

BLACK SOX SCANDAL



Vol. 15, No. 2, December 2023

Research Committee Newsletter

Leading off ...

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Chairman's Corner

By Jacob Pomrenke

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Whenever a new piece of the Black Sox "puzzle" is discovered, or made accessible for the first time, I'm thrilled on two different levels.

One, of course, is when I get to see that new puzzle piece with my own eyes. Twelve months ago, I experienced a thrilling moment when the first scanned pages of Shoeless Joe Jackson's trial transcript showed up in my inbox from Dr. David Fletcher.

"JOE JACKSON, the plaintiff, called as a witness on his own behalf, being first duly sworn, on oath testified as follows ..."

This was a document I had never seen before. I'd read Bill Lamb's groundbreaking book, *Black Sox in the Courtroom* (you should too) and was familiar with Jackson's testimony in his 1924 back-pay case against the Chicago White Sox. But it's

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Chicago White Sox owner Charles Comiskey, left, and American League president Ban Johnson, seen here in 1911, were friends and business partners when they founded the AL together at the turn of the 20th century. Two decades later, they were bitter enemies. While Comiskey was leading an insurrection to depose the league's founder, Johnson used the AL treasury to investigate the 1919 Black Sox Scandal. (Photo: Library of Congress, Bain News Service)

Ban Johnson's exposure of the Black Sox Scandal

Feuding with Comiskey, American League president spearheaded investigation into World Series fix

By Bill Lamb

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As the 1920 season entered its final month, concern about the integrity of the previous year's World Series had all but vanished from public view. Fans focused more of their attention on an exciting three-way race for the American League pennant and the unprecedented home run hitting of pitcher-turned-everyday-slugger Babe Ruth.

By the end of September, however, the landscape was altered as the nation's sports pages were dominated by revela-

tions that eight members of the Chicago White Sox had conspired with gamblers to fix the outcome of the 1919 fall classic. A criminal trial and the prospect of a state prison sentence upon conviction awaited the accused players.

More than anyone else, the person responsible for all of this was American League President Ban Johnson. In the aftermath of the 1919 Series, Johnson conducted a discreet investigation of fix rumors and concluded they had substance. Through his personal

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► CHAIRMAN

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even more exciting to read through everything Jackson said in that Milwaukee courtroom, to hear the disgraced ball-player's story in his own words, and to sit through a sometimes painful and pathetic cross-examination by Charles Comiskey's lawyers.

Many, many more pages were to come — 1,697 of them, in fact — before we had a fully digitized copy of Jackson's trial transcript. Then came the long, tedious work of cleaning up every scanned page, line by line — removing all the extraneous legal formatting; correcting basic spelling and factual errors; and matching up our electronic file with the original transcript generated by the courthouse stenographer.

Only then were we able to turn all those pages into a book, *Shoeless Joe Jackson, Plaintiff, vs. Chicago American League Baseball Club, Defendant*, published this summer by Eckhartz Press.

The second thrill is when other people get a chance to see that puzzle piece, too. The primary reason why David Fletcher and I wanted to put this transcript out into the world, nearly 100 years later, is so future Black Sox researchers and aficionados can spend more time with this invaluable document.

Joe Jackson's testimony deserves to be read, and analyzed, closely. So does the testimony given in this case by Charles Comiskey, Eddie Cicotte, Lefty Williams, Happy Felsch, Sleepy Bill Burns, Billy Maharg, Harry Grabiner, and Alfred Austrian — all of them essential figures in the Black Sox Scandal.

Whenever someone reads through this lengthy transcript, there's a chance they might find a piece of information that has been overlooked over the years. Or they might come up with a new line of questioning about the scandal, and who knows where that road might eventually lead.

In our last Black Sox newsletter, Bruce Allardice was able to use Billy Maharg's deposition in this case to determine the identity of a Philadelphia gambler, "English Tommy" Gilchrist, who helped introduce Maharg to Arnold Rothstein but chose to pass on helping to fix the World Series himself. Gilchrist's story remained in the shadows for more than a century.

Bill Lamb's article about Ban Johnson in this issue draws from his own extensive knowledge of the Black Sox legal saga, which began with the grand jury hearings in Chicago (orchestrated by Johnson behind the scenes) and finally culminated in 1924 with Jackson's back-pay trial.

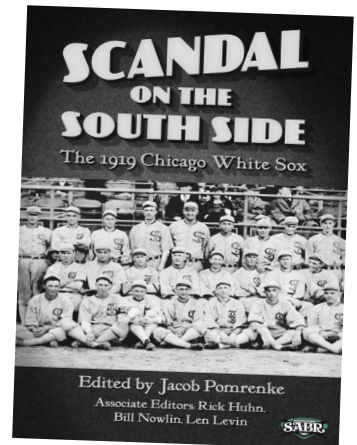
There is still much more to come. What will be discovered next? That's the thrill of it!

For more information about SABR's Black Sox Scandal Research Committee, e-mail buckweaver@gmail.com.

Catch up on Black Sox committee projects, research

Want to dive deeper into the Black Sox Scandal? Here are a few ways to catch up on some of our recent committee projects:

◆ **Scandal on the South Side: The 1919 Chicago White Sox**, edited by Jacob Pomrenke, with associate editors Rick Huhn, Bill Nowlin, and Len Levin, is available from the SABR Digital Library at [SABR.org/ebooks](https://sabr.org/ebooks). All SABR members can download the e-book edition for free in PDF, EPUB, or Kindle formats. SABR members also get a 50% discount to purchase the paperback edition.



Free download available at [SABR.org/ebooks](https://sabr.org/ebooks)

◆ **Eight Myths Out** is a project covering the most common errors and misconceptions about the scandal. View it at [SABR.org/eight-myths-out](https://sabr.org/eight-myths-out).

◆ **2019 Centennial Symposium: Listen to highlights** from the SABR Black Sox Scandal Centennial Symposium, held on September 28, 2019, at the Chicago History Museum to commemorate the 100th anniversary of the 1919 World Series.

◆ **Infamous America podcast:** Season 2 of the [Infamous America podcast series](#), produced by Black Barrel Media in 2019, focuses on the Black Sox Scandal, using research from our *Scandal on the South Side* book.

