standard Life Building. Spencer to Burns, 14 Sept. 1921, FBI 67-519-1.

36. Spencer to Chief, 22 Jan., 1, 6, 8 Feb. 1921; McKean to Chief, 29 Jan. 1921, FBI 67-519-2. Before joining the BI Spencer had resigned from the U.S. District Court clerk’s office in Boston because of “weak eyes.” The physician who treated him concluded that he worried about himself too much and that his condition was more mental than physical. [agent’s name redacted], report, 28 Apr. 1914, FBI 67-519. In October 1919 during the great steel and coal strikes, Washington ordered Spencer to take leave because of extreme exhaustion. Suter to Spencer, 19 Oct. 1919, FBI 67-519-2.

his left eye. To add to his woes, Washington red tape cut off his salary, even after he returned to work.³⁷

Later in the Bureau's history Yankovich's fellow agents would have taken up a collection to pay his salary during his emergency. But that evidently did not happen, because while his salary was being withheld, on February 8, 1921, Pittsburgh police arrested Yankovich and a companion after a Fifth Avenue prostitute told police that he had flashed a BI shield and a gun and threatened to arrest her unless she gave him money. A city detective told the *Pittsburgh Dispatch* that there had been a rash of complaints by women who been accosted for hush money and that when they searched Yankovich police found a revolver and BI badge. Yankovich admitted to Spencer that "he lost his temper" when questioned by the police, but denied wrongdoing. He said that the woman had approached him for sex and that to get rid of her he showed his badge to prove he was an officer. After a night in jail, Yankovich appeared before a city morals court judge who dismissed the charges. This fortunate result was largely owing to SAC McKean's testimony to Yankovich's good character and war record and to a narcotics inspector and others who portrayed his accuser as a "person of loose morals and whose record is well known."³⁸

Spencer blamed the arrest on a hot-headed city detective and faulted Yankovich only for the inappropriate display of his badge (no mention was made of the revolver). Spencer did not try to explain why Yankovich encountered the woman several times that day on Fifth Avenue if, as he said, he was just going home from work. Spencer suggested that the streetwalker was paying the city detective for protection and ignored the likelihood that Yankovich, broke, anxious, and sick, had tried to shake her down assuming that no one would believe her if she complained. Perhaps, sensing that Yankovich was terminally ill (he died July 20), Spencer chose not to cause more pain. Or perhaps, he was simply putting the best face on an incident that was an embarrassment for the BI and a blot on his stewardship.³⁹

37. He was unpaid from 31 December 1920 to 31 March 1921. McKean to Chief, 24, 28 Feb., 17 Mar. 1921; Chief to McKean, 19 Jan. 1921, FBI [Yankovich-no file # given].

38. Unger, *FBI*, 333; *Pittsburgh Dispatch*, 9 Feb. 1921; Spencer to Chief, 9 Feb. 1921, FBI [Yankovich-no file # given].

39. Spencer to Chief, 9 Feb. 1921; LJB, memo for Mr. Sornborger and Mr. Russell, 9 Jul. 1921, both FBI [Yankovich-no file # given].

In April 1921 came Lenon's "nervous breakdown." While Lenon was ill at home with a painful carbuncle, agents Yankovich, still on the job, and Ames visited him and mentioned interviewing his informants to compile the weekly radical report for J. Edgar Hoover, which was usually Lenon's task. Hearing this, Lenon flew into a rage, berating them for going to his sources behind his back and McKean for telling Yankovich to do the report. In the wake of this tirade Yankovich asked for a transfer and Ames and McKean vowed never to work with Lenon again.⁴⁰

Lenon's behavior probably grew out of job insecurity and fear that Yankovich threatened his niche, which was investigating radicalism. He had recently lost his principal informant and advisor on radical matters, Louis M. Wendell, and was now left to compete with the youthful Yankovich, fluent in the Slavic languages central to the emerging Communist movement.⁴¹ After a few days Lenon apologized to his colleagues and things were smoothed over. Officially Spencer ascribed Lenon's behavior to overwork and the "neurosis" common to agents assigned wholly to radical work. Obviously, if controlled, this suspicious mindset heightened Lenon's sensitivity to the hidden enemies of America, but several of the agent's reports in this period lack rationality and suggest a disturbed mind, one obsessed with a supposed world wide Russian-Jewish-Marxist-feminist conspiracy.⁴² And, if he knew, Spencer did not tell his superiors that now he, too, was on Lenon's enemies list.