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Charles Comiskey's bloodhound: J.R. Hunter

Chicago detective firm hired by White Sox to spy on players after 1919 Series

By Bruce Allardice

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In 2009 the late Gene Carney, who did more than perhaps anyone else to popularize further investigation into the Black Sox Scandal, penned an article for SABR's *Baseball Research Journal* about how Chicago White Sox owner Charles Comiskey organized his own inquiry to find incriminating evidence on the eight suspected ballplayers.

In large part this article was based on reports by operatives hired by Comiskey through the team's corporation counsel, Alfred Austrian — reports that first came to light in 2007 when the Chicago Historical Society purchased a substantial cache of Black Sox-related documents. These reports, which are now open to the public, show how Comiskey's detectives followed several of the players to their offseason homes, gained their confidence, listened to their explanations of the 1919 World Series loss, but never came up with enough hard evidence to prove the fix.¹

Comiskey and Austrian used the services of Hunter's Secret Service, a Chicago private detective agency. Carney summarizes how this came about:

About three weeks after the World Series ended [November 3, 1919, according to Hunter], J.R. Hunter met with members of the firm Mayer, Meyer, Austrian and Platt. They directed him to find out what he could about certain players, reporting back to Alfred S. Austrian. Hunter would go to California, where he would eventually meet with Chick Gandil, Fred McMullin, and Buck Weaver. His "operatives" would fan out to Milwaukee, home of Happy Felsch; St. Louis, where certain gamblers suspected of being in on the fix resided; and Chicago, to get information from two women close to Swede Risberg. Apparently, no one investigated Cicotte, Jackson, and Williams, the three players who later gave their stories to the grand jury.²

Hunter himself, and other operatives known only to history as EWM³ and "Number 11," did the actual investigat-

ing. But who was J.R. Hunter, and why did the White Sox hire him? This article will try and flesh out his heretofore obscure life.

John Robert Hunter was born in Middle River, Nova Scotia, Canada, on November 1, 1860, the son and grandson of Scots-Canadian farmers. Details of his life are hard to trace. Given his profession as a detective, it is understandable that he would not wish to make his face or background widely known. But enough documented evidence has been uncovered to flesh his life story out.

He undoubtedly received a good education, including a year at college. In 1884 he emigrated to the United States, landing in Boston. He lived in Boston at least through 1895, employed as a "shipper" (clerk). At some point he married fellow Nova Scotian Mary Cameron (1869-1916); they had two children, Robert and Mary.⁴

He moved to Chicago by 1899 and became a detective. The 1902 Chicago City Directory lists him as the "principal" (manager/owner) of the Metropolitan Detective Agency. This agency was founded by the well-respected but aged Alexander S. Ross, an ex-police chief of Chicago, along with fellow policeman John E. Fitzpatrick. The latter died in 1902 — perhaps Hunter was promoted to take his place.⁵ Among the clients of the MDA at this time was a young attorney named Alfred Austrian.

But Hunter dreamed of running his own detective agency. By 1905 he had formed his own agency, later named Hunter's Secret Service. The name does not imply any federal government connection; it was instead a name common at the time to private investigation agencies.

Hunter's Secret Service soon earned an excellent reputation for reliability. Among the more publicized cases they handled were one involving blackmail of a Chicago businessman; being hired by the liquor interests in Chicago to investigate fraudulent petitions calling for a referendum on closing the city's saloons; investigating on behalf of the Swiss government; a divorce action alleging "indiscretions" of a prominent composer; working for the giant Hines



Advertisement in the 1920 Chicago City Directory for Hunter's Secret Service of Illinois, the private detective firm hired by Charles Comiskey to spy on White Sox players following the 1919 World Series. (Photo: Ancestry.com)

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► HUNTER

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Lumber Company; ferreting out corruption in city government; and tracking down the principals of the “Swindle Trust” for a large Chicago bank.⁶

On at least two occasions prior to the Black Sox Scandal, Alfred Austrian and his law partner Levy Mayer hired Hunter. In 1913 Hunter obtained affidavits showing the election petitions of the anti-saloon movement were gotten by fraudulent means (paying people to sign the petitions.) In a 1918 divorce case, Hunter’s operatives traced the straying husband, one E. Ray Goetz, to the apartment of a Miss Bordoni, the prima donna of Goetz’s hit show, “Hitchy-Koo.”

In testimony at Joe Jackson’s 1924 lawsuit to recover back pay from the White Sox, Hunter testified that he had been a detective since 1899 and had done investigations for Austrian off and on for 20 years. In his testimony, Hunter mentioned handling one divorce case for Austrian — presumably the “Hitchy-Koo” case.⁷



Mabel Wrede

Hunter’s first wife died in 1916. But while investigating Charles W. French of the “Swindle Trust,” he induced Mabel Wrede, a music instructor at the Chicago Musical College, to help with his investigations. Romance with the lovely young Miss Wrede led to his second marriage, headlined in the local newspaper as “Love Finds a Way: Girl Aids Detective So Well He Marries Her.”⁸

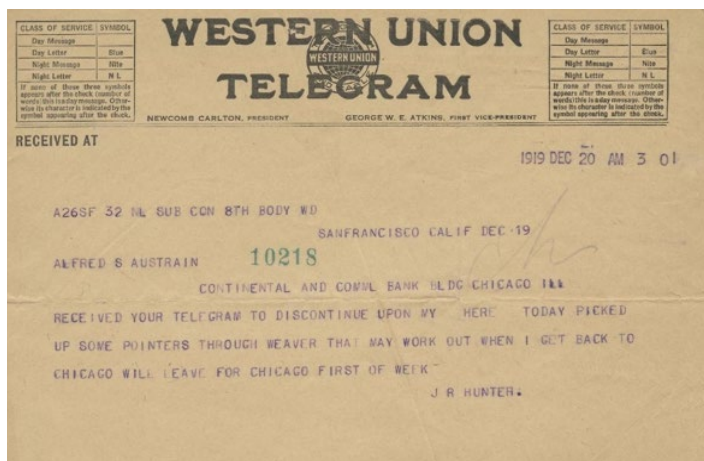
As to Hunter’s investigation of the Black Sox players, we can do no better than to quote Hunter’s own summary, sent to White Sox secretary Harry Grabiner⁹:

HUNTER’S Secret Service of Illinois
Suite 812 Otis Building
10 So. LaSalle St., Chicago, IL

May 11, 1920
Mr. Harry Grabiner
c/o Chicago White Sox
Chicago, IL

Dear sir:

On or about November 3rd, 1919, we were called into conference with your attorneys, Mayer, Meyer, Austrian and Platt, and asked to investigate the basis for certain newspaper and magazine articles appearing in different mediums throughout the country setting forth that the White Sox players had entered into a conspiracy with



J.R. Hunter sent this telegram to White Sox corporate counsel Alfred Austian regarding the investigation of Buck Weaver on December 19, 1919. Weaver was spending part of the winter in San Francisco and Hunter went to California to observe him. (Photo: BlackBetsy.com)

certain gamblers whereby the players were to make it possible for Cincinnati to win and in turn the winnings of the gamblers was to be divided — part of which was to go to such players who were willing to enter into the arrangement.

... [details of the investigation follow]

In a general summing up of the entire investigation, all that can be said is that we covered the different points to get at the facts, but there is still that unsettled question: “What prompted those open insinuations in the newspapers associating the name of your players with gamblers in the World Series of 1919?”

In conclusion we wish to thank you for your forbearance in this matter. When we say you, we mean you and your associates in the White Sox Company — in that you gave us your cooperation in time and money to get at the facts — reserving judgment as to the merits of the rumors, until such time as we could sift down the different rumors which were wafted from the sporting columns of newspapers throughout the country reflecting on your players. So as to have the data briefly before you, as to the time and expense of the investigation, would say that we began our inquiry Nov. 3rd, 1919 and discontinued May 8, 1920 and our bill for services and expenses during that period amounted to \$3,820.71.

Respectfully Submitted,

HUNTER’S SECRET SERVICE of Illinois
By J.R. Hunter.

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In 1922 Comiskey again called on Hunter, this time to interview pitcher Eddie Cicotte. Cicotte had expressed remorse for his part in the fix, and it was thought he might prove a cooperative witness in Joe Jackson's back-pay lawsuit against the White Sox. Hunter talked with Cicotte and the ex-hurler said he was willing to help, but wanted to consult his attorney first. As it turned out, Cicotte was advised not to volunteer help and when later deposed for Jackson's lawsuit, declined to answer questions on Fifth Amendment grounds numerous times.¹⁰

Hunter was not called to testify at the Black Sox's 1921 criminal trial. But in Jackson's 1924 trial, Comiskey's attorneys called in Hunter to testify. His direct testimony covered his 1919-20 investigations and the ballplayers' suspicious statements.

More interesting was the cross-examination. Jackson's lawyers pressed him on why he never tried to interview Joe Jackson or never visited Detroit to talk to Eddie Cicotte. They tried to connect the White Sox with his failure to pursue those inquiries, while Hunter attributed those failures to cost and other practical problems rather than orders from the White Sox. It seems the jury doubted Hunter's word.¹¹

The Black Sox inquiry seems to have been the aged Hunter's last headline-making case. By 1926 his name disappeared from the Chicago Business Directory.

In the 1930s he moved to Los Angeles County, California, to live with his daughter. He died there on August 5, 1942.¹²

Notes

1. See Gene Carney, "Comiskey's Detectives," *SABR Baseball Research Journal*, Vol. 38, No. 2, Fall 2009: 108-116. Accessed online at <https://sabr.org/journal/article/comiskeys-detectives/> on December 5, 2023. The detective reports and other documents are believed to have been kept by Austrian's law firm. The Chicago Historical Society has since renamed itself the Chicago History Museum.

2. Carney, "Comiskey's Detectives."

3. If these are the correct initials of the operative, then "EWM" may be Edward William Minkel (1883-1949), a private detective. For more on EWM, see Gene Carney, "Notes From the Shadow of Cooperstown, #489," *Seamheads.com*, May 31, 2009.

4. 1861, 1871, 1881, 1891, 1901 Canadian Censii. Hunter's naturalization petition and naturalization as a US citizen, Boston, 1895. He arrived in Boston on October 3, 1884. Boston City Directories, 1890, 1895. US Passport Application, June 29, 1903.

5. See the 1900 and 1902 Chicago Directories. Images of Ross, Fitzpatrick, and later director Fred Buckminster are



On at least two occasions prior to the Black Sox Scandal, Alfred Austrian, left, and his law partner Levy Mayer, right, hired J.R. Hunter's firm for private investigation work. Hunter later testified that he had conducted investigations for Austrian off and on for 20 years. (Photos: Public domain)

online. The MDA's offices were at 87 E. Washington St. in Chicago's downtown. The MDA was involved in a number of high-profile investigations. See the *Chicago Tribune*, January 9, 1901; March 1, 1905; March 3, 1908; *Chicago Inter Ocean*, January 8 and March 23, 1899; July 28, 1903; January 23, 1904; May 5, 1905.

6. *Chicago Inter Ocean*, July 21, 1912; February 23, 1913; *Washington (DC) Evening Star*, February 23, 1913; *Chicago Tribune*, March 8, April 20, December 29, 1918; September 8, 1919; *Woodford County Journal*, February 13, 1919.

7. Hunter's testimony is on pages 509-527 of Jacob Pomrenke and David Fletcher, eds., *Joe Jackson, Plaintiff, vs. Chicago American League Baseball Club, Defendant* (Chicago: Eckhartz Press, 2023). This book includes the complete 1924 trial transcript.

8. *Chicago Tribune*, September 6, 1919; July 9, 1921. Mabel divorced Hunter prior to 1930.

9. Exhibit 27 in the Jackson Trial. See Pomrenke and Fletcher, *Joe Jackson, Plaintiff*, 511-512.

10. Carney, "Comiskey's Detectives"; Pomrenke and Fletcher, *Joe Jackson, Plaintiff*, 462-505

11. Pomrenke and Fletcher, *Joe Jackson, Plaintiff*, 509-527. Hunter's testimony about his investigations may have helped the players. Jury foreman John Sanderson told the press that the jurors believed Hunter's investigations "as being designed more to cover up player wrongdoing than expose it." See William Lamb, *Black Sox in the Courtroom* (Jefferson, North Carolina: McFarland & Co., 2013): 192.

12. 1933 South Pasadena City Directory; 1940 Census, Los Angeles, Astoria Hotel; California Death Records; *Los Angeles Times*, August 8, 1942; *Highland Park News-Herald*, April 24, 1936; *Pasadena Post*, May 3, 1936. At death he lived at his daughter's house, 1216 Crenshaw in Los Angeles.