Through the first seven months of 1921 the BI drifted. Director and famous detective Flynn, a Wilson holdover, spent much of his time in New York City, where earlier he had won fame with the Secret Service and New York Police Department by combating Italian counterfeiting and so-called Black Hand extortion gangs.⁴³ Breaking a big case might restore the Bureau's sagging reputation so he focused on finding the Italian anarchist who he believed had detonated the deadly Wall Street bomb on September 16, 1920.⁴⁴ In his absence day-to-day administration fell more and more to the careful technician Hoover.

40. Spencer to Chief, 25 Apr. 1921, FBI 67-68.

41. The special employee, Lenon confidant, and former Cleveland private detective was Louis M. Wendell, a.k.a. Louis (Leo) M. Walsh, a.k.a. agent 836. See McCormick, *Seeing Reds*, passim.

42. Spencer to Chief, 25 Apr. 1921, FBI 67-68; McCormick, *Seeing Reds*, 184-85.

43. Thomas M. Pitkin and Francesco Cordasco, *The Black Hand: A Chapter in Ethnic Crime* (Totawa, N.J.: Littlefield, Adams, & Co., 1977), 39-40; 146-57.

44. Flynn theorized that the explosion was the work of the same group that had set off bombs in eight cities, including Attorney General Palmer's Washington townhouse, on June 2, 1919. *New York Times*, 18 Sep. 1920. Neither case was ever solved, but studies

In August AG Daugherty fired Flynn, who retired to edit *Flynn's Weekly Detective Fiction*. The new director was William J. Burns, a Daugherty crony and a Flynn rival, whom Arthur Conan Doyle had dubbed the American Sherlock Holmes. Burns had tried to solve the Wall Street bomb case by tying it to eastern European Bolsheviks. On a smaller scale and more discreetly than his predecessor, Palmer, AG Daugherty pushed the Bureau's program against the left unimpeded by the Wilson era truce with Samuel Gompers and conservative labor. Burns enthusiastically supported Daugherty's program. Like Flynn, he came from a Secret Service background and his famous detective agency had made its reputation in part by spying on unions, strikers, and radicals. Ultimately the Burns regime left the stink of corruption and venality at the BI. However, in the short run it restored morale by halting the attrition of agents and even modestly increasing their number.⁴⁵

With Hoover as his number two man, Burns undertook reform. Training schools were set up in New York and Chicago, although it is unclear how many new agents attended. Just as the *Pittsburgh Post* writer had feared, a reorganized and centralized Washington headquarters now kept in "direct touch daily" with each field agent, who had to account for time spent on each case, the details of the work performed, and daily expense. For each case, agents had to prepare a journal memorandum for the director's review and SACs had to report weekly to Washington on the status of all work.⁴⁶

Soon after Burns's appointment, West Virginia Republican leaders tested their influence in the Harding administration by trying to put Lenon in Spencer's place. First Governor Ephraim F. Morgan, the creature of coal and railroad money, wrote to Senator Howard Sutherland that Lenon had been "very strongly recommended" to him by "friends who are well acquainted with him and the present incumbent [Spencer] and feel that for several reasons, not the least being political, Mr. Lenon should have charge as the man now in charge is of the other political

of Luigi Galleani and his followers in America support Flynn. See Paul Avrich, *Sacco and Vanzetti: The Anarchist Background* (Princeton: Princeton University Press, 1991) and Nunzio Pernicone, "Luigi Galleani and Italian Anarchist Terrorism in the United States," *Studi Emigraziones/Études Migrations* 30 (1963), 469-89.

45. William R. Hunt, *Front-Page Detective: William J. Burns and the Detective Profession, 1880-1930* (Bowling Green, Ohio: Bowling Green State University Popular Press, 1990), 153-57; *New York Times*, 1 Apr. 1921.