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relationship with the presiding justice of the Cook County (Chicago) criminal courts, Johnson then instigated the grand jury probe that yielded indictments of players and gamblers. Thereafter, he largely directed and financed the government prosecution of the Black Sox and their cohorts. In short, but for Ban Johnson there would have been no searching inquiry into Series bona fides — and no Black Sox Scandal.

This article will endeavor to chronicle the relentless, if at times inappropriate, action taken by Johnson to expose and punish those who had corrupted the game's ultimate competition. Incorporated into the narrative will be private Johnson correspondence and communications that have rarely been factored into scandal commentary.¹ Among the revelations here is the extent to which Johnson's efforts toward retribution were privately encouraged and assisted by Johnson-loyal American League club owners (particularly Frank Navin and Phil Ball), prominent sportswriters (including Joe Vila, James Isaminger, and Harry Neily), and a 19th century baseball star (Bill Lange). To present that story in context, the following background is offered.

A. The pre-scandal tenure of Ban Johnson as American League president

During the two decades that preceded eruption of the Black Sox Scandal, Byron Bancroft Johnson was major league baseball's dominant executive. Johnson, a young sportswriter for the *Cincinnati Commercial Gazette*, got his start in the winter of 1893-94, when he was elected president of a resurrected Western League. Within seven seasons, he transformed this high minor league into a competitive rival of the National League.

In 1901, Johnson claimed major league status for his circuit, now called the American League, embarking upon the bold action required to legitimize that designation. Energetic, visionary, ruthless, and autocratic, Johnson replaced second-tier AL venues (like Kansas City, Minneapolis, and Buffalo) with established major league sites recently vacated by the National League (Washington and Baltimore) while forcing his circuit into others that retained an NL club (like Boston, Philadelphia, and thereafter St. Louis and New York). He also selected franchise owners and club managers, while financing — mostly with the money of Cleveland coal magnate Charles W. Somers — widespread raids on NL ballplaying talent that quickly achieved on-field parity with the NL and success at the turnstiles for the fledgling major league.²

A January 1903 conference that established peace between the National and American Leagues only enhanced Johnson's power. Ban became the AL representative on the National Commission, the newly created three-member governing body of Organized Baseball.³ In the ensuing years,



Ban Johnson orchestrated the pivotal event of the Black Sox criminal trial: the retrieval of defendant Bill Burns from Texas and his transport to Chicago where he was persuaded to turn State's evidence. (Photo: SABR-Rucker Archive)

Johnson's influence over National Commission chairman Garry Herrmann resulted in many inter-league disputes being settled in AL favor. But in time the perception that Johnson controlled the Commission also helped sow the seed of challenge to his command of American League affairs. That challenge, however, was years in the making. For the first 15 seasons of its existence, Johnson's pronouncements were law in the American League.

In the years just prior to American entry into World War I, AL franchises were acquired by men of financial means un beholden to the league president. They soon chaffed under his ukase. Particularly restive were Jacob Ruppert and Til Huston, new owners of the New York Yankees, and Harry Frazee, boss of the Boston Red Sox. In time, they joined an AL club owner insurrection against Johnson rule. Ban's principal adversary, however, was not these newcomers. It was his oldest friend in baseball: Chicago White Sox owner Charles Comiskey.

The friendship dated from the early 1890s when sportswriter Johnson and Cincinnati Reds manager Comiskey became off-field hunting companions and drinking buddies. Comiskey played an important role in securing Ban's post as Western League president,⁴ and Johnson reciprocated with indispensable support for the relocation of Comiskey's St. Paul Saints to Chicago for the 1900 season. Thereafter, the two worked in concert to secure success for the

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American League. Their relationship was not without tension but remained intact until splintered by a fateful decision by the league president in early 1919. Anxious to bolster his pitching staff, Comiskey was incensed when Johnson resolved competing claims to veteran right-hander Jack Quinn in favor of the Yankees rather than the White Sox.⁵

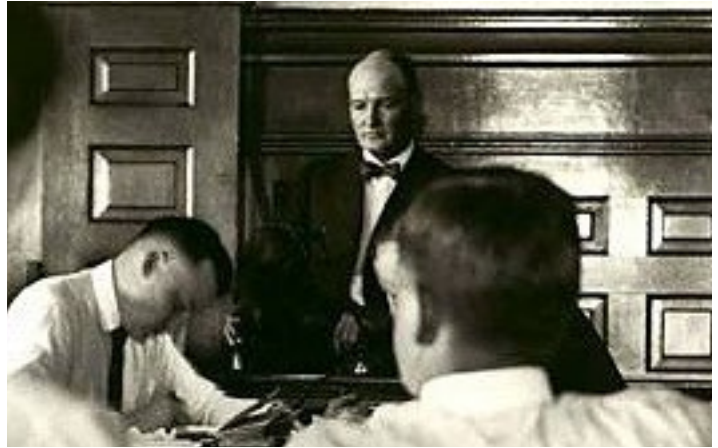
Later that year, Comiskey and other club owners aggrieved by Johnson decisions and intent upon reducing the league president's powers gained control of the American League board of directors.⁶ In September 1919, they authorized a probe of Johnson's finances, which was to be conducted by White Sox corporation counsel Alfred S. Austrian.⁷ Simultaneously, support for restructuring major league governance and the appointment of federal district court judge Kenesaw Mountain Landis to succeed outgoing National Commission chairman Garry Herrmann surfaced.⁸ All of this, however, was put on hold by the playing of the soon-to-be-infamous 1919 World Series, won in eight games by the Cincinnati Reds.

B. Investigation of the 1919 World Series

A detailed accounting of the corruption of the 1919 fall classic [can be found elsewhere](#) and is beyond the scope of this essay. Suffice it to say that syndicated sportswriter Hugh Fullerton was not the only observer to have reservations about the White Sox's World Series play. Both Comiskey and Johnson had their suspicions and acted upon them, each instituting private inquiry into the rumor that Chicago players had dumped the Series in return for payoffs from in-the-know gamblers.

Given their positions, both Comiskey and Johnson had the right — indeed, the obligation — to investigate allegations that White Sox players had been corrupted. Nothing less than maintenance of public confidence in the integrity of the game was at stake. But neither man's motives were snow white. For Comiskey, the question ultimately devolved to whether star members of his championship ball club remained employable. For Johnson, an investigation provided the vindictive league president the means to strike back at the club owner spearheading opposition to his continued authority.

Word that White Sox players had agreed to a fix of the Series outcome first reached Comiskey via Chicago gambling kingpin Mont Tennes early on the morning of Game Two.⁹ But Comiskey's attempts to get National Commission members to intervene were repulsed, or so he later claimed.¹⁰ The internal investigation ordered by Comiskey began only days after the Series ended, with White Sox manager Kid Gleason and front office functionary Norris O'Neill traveling to St. Louis to query local theater owner and disaffected Sox Series bettor Harry Redmon about fix



Without Bill Burns' testimony as a fix insider, Bill Lamb writes, prosecutors would not have had a viable case at the 1921 Black Sox criminal trial. And without Burns's testimony, history would be deprived of his invaluable revelations about the Series fix. (Photo: Chicago History Museum, SDN-062901)

rumors. According to Redmon, various unnamed Chicago players had deliberately lost the World Series in return for a gambler payoff. St. Louis gamblers Carl Zork and Ben Franklin were identified as fix beneficiaries. Redmon and St. Louis pool hall operator/bookmaker Joe Pesch subsequently repeated this charge to Comiskey's face during a late December meeting conducted at the Austrian law office in Chicago.¹¹ As a result, a local detective agency led by J.R. Hunter was engaged to shadow Chick Gandil, Swede Risberg, Buck Weaver, and several other targeted Sox players to determine if evidence of such payoffs could be uncovered, but to no avail.¹² A \$10,000 reward offered by the club for credible evidence of White Sox player wrongdoing also came up empty.¹³

Unable to uncover evidence supporting the Series fix allegations and with a February 28, 1920 deadline for the offering of new player contracts fast approaching,¹⁴ Comiskey adopted the advice of corporate counsel Austrian and tendered contracts for the 1920 season (and sometimes beyond) to Eddie Cicotte, Joe Jackson, Happy Felsch, Lefty Williams, and others suspected of Series perfidy.¹⁵

Meanwhile and unbeknownst to Comiskey, AL President Ban Johnson had initiated his own quiet inquiry into 1919 World Series fix rumors. Like Comiskey, the starting point for Johnson's investigation was St. Louis — perhaps because Gleason's meeting with informants Harry Redmon and Joe Pesch had been publicized¹⁶ or perhaps because Johnson gave credence to the report that Kid Becker, a recently murdered St. Louis gangster, had tried unsuccessfully to rig the 1918 World Series.¹⁷ Like Comiskey's agents, Johnson uncovered only "hearsay and circumstantial" evidence of Series wrongdoing during his trip to the Mound City.¹⁸

As the calendar turned to September 1920, the modern-day heroes of the Black Sox saga — sportswriter Hugh Fullerton, Chicago's Clean Sox players, Commissioner

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Kenesaw Mountain Landis — were silent or engaged with other matters. The only one then with the 1919 World Series on his mind was Ban Johnson.

When Judge Charles A. McDonald, presiding justice of the Cook County criminal courts, convened a grand jury to probe the allegation that a recent Chicago Cubs-Philadelphia Phillies game had been rigged by gamblers, Johnson saw his chance. Two features of this grand jury investigation are of peculiar interest to scandal researchers: (1) verbatim newspaper publication of McDonald's instructions to the grand jurors set precedent for the extraordinary and unlawful public revelation¹⁹ of secret grand jury proceedings that pervaded the Black Sox case; and (2) no mention was made by McDonald of the 1919 World Series.

Rather, the designated grand jury targets were those who gambled on the Cubs-Phillies game and Chicago's lucrative but illegal baseball pool selling rackets. Yet while he focused on these two specific problems, McDonald, an avid baseball fan, also informed the panel, "You have been called together to consider baseball gambling in all its ramifications. A stain has been placed on the great national American game and you and the public will want to know all about it."²⁰

Apart from a brief appearance by Chicago Cubs club president William L. Veeck Sr. on September 8, the grand jury entertained no baseball-connected witnesses until a substantive session was conducted almost two weeks later. But in the interim, the pivotal event of the Black Sox saga quietly took place off-stage: a private meeting between Judge McDonald and American League President Johnson. The two men were longtime acquaintances. Indeed, Johnson had recently floated veteran jurist McDonald as a potential successor for National Commission chairman Garry Herrmann.²¹

The particulars of the Johnson-McDonald meeting — date, place, etc. — remain uncertain.²² Its consequences, however, are unmistakable. When the grand jury reconvened, the Cubs-Phillies game and baseball pool operations became inquiry sidelights. The investigation now concentrated on allegations of game-fixing in major league baseball, especially those pertaining to the 1919 World Series.

Although Johnson was the instigator of the grand jury probe into Series corruption, he was, ironically, of little real use in uncovering persuasive evidence of same. For the time being, the AL president remained fixated on his suspicions of a St. Louis origin for the fix. But in late September, the true contours of the Black Sox Scandal were revealed in the law office of White Sox corporation attorney Austrian, the chambers of Judge McDonald, and inside the grand jury room where Eddie Cicotte, Joe Jackson, and Lefty Williams admitted to complicity in the Series fix. Before the month was out, the eight Chicago players now branded the Black

Sox and Eastern gamblers Joseph "Sport" Sullivan and Rachael Brown stood publicly accused by the grand jury.

While the grand jury was making headway at the courthouse, Johnson remained busy. Although disappointed by the declination of the renowned Pinkerton Detective Agency to take up the investigation,²³ other Johnson operatives, including the Cal Crim Detective Agency of Cincinnati, supplied him with intelligence on peripheral scandal figures like Cincinnati lumberman Fred Mowbray, local betting commissioner Phil Hahn, and small-time gamblers like Ben and Lou Levi.²⁴ Johnson conveyed much of this scuttlebutt to the lead grand jury prosecutor, Assistant Cook County State's Attorney Hartley Replogle,²⁵ but to little practical effect. Neither Mowbray, the Levi brothers, nor any St. Louis villains were among the 13 defendants ultimately indicted by the grand jury.²⁶

C. Johnson Involvement in the Criminal Prosecution of the Black Sox Defendants

The wholesale changing of the guard at the Cook County State's Attorney's Office (SAO) following a Republican Party landslide in the elections of November 1920 obliged Johnson to ingratiate himself with a new cadre of prosecuting attorneys. To that end, Johnson continued his personal quest to uncover incriminating evidence that prosecutors might find helpful.