46. *Report of the Attorney General* (Fiscal Year 1921-1922), 67-68; Powers, *Secrecy and Power*, 131; Lowenthal, *Federal Bureau of Investigation*, 308-10.

faith.” Sutherland forwarded Morgan’s letter to fellow West Virginian Guy Goff, an assistant to Daugherty. Sutherland wrote that “we [Republicans] are being criticized everywhere for holding democrats in these important places ... where they have a very large opportunity to do harm if they are disposed to do so, or a large opportunity to assist us if they are of our political faith.” Lenon did not get the job. Even in the Burns era BI, Lenon’s negatives—unstable temperament, lack of education, and demonstrated failure to get along with colleagues—outweighed ideology and party affiliation.⁴⁷

Although he escaped Lenon’s attempted *coup*, Spencer evidently paid a price for attracting the gaze of prominent Republicans. At the end of October 1921 his superintendency was abolished and he was bumped back to his old job as Pittsburgh SAC with his salary cut from \$12 to \$9 a day.⁴⁸ To make room, McKean was transferred to Baltimore.

In December 1921 Lenon was at it again. A Pennsylvania Railroad executive, junketing in New England with Daugherty, complained that Spencer had refused to cooperate with company police “on certain investigations particularly in the matter of certain radicals.” The result was a sharply worded memo from Burns to Spencer noting that

there was a time when Pennsylvania Railroad police were in very close touch with and cooperated with the Department of Justice, but for some reason, and which was a personal reason of yours [Spencer’s], they have been unable to get any cooperation from our Pittsburgh office. They have reported matters of importance to you and while other members of your staff have been ready and willing to co-operate you seem to prevent it.⁴⁹

Burns demanded an explanation and warned Spencer that Daugherty “is very interested in this as we are trying to cooperate to the fullest extent with police departments, sheriffs, and peace officers throughout the country.” Spencer’s reply is not in his file, but an inspector later sent from Washington to investigate concluded that he had acted properly.

47. Morgan to Sutherland, 27 Sept. 1921; Sutherland to Goff, 29 Sept. 1921, both FBI 67-68. Pennsylvania Republican Congressman John M. Morin wrote tepidly to Daugherty about Lenon that “men who know him intimately and also the nature of the work done tell me he has honestly and faithfully earned this recognition.” Morin to Daugherty, 26 Sept. 1921; Burns to Morin, 30 Sept. 1921, both FBI 67-68.

48. Anon., memo, 12 Oct. 1921; Department of Justice to Spencer, 19 Oct. 1921, FBI 67-519-1.

49. Burns to Spencer, 21 Jan. 1921, FBI 67-519-1.

According to the inspector, during the war (under Robert Judge) information had been given "to outside organizations that possibly should not have been given." Spencer had ended the practice of opening BI files to company police. Lenon, who was in charge of radical investigations and who had been a Pennsylvania Railroad clerk for three years, was surely behind the complaint, but Spencer took no action. He was, after all, a Democrat in a Republican administration whereas Lenon had friends in the Pittsburgh business community, and since Yankovich's death was his only anti-radical specialist.⁵⁰

In 1922 and 1923 Pittsburgh agents kept busy investigating strikes of railroad shopmen, which idled 1,400,000 nationally, and coal miners in the Central Competitive Field. Daugherty's office commended Spencer for solving a Somerset County bridge bombing and Spencer and Rider for collecting 185 affidavits in the railroad strike. Burns publicly blamed Reds for the strikes, which management (and the Harding administration) crushed. By then Communists had been driven underground and anarchists, except in the continuing saga of Sacco and Vanzetti, had all but disappeared. And Congress was in the process of closing the doors to large scale immigration from southern and eastern Europe. All of this, especially the apparent impotence of the American labor movement, undercut the argument that Bureau agents were needed to investigate radicalism.⁵¹

The relative calm on the radical front in early 1924 allowed the smoldering enmities among the Pittsburgh agents to rekindle. A Republican election year tax cut portended more layoffs. Attorney General Daugherty, who had survived a labor-led impeachment attempt in 1923, now was accused of being a fixer who had used Burns and the BI to impede the Teapot Dome investigation and harass the investigators. During the peak of its activity and influence during the war and even the Red Scare