In furtherance of that effort, the AL Board of Directors, now back under Johnson control, authorized the expenditure of \$10,000 to be disbursed entirely at Johnson's discretion. Enlisted at no cost in the evidence collection campaign was sportswriter Harry Neily who surveilled the activities of out-on-bail West Coast defendants Chick Gandil and Fred McMullin. Among other things, Neily reported that Gandil was angry with Eddie Cicotte.²⁷ On another front, Johnson assured loyal St. Louis Browns owner Phil Ball that "Judge McDonald will lend all the assistance in his power to secure a conviction of the White Sox players [under] indictment."²⁸

Unhappily for Johnson, a seemingly routine prosecution motion for an adjournment of the criminal trial was assigned to Judge William A. Dever, a jurist with an entirely different mindset. In mid-March 1921, Dever backhanded the arguments of George F. Barrett, the retired Chicago judge recently retained by Johnson to represent American League interests in the proceedings, and set a May 2 deadline for prosecutors to begin trial of their case.²⁹ New Cook County State's Attorney Robert E. Crowe responded to this surprising decision with a surprise of his own: administrative dismissal of the Black Sox indictments coupled with announcement that the charges would promptly be re-presented to a new grand jury for superseding indictments.

Ban Johnson was among the handful of live witnesses appearing before the second Black Sox grand jury, as the proofs were largely confined to reading previous grand

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jury testimony into the record.³⁰ But Johnson's influence upon the proceedings was manifest, reflected in the inclusion of Ben and Lou Levi, Des Moines gambler David Zelcer, and St. Louis hustlers Carl Zork and Ben Franklin – all anathema to the American League president – in the superseding indictments returned on March 26, 1921.³¹ In time, however, the inclusion of these Midwestern tinhorns would backfire, complicating, if not rendering completely incomprehensible, a prosecution trial scenario which had the World Series fix underwritten by New York underworld kingpin Arnold Rothstein and supervised by trusted Rothstein associates.

Those strategic complications would come home to roost in the future. In the meantime, Johnson upped his involvement in the prosecution's trial preparations. Via communications with Detroit Tigers club owner Frank Navin, Johnson resumed efforts to procure the cooperation of Eddie Cicotte, but ultimately without success.³² Johnson's efforts to assist in locating elusive gambler defendant Sport Sullivan were also fruitless.³³

Johnson had much better luck finding Bill Burns, a defendant who, if persuaded to turn State's evidence, could supply prosecutors with the fix insider testimony so desperately needed to prove the case against the non-confessing accused. Crucial to the effort to enlist Burns in the prosecution cause were Philadelphia sportswriter James Isaminger and Burns sidekick Billy Maharg, both recruited by Johnson.³⁴ The ensuing Maharg mission to the Texas/Mexico border to retrieve Burns and return him to Chicago was financed entirely by American League funds disbursed by Ban.³⁵

Thuggish missives to detective Cal Crim reveal the depths to which Johnson was prepared to descend in order to convict the Levi brothers. They also suggest his power over criminal charging decisions. Regarding evasive lumberman Fred Mowbray, Ban told Crim, "It seems to me that you could exact further particulars from this man. On the information before us, it is my judgment that we could have him indicted by the present grand jury. ... Don't you think it possible to give this individual the third degree, and make him tell us all he knows?"³⁶

Mowbray's trip to Arizona temporarily placed him beyond Crim's clutches.³⁷ Still, Johnson persisted, informing Crim, "We want to convict the Levi brothers, and if Mowbray won't come through clean, then it may be necessary for us to indict him. You can 'hand' him this and it may serve as good leverage in dragging out the information we want. It is my thought that you should 'treat him rough.'"³⁸

Perhaps nowhere in the Black Sox case was Johnson more vigorously involved in back-stage maneuvers than during the attempt to extradite gambler defendant Abe Attell, taken into custody in New York City. Rather than Cook County prosecutors, it was Johnson who did the legwork

necessary to supply the Manhattan DA with the witnesses needed to procure the uncooperative Attell's removal to Illinois. Working with Johnson to secure this end were *New York Sun* sportswriter Joe Vila, syndicated columnist Frank G. Menke, and J.G. Taylor Spink, editor of *The Sporting News*.³⁹

Daily monitoring of extradition proceedings, elongated by the antics of Attell defense counsel William J. Fallon, was provided to Johnson by courtroom observer James M. Price. As reflected in increasingly concerned communiqués from Price, prospects for obtaining Attell's extradition diminished by the day.⁴⁰ Following numerous adjournments, the extradition effort finally collapsed and Abe Attell became the second Black Sox defendant — Hal Chase was the first — to defeat prosecutorial application to get him inside the Cook County Courthouse, the best efforts of Ban Johnson going for naught.⁴¹

On miscellaneous fronts, Johnson, for reasons unknown, asked retired star Bill Lange, now a San Francisco insurance broker, to do some West Coast snooping on veteran Philadelphia Phillies outfielder Gavvy Cravath.⁴² Shortly thereafter, Johnson penned a confidential letter to *Philadelphia North American* editor John C. Eckel asking him to shelve an unflattering news article on prospective star prosecution witness Bill Burns.⁴³ Almost simultaneously, Ban sent a soothing note to Billy Maharg, commiserating with him about extradition proceeding inconveniences.⁴⁴ Johnson was also back in touch with James Price, urging him to squeeze more info about a reported Series fix meeting held at the Sherman Hotel in Chicago from Browns' second baseman (and Swede Risberg's friend) Joe Gedeon.⁴⁵

As the mid-June 1921 date for criminal trial approached, Johnson swung into overdrive. It was the AL President, rather than Cook County prosecutors, who kept government witnesses abreast of in-court developments and helped adjust their travel schedules to cope with delays occasioned by unduly prolonged jury selection. It was also Johnson who arranged for prosecution witness lodging in Chicago (and Milwaukee where Bill Burns and Billy Maharg were stashed prior to their courtroom appearances). And it was Johnson who covered most costs incurred by the prosecution in bringing the case against the Black Sox defendants to trial.⁴⁶ These expenses ran from a nominal \$39.11 reimbursement to National Commission secretary John E. Bruce⁴⁷ to \$1,500 expended to secure the attendance at trial of former grand jury prosecutor Hartley Replogle, now a Pennsylvania business executive.⁴⁸