50. *Ibid.*; A.F. Myers, memo for Burns, 17 Dec. 1921; Blackmon, report, 16 June 1924, both FBI 67-519-1; Lenon, Application for Appointment, 25 June 1918, 9 Nov. 1923, FBI 67-68. His only other radical specialist, the competent but lazy Dan E. Tatom, had been fired. Tatom, report, 4 May 1921, Bureau Section File 202600-1775-18, M1085, roll 939, NA; Spencer to Chief, 14 Jul. 1921; same to Burns, 28 Aug., 2, 25 Nov. 1921, all FBI 67-519-1.

51. Jacob M. Dickinson to Daugherty, 22 Mar. 1923; Burns to Spencer, 27 Mar. 1923; Spencer to Burns, 8 Feb. 1924, FBI 67-68-1; [name redacted], Hillman Coal and Coke Co. to Daugherty, 13 Aug. 1923; Burns to [name redacted], Hillman Coal and Coke Co., 17 Aug. 1923; [name redacted], American Red Cross, Pittsburgh to Spencer, 7 Jan. 1924, FBI 67-519-1. On the shopmen's strike see Colin J. Davis, *Power at Odds: The 1922 National Shopmen's Strike* (Urbana: University of Illinois Press, 1997).

the BI had an indistinct public image and was routinely confused with the Treasury Department's Secret Service. Now it had a reputation, but one much battered by Congressional investigations, judicial criticisms, American Civil Liberties Union (ACLU) challenges, and critical assessments such as Louis M. Post's *Deportations Delirium* (1923), Sydney Howard's *Labor Spy* (1924), and the ACLU pamphlet *The Nationwide Spy System Centering in the Department of Justice* (1924). With so much mud flung at the Bureau, some was bound to stick on Pittsburgh.

In February 1924, Daugherty ordered the Pittsburgh office "cleaned out." Burns agreed and called it a "disgrace." What brought the matter to a head is unclear, but Burns followed up by requesting the resignations of agents McClure, Rider, Lenon, H. P. Morgan, and Michael O'Brien after they had refused transfers. The firing of O'Brien, an agent without seniority, was basic budget cutting. Firing the others was an attempt to bring harmony to a seriously conflicted workplace. Spencer's reaction was to fight to keep Rider, accept the dismissal of O'Brien and Morgan, and do his best to be rid of McClure and Lenon.⁵²

Viewing the shakeup as a local matter, Pittsburgh interests entered the fray. The Spanish-American War Veterans of Allegheny County went to bat for McClure, protesting that it was wrong to force one of their own—a family man, a Pittsburgh native, and Avalon home owner—to leave the area. The *Pittsburgh Press* reported "Shake Up Made Among Federal Sleuths Here." The *Pittsburgh Post* sympathetically listed important cases that McClure had worked on during the war and said that Congressman Stephen G. Porter would escort Morgan and former immigration inspector O'Brien to see Burns. Word leaked to the press that the two had charged Spencer with a coverup and favoritism. McClure refused even to surrender his badge to Spencer and took his case to a meeting with Burns, where he revealed that Rider was sometimes drunk and that Morgan had impugned the late President Harding's racial background.⁵³

Spencer refused to talk to reporters, but wrote to Burns that he was "ready to meet any and all charges preferred by anyone" and invited him to send "a personal representative here to make a thorough investiga-

52. Burns to Rider, 26 Feb. 1924, FBI 67-26-1; Spencer to Burns, 11 Feb. 1924, FBI 67-519-1; Hoover, memo for Burns, 11 Feb. 1924, FBI 67-68.