When it finally got started, the prosecution case began promisingly, with star witness Bill Burns proving an able and quick-witted witness, coolly dispatching ineffectual attacks on his credibility by defense lawyers.⁴⁹ However, prosecutors paid the price for over-indicting the case, losing momentum when the proceedings segued to testimony about the "penny ante gamblers from Des Moines and

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St. Louis ... brought here to be the goats in the case” instead of the absent Arnold Rothstein, Sport Sullivan, and Abe Attell – the observant summation complaint of Carl Zork’s defense counsel, A. Morgan Frumberg.⁵⁰ Seeking to recapture the initiative, the prosecution promptly jettisoned Ban Johnson and other scheduled witnesses and ended its case on a high note with effective testimony from unindicted fix conspirator Billy Maharg.

It made no difference. Despite the presentation of a facially overwhelming and unrefuted case against defendants Eddie Cicotte, Joe Jackson, and Lefty Williams — and strong, if more circumstantial, proof of fix complicity proffered against Chick Gandil, Swede Risberg, and gambler David Zelcer — the jury swiftly returned universal not-guilty verdicts.⁵¹ Less than 24 hours later, baseball commissioner Kenesaw Mountain Landis deployed his own version of jury nullification, imposing the punishment of lifetime banishment from Organized Baseball upon the Black Sox, their courtroom exonerations notwithstanding.

Dismayed but undaunted by the trial’s outcome, American League President Ban Johnson expressed his sentiments in a post-trial letter to Hartley Replogle: “The fact that the outfit was freed by the Cook County jury does not alter the conditions one iota, or minimize the magnitude of the offense. The players are as odious to a clean, right-thinking public as the crooks and thieves they dealt with. ... Failure to secure convictions is disappointing but a lesson has been taught.”⁵²

D. Coda

Although the honor is customarily accorded to Hugh Fullerton or Kenesaw Mountain Landis, the pivotal character in the Black Sox saga is Ban Johnson. However suspect his motives or questionable his methods, Johnson was the linchpin of exposure of 1919 World Series skullduggery. But for Johnson, there would not have been any real investigation into the integrity of Series play. And without that inquiry, today the Series fix would remain, at most, an ancient rumor — with Shoeless Joe Jackson and perhaps other corrupted White Sox players having long ago been inducted into the Hall of Fame.

As noted at the outset, suspicions about the 1919 Series were old news by September 1920. Ban Johnson changed that, his intercession with Judge McDonald about using a newly empaneled grand jury to probe World Series bona fides (and McDonald’s agreement to it) being the turning point of the scandal. Without that grand jury inquiry, the admissions of fix complicity by Eddie Cicotte, Joe Jackson, and Lefty Williams (plus Happy Felsch⁵³) would never have been generated. And without such illuminating testimony, no criminal charges would have been handed down against the World Series conspirators.

Also underappreciated is Johnson’s essential role in the ensuing prosecution of the accused. Here it is important to recognize that the passion of present-day Black Sox aficionados was not shared by Chicago law enforcement authorities of a century ago. When newly elected Cook County State’s Attorney Robert E. Crowe assumed office on December 1, 1920, he was confronted by Prohibition-fueled mobster violence, rampant street crime, racial unrest, and ever-present political corruption, all of which required the immediate attention of his office. However notorious, the fixing of a sporting event did not compare, presenting no danger to public order or to the wellbeing of Chicago citizens. Given that, the Black Sox indictments were viewed as a distraction, nuisance charges inherited from the prior administration.⁵⁴

This perhaps explains why Crowe did little more than assign staff attorneys to the Black Sox case. The SAO performed no further investigation of the crime, conducted no witness interviews, collected no new evidence. Those chores were left entirely to Ban Johnson, who undertook them with relish and unflinching resort to the American League checkbook.

And as he had at the grand jury stage of the proceedings, it was Johnson who orchestrated the pivotal event of the Black Sox criminal trial: the retrieval of defendant Bill Burns from Texas and his transport to Chicago where Johnson himself and AL attorney George F. Barrett persuaded Burns to turn State’s evidence. Without Burns and his fix insider testimony, prosecutors would not have had a viable case at trial. And without Burns’s testimony, history would be deprived of his invaluable revelations about the Series fix.

In the final analysis, the only thing that separates the White Sox-Reds World Series from the wispy rumors of corruption once attached to the 1905, 1914, and 1918 fall classics is incontrovertible evidence that the 1919 Series was, indeed, fixed. But for Ban Johnson, that evidence would not have been uncovered. But for Johnson, there would be no Black Sox Scandal.

Notes

1. Copies of Johnson correspondence file material were generously provided to the writer by SABR colleague David J. Fletcher. Johnson’s correspondence held at the Giamatti Research Center was also consulted.

2. For a concise but informative bio of Ban Johnson, [see his SABR BioProject profile](#) by Joe Santry and Cindy Thomson. Accessed online December 5, 2023.

3. The National Commission consisted of the presidents of the two major leagues, with a third party agreeable to them to serve as Commission chairman. Throughout the life of the National Commission, its chairman was Garry Herrmann, the amiable president of the NL Cincinnati Reds and a friend of Johnson.

4. Although John T. Brush, principal owner of both the

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Cincinnati Reds and the Western League's Indianapolis Hoosiers and a frequent target of newsprint criticism by sportswriter Johnson, had grave misgivings about Johnson's candidacy for president of the Western League, Comiskey persuaded his boss not to block Johnson's selection for that post. For Johnson's late-life recollection of events, see John E. Wray and J. Roy Stockton, "Ban Johnson's Story of His Baseball Career," *St. Louis Post-Dispatch*, February 10, 1929: 17.

5. Quinn had pitched for the White Sox late in the 1918 season, posting a 5-1 record. Prior to that, Quinn hurled for the Vernon Tigers of the Pacific Coast League before the circuit suspended operations in July. Thereafter, Quinn signed with Chicago but New York claimed him for 1919 pursuant to purchase of the pitcher's contract from Vernon.

6. At the time, the five-member AL board of directors included three Johnson rule insurrectionists: Comiskey, Ruppert, and Frazee.