53. *Pittsburgh Press*, 18 Feb. 1924; *Pittsburgh Post*, 19 Feb. 1924; E. J. B[rennen] to Burns, 12 Feb. 1924; Spencer to Burns, 19 Feb. 1924, FBI 67-519-1.

tion.” His defense in the Morgan matter was that he only learned of the impropriety long after the fact. That was when Ames, who just then happened to be angry at Morgan, told him that in November 1922 while they were in West Virginia to investigate the murder of Sid Hatfield, Morgan said in the presence of a West Virginia state policeman that Harding had “colored blood” and that BI agents would not “get a raise as long as that ——— was in the White House.” When Morgan admitted citing newspaper stories alleging that Harding was a mulatto, but denied using the N-word, Spencer “severely reprimanded” him and “let the matter drop as my good sense and decency dictated that stories of this character should be buried and not circulated.” Spencer cited Morgan’s good record, which included a 1922 commendation for uncovering the source of threatening letters to one of Harding’s Marion, Ohio friends. Bluntly, Democratic holdover Spencer reminded Burns that President Wilson had been the target of scurrilous stories “which certain persons including a former special agent now a prominent Republican politician in the Northwest said they believed to be true.”⁵⁴

The five-year failure to report Rider’s drinking was harder to explain. Spencer justified it by saying that Rider’s industry, efficiency, investigative versatility, several commendations, and excellent overall leave record outweighed his occasional weakness. Perhaps he should have reported Morgan’s and Rider’s derelictions, Spencer wrote, but these paled beside McClure’s chronic insubordination, which Spencer had reported and which Washington had ignored.⁵⁵

In March 1924 the contamination of the Teapot Dome and Veterans’ Bureau scandals and Calvin Coolidge’s need to shed a controversial attorney general in preparation for his run for the White House accomplished what organized labor and its Congressional allies could not, force Daugherty to resign. Burns was left to face a new AG, Harlan Fiske Stone, who had pledged to reform the BI.

In this new climate, despite their appeals, by the end of April Morgan, O’Brien, and McClure were gone. That left only Rider and Lenon, still employed as trial witnesses and fighting dismissal. To keep his job, Lenon rallied local support by promoting himself as the scourge of the

54. Spencer to Burns, 19 Feb. 1924, FBI 67-519-1. Morgan was no doubt referring to stories based on a 1920 pamphlet by Wooster (Ohio) College professor William Estabrook Chancellor.

55. Spencer to Burns, 19 Feb. 1924; Brennan to Burns, 24 Feb. 1924, both FBI 67-519-1.

Communists. In the past he had spoken for Republican candidates and on the flag, patriotism, Americanism, and like topics "always to groups behind closed doors." Now, in April 1924, drawing from the *Voice of Labor* and the *Daily Worker*, he warned Beaver Falls Rotarians of "Radicalism Rampant." He had already been booked by American Legion posts and other groups in Pittsburgh, Erie, St. Mary's, Elk City and Steubenville when Spencer, citing Bureau regulations, ordered him to limit future public speaking to the subjects of health and morals. He must steer clear of his favorite topics, Americanism, immigration, radicalism or "any topic concerning the United States government." Frustrated, Lenon appealed the abridgment of his free speech over Spencer's head to Burns.⁵⁶

Lenon's timing was bad; in April 1924 there seemed little need for a strong BI to curb radicalism. The administration's chief anti-Red drum beater, Daugherty, was out of office and Burns would soon follow. The deaths of Lenin (January) and Woodrow Wilson (February) extended the distance between the turmoil of the Great War and the prosperous, newly consumerist present. The main stream press, apparently reflecting the views of its readership, wanted to hear no more about dangers from the Hun, the Wobblies, or the Bolsheviks. The *New York Times*, formerly a cheerleader for the government's crackdown on Reds, now called the BI "notorious." In a similar vein, Pittsburgh's most popular paper, the *Press*, condemned the recent scandals and civil liberties abuses tied to the Bureau. It ridiculed Burns as "Sherlock Holmes" deftly dangling "the red menace before the eyes of congressmen, expecting their cheeks to blanch [sic] and their knees to knock in terror long enough for them to open up the national cash box The simplest and cheapest way to free the country from the 'red menace' would be to fire Burns." In this dangerous atmosphere Burns went beyond Spencer's directive by ordering Lenon to cease all public speaking "until we learn the attitude of the new attorney general."⁵⁷

In late May, after Hoover replaced Burns, Spencer unburdened himself about Lenon. He claimed that ever since the April 1921 run-in with McKean, Yankovich, and Ames, Lenon was "possessed of the idea" that Spencer and others were after his job. As the idea grew in the agent's

56. McClure was held over to testify in a case, but was terminated in April. FLP [?], memo for Hoover, 26 May 1924, FBI 67-68-1; Lenon to Burns, 11 Apr. 1924, FBI 67-68.

57. *Pittsburgh Press*, 11 Apr. 1924; Burns to Lenon, 16 Apr. 1924, FBI 67-68; Hunt, *Front-Page Detective*, 152, 184.

mind almost to paranoia it was accompanied by "violent outbursts" and a decline in the quality of his work. Lenon had conspired with McClure to "constantly and persistently" criticize Spencer "before other agents in this office." In spite of his "great many friends in this district" it was imperative to fire Lenon to preserve office discipline. That settled the matter. Lenon remained on the payroll until July testifying at a long trial and then turned in his badge.⁵⁸

Acting Director Hoover wanted no alcoholic agents and later in the Bureau's history Rider would have been fired.⁵⁹ But Hoover was new and on shaky ground and Rider had the support of Spencer, the western Pennsylvania federal district attorney and his assistants, and two high Justice Department officials. This, coupled to testimonies to Rider's year and a half of sobriety, persuaded Hoover to keep the agent.⁶⁰

After the shakeup, Hoover sent inspector E. H. Blackmon to Pittsburgh to assess Spencer's operation. Blackmon reported the files and investigations to be in good shape and called Spencer an excellent SAC

58. Lenon's resignation took effect 15 July 1924. Lenon to Hoover, 10 Jul. 1924, FBI 67-68-14. Unsuccessful protests against his firing came from a former assistant federal DA in Pittsburgh (18 Jun. 1924, FBI 67-68-6) and from U. S. Senator G. W. Pepper (23 Jun. 1921, FBI 67-68-15). Hoover told Senator Daniel A. Reed (8 Jul. 1924, FBI 67-68-13) that Lenon's work had not been up to standard in the past year. Lenon then took a job as an office manager for a Pittsburgh firm and later worked for the Allegheny County Clerk. In 1927 he was unmasked in front-page newspaper stories as the mysterious "Harry Steele," who had been hired by police commissioner Peter P. Walsh to investigate William L. King of the Citizen's League. King had accused Walsh of involvement in vice operations. In 1928 Lenon was subpoenaed to testify at contempt hearings of former director Burns and others in Washington for jury shadowing during the trial of Teapot Dome figure Harry Sinclair. He died in 1935. *Pittsburgh Post*, 20 July 1924; *Pittsburgh Post-Gazette*, 21 Sept. 1927, 28 Sep. 1935; Hoover, memo, 24 Apr. 1928, FBI 67-68-19; C. L. Keep, memo, 25 Oct. 1928, FBI 67-68-21.

59. Hoover's extreme aversion to the use of alcohol by his agents had predictable consequences. In 1932 a disgruntled ex-BI employee told the story of one agent who encouraged another to take whiskey for a cold and then reported him to their superior. "Hoover Termed Ruthless Slaver," *Washington Brevities*, 8 Oct. 1932, Hoover Scrapbooks, Box 1, Director's Office Records and Memorabilia, 1913-1972, RG 65, NA. Sounds apocryphal, but in December 1933 Pittsburgh SAC E. J. Connelly wrote to Hoover "in the best interests of the service and the director" that his fellow agent Edward A. Tamm had admitted to taking three fingers of whiskey at night for a cold. Tamm denied the charge, saying he had taken only lemon and sugar, and survived to be the first FBI agent to become a federal appeals court judge. Connelly to Hoover, 14 Dec. 1933; Tamm to Hoover, [?] Jan. 1934, FBI 67-15585-80.