7. "Orders Investigation of Financial Affairs," *New York Times*, September 17, 1919: 10; "American League Inquiry Ordered," *Indianapolis Star*, September 17, 1919: 14; and newspapers nationwide.

8. Same as above.

9. Per Comiskey's testimony at the 1921 criminal trial and the 1924 civil trial of Joe Jackson's breach of contract lawsuit against the White Sox. Years later and well after Comiskey's death, Hugh Fullerton claimed that he had confronted Comiskey (and AL President Ban Johnson and Pittsburgh Pirates owner Barney Dreyfuss, too) with evidence that the Series had been rigged before the start of Game One. See Hugh Fullerton, "I Recall," *The Sporting News*, October 17, 1935: 2. This assertion directly contradicted the sworn testimony that Fullerton gave at the Jackson civil trial and is not credible in the writer's opinion.

10. Per the Comiskey criminal and civil trial testimony. The informative transcript of the civil trial is now available to the public. See Jacob Pomrenke and David J. Fletcher, eds., *Joe Jackson, Plaintiff, vs. Chicago American League Baseball Club, Defendant* (Chicago: Eckhartz Press, 2023).

11. When the meeting with Redmon and Pesch subsequently came to light, White Sox club secretary Harry Grabiner publicly explained the lack of punitive followup by Sox brass as reluctance to act upon "the hard luck yarn of a [Series betting] loser." See "Chicago Club Unaware Games Were Thrown," *Baltimore Sun*, October 28, 1920: 11; "Sox Secretary Denies Knowledge of Series Fixing," *Chicago Tribune*, October 28, 1920: 19. Grabiner subsequently reiterated this excuse when testifying at the Black Sox criminal trial.

12. For more, see Gene Carney, "Comiskey's Detectives," *SABR Baseball Research Journal*, Vol. 37, Fall 2009.

13. "Comiskey's Reward Stands Unclaimed," *Birmingham* (Alabama) *News*, December 30, 1919: 3; "Comiskey

Offers Reward of \$10,000," *Fall River* (Massachusetts) *Globe*, December 30, 1919: 11; and elsewhere.

14. Under American League rules, any 1919 White Sox player not tendered a contract by February 28, 1920 became an immediate free agent, able to sign with any other club in Organized Baseball.

15. As Comiskey and Austrian testified in 1924. Black Sox Scandal Research Committee founder Gene Carney and other modern researchers take the view (akin to that adopted by the Jackson civil trial jurors) that the Sox internal investigation uncovered more than ample evidence of player corruption but that Comiskey chose to sign those players to new contracts anyway in the hope that the World Series fix would not be exposed. See Gene Carney, *Burying the Black Sox: How Baseball's Cover-Up of the 1919 World Series Fix Almost Succeeded* (Washington, DC: Potomac Books, 2006).

16. See news articles published in the *St. Louis Post-Dispatch*, October 14 and 15, 1919, and *St. Louis Globe-Democrat*, October 16, 1919.

17. John E. Wray and J. Roy Stockton, "Ban Johnson Tells of Minor Scandals Which Led Up to the Plot of 1919," *St. Louis Post-Dispatch*, February 14, 1929: 26.

18. John E. Wray and J. Roy Stockton, "Ban Johnson Tells How Tip That Series Was 'Fixed' Went Astray," *St. Louis Post-Dispatch*, February 16, 1929: 7. During his St. Louis visit, Johnson's principal informant was local bookmaker Thomas Kearney.

19. The text of Judge McDonald's instructions to the grand jury was published complete and verbatim in the *Chicago Daily Journal*, *Chicago Daily News*, and *Chicago Evening Post*, September 7, 1920.

20. Same as above. The court's exhortation reportedly elicited a cheer from the grand jurors, according to the *Chicago Herald Examiner* and *Chicago Tribune*, September 8, 1920.

21. *Washington Post*, August 4, 1920. See also *Chicago Evening Post*, September 7, 1920. Decades later, McDonald stated that Garry Herrmann once offered him "the job later given to Judge Landis," but McDonald declined because "I initiated the Black Sox probe." See James Doherty, "Judge M'Donald Recalls Events of Long Career," *Chicago Tribune*, December 17, 1944: 15.

22. Rothstein biographer David Pietrusza places the Johnson-McDonald meeting at Chicago's Edgewater Golf Club. Black Sox Committee gambling authority Bruce Alardice suspects that the conclave was conducted at the nearby Edgewater Beach Hotel.

23. The Pinkerton refusal was conveyed to Johnson in a September 17, 1920 letter from agency honcho William E. Webster.

24. Such info is embodied in a September 23-24, 1920 report of *Operative No. 1*. A fuller account of the Cincinnati-based hearsay uncovered by the Crim Agency is provided

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in Susan Dellinger, *Red Legs and Black Sox: Edd Roush and the Untold Story of the 1919 World Series* (Cincinnati: Emmis Books, 2006).

25. For example, info on the Levis' World Series betting was conveyed in Johnson's October 19, 1920 letter to Replogle.

26. The indictments formally returned by the grand jury on October 25, 1920 renamed the eight White Sox players previously accused, but expanded the roster of gambler defendants to include Bill Burns, Hal Chase, and Abe Attell.

27. Per letters of Neily to Johnson dated January 22 and February 2, 1921.

28. Letter of Johnson to Ball, dated March 7, 1921.

29. Barrett had been retained when the attorney originally designated as AL counsel, former Chicago prosecutor James C. O'Brien, abruptly switched sides and took up the defense of Chick Gandil.

30. The other live grand jury witnesses were White Sox groupie Sam Pass, St. Louis Browns infielder Joe Gedeon, Harry Redmon, and Joe Pesch.

31. Since the original indictments were returned in late October 1920, the Crim Agency had succeeded in identifying Zelcer as *Bennett*, a fix partner of Abe Attell. Johnson then passed along this intelligence to prosecutors.

32. As embodied in Johnson letters to Navin marked "personal and confidential." Detroit-area native Cicotte had broken in with the Tigers in 1905 and remained on friendly terms with club boss Navin.

33. As reflected in Johnson correspondence with D.T. Green, superintendent of the Pinkerton office in Boston.

34. The Johnson correspondence file is awash in communications to and from Isaminger and Maharg.

35. Expense payments with vouchers