60. Hoover to Rider, 6, 17 June 1924; Rider to Hoover, 17 June 1924; Earl J. Davis, memo for Hoover, 19 June 1924; FLP [?], memo for Hoover, 6 June 1924; Hoover,

who had faced an "unpleasant situation" with a disgruntled agent. The inspector relayed praise for Spencer's work from the local U.S. Attorney and other officials. He effectively cleared Spencer of not cooperating with at least some corporations by including good references from Pennsylvania and Baltimore and Ohio railroad officials.⁶¹

In June with Lenon, McClure, and the others gone, Spencer wanted to make a fresh start. He had been mending fences with important Republicans including Assistant Attorney General Goff and the federal district attorneys in western Pennsylvania and northern West Virginia. This emboldened him, citing the important work of the Pittsburgh office and reciting the hardships and dislocations he had endured in the service of the Bureau, to petition Hoover to rescind the pay cut forced upon him when his division superintendency was abolished in 1921. Hoover, pleading a tight budget, put him off.⁶²

In fact the inspector's report had damaged Spencer. A federal judge observed that he "lacked force" and the Pittsburgh police superintendent said candidly that he had no use for Spencer, who "lacks backbone and is afraid to take any stand ... he always has to secure authority from Washington before he can act" Manifestly, Spencer's failure to control his staff and to keep office squabbles in-house had hurt him. Worse, he had made enemies in Pittsburgh, among them the friends of the dismissed agents and businessmen who felt slighted by what they regarded as his favoritism toward certain corporations. In April former Congressman James Burke had forwarded a newspaper clipping to AG Stone that recommended Spencer's replacement "so as to have harmony here ... and not a man that would permit ... the B. & O. Railroad Company [and] ... the Carnegie Steel Company to get so much preference and other corporations get very little attention [...] my having no agent to send or available[] is the usual excuse." All the while the *Pittsburgh Press* continued its editorial crusade against the Bureau. In July the paper denounced the BI's tactics and declared that Burns and the Bureau had created more radicals in America than "any other person or organization."⁶³

At the end of July, soon after Lenon's departure, it was Spencer's turn to be disgruntled. Hoover ordered him to be SAC at Baltimore. Even though he would be near his boyhood home, the move was a demotion

memo for Judge [Robert H.] Lovett, 17 June 1924; excerpt, Blackmon, report, 16 June 1924; Arnold M. Replogle to Davis, 14 July 1924, FBI 67-68-2 to 10.

61. Blackmon, report, 16 June 1924, FBI 67-519-1.

62. Spencer to Hoover, 21 June 1924; Hoover to Spencer, 7 July 1924, FBI 67-519-1.

63. Blackmon, report, 16 June 1924; Burke to Stone, 16 Apr. 1924, both FBI 67-519-1; *Pittsburgh Press*, 17 July 1924.

and a bitter pill. Complaining that the Bureau had forced him to move too often already, he protested that the transfer was "through no request of mine" and declared that he wanted to end his career in Baltimore and never again be separated from his wife and children. Over the next few months evaluations by his superiors, on the J. Edgar Hooverized standard efficiency rating sheet (ERS), gave Spencer high marks for loyalty, knowledge, and experience but faulted his initiative, industry, aggressiveness, speed, and leadership. Soon he was a "semi-resident agent at Baltimore," reporting to the Washington, D.C. SAC. Then, in July 1925, a year after leaving Pittsburgh, he resigned.⁶⁴

When Spencer left the BI its transformation from the wartime regionally recruited and directed, and largely draft exempt force openly allied with corporations against the social and economic left was well underway. The new Bureau, energized by youthful vigor, was to be politically savvy, ostensibly non-partisan, and not tied too closely to political appointees such as U.S. Attorneys. Ideally its agents could be deployed wherever needed in the country, were trained in the law, and were able to employ the latest techniques and tools in diverse and complex investigations. The craft of the detective and individual style and initiative must give way to time-managed efficiency and uniformity. There would be no room for the cult of personality, except in the director's office. In the next eleven years (1925-1936) Pittsburgh had fourteen SACs, none of them promoted from the local staff.⁶⁵

Two of Spencer's five key agents, Rider and Ames, survived the transition from BI to FBI (1935). This was no small feat, since by early in

64. Hoover to Spencer, 15 July 1924; Spencer to Hoover, 23 July 1924; Nathan, "items turned over to me ... by ... Spencer", 24 July 1924; Nathan to Spencer, 29 July, 1 Aug. 1924; Spencer to Nathan, 6 Aug. 1924; same to Rider, 6 Aug. 1924; Hoover to Spencer, 16 Aug. 1924; Spencer to Hoover (with memo), 6 Sept. 1924, all FBI 67-519-4; Blackmon, report, 19 Feb. 1925; J. W. Bales, Efficiency Rating Sheet, Spencer, 10 Mar., 1 July 1925; Hoover to Spencer, 30 July 1925, all FBI 67-519-10. Spencer worked for the National Association of Credit Men until he was laid off during the Great Depression. Then, after failing to win reinstatement to the BI, he went to work for his former boss A. Bruce Bielaski at the National Board of Fire Underwriters. He died in 1966. V. W. Hughes to Hoover, 5 June 1931, FBI 67-591-14; Nathan to Hoover, 8 July 1931; (name redacted [R. J. Doyle]) of B. & O. Railroad to BI, 1 Sept. 1933, FBI 67-519-15; Howard P. Locke, memo, 9 Aug. 1933, FBI 67-519-16; *Baltimore Evening Sun*, 12 May 1966.

65. The SACs (some acting) were Harold Nathan, Walter C. Foster, George J. Starr, [?] Hennegar, C. L. Keep, Francis X. Fay, G. A. Steven, C. D. McKean (a second time), E. A. Tamm, E. J. Connelly, H. A. Bangert, J. J. Waters, C. K. Fierstone, and R. L. Shivers.

the 1930s the Bureau's emphasis was on youth and the agent force was cut to the bone. A bitter and unwilling Rider was forced to retire in 1936. Ames died in harness in 1947, a year after receiving his twenty-five year pin. Neither of them, relics of a by-gone era, ever made it to management.⁶⁶

The purge of the wartime agents had occurred not simply because many were corrupt or incompetent, but because they were from the old fashioned entrepreneurial Pinkerton-Flynn-Burns mold. They did not fit the emerging bureaucratic mold. This was a point that Hoover stressed. "Days of 'Old Sleuth' Are Ended," and gone are the "man of shadows," "frame-ups," and a "get the goods" mentality pledged an early Hoover era newspaper puff piece. "Our job is to get the facts" quietly and secretly, "but we don't wear false whiskers," Hoover said "smilingly" in an interview. What he did not say was that the agency's course was charted before he became director and it saved from extinction a troubled agency without an important peacetime mission.⁶⁷

One could argue that the agency had changed less than one might think. Behind the facade of its now respectable, scientifically managed, college educated, special agent force, it was still biased against socialism, unions, and different sorts of non-conformity.⁶⁸ Despite Hoover's protestations, it was too easily tempted to embrace politically popular but objectively questionable investigations. Imprinted on its institutional memory ready to be called up for the Cold War were the extra-legal, get-the-goods-by-hook-or-crook, anti-radical techniques relied on by the much maligned "sleuths" of the Great War-Red Scare era.

66. Rider to Hoover, 24 Oct. 1936; Hoover to Rider, 28 Oct. 1936, both FBI 67-68-139; Hoover to Ames, 18 Nov. 1943; Personnel Action Memo, 5 Nov. 1944, both FBI 67-1592-309.

67. Hoover fired a number of special agents at the beginning of his directorship, but even so there were still 441 in 1925. Not until 1929 did the force reach its post-Great War low of 339 special agents. Powers, *Secrecy and Power*, 148, 151; *Washington Star*, 29 Dec. 1924; *Joliet Evening News-Herald*, 19 May 1931, Hoover Scrapbooks, RG 65, NA.

68. Hoover monitored radical activities after 1925 but did so largely from reports attributed to civilian volunteers. Athan Theoharis and John Stuart Cox, *The Boss: J. Edgar Hoover and the Great American Inquisition* (Philadelphia: Temple University Press, 1988), 93-94. In 1928 Hoover declined ex-agent Lenon's offer to hire an informer who was planning to visit Russia. Lenon, to Director, 28 Apr. 1928; Hoover to Lenon, 4 May 1928, both FBI 67-68-20. When in 1932 Ames proposed reviving an undercover force to infiltrate radicals as the BI did in 1918 and 1919, he received no reply. Ames to Director, 25 May 1932, FBI 67-1592-87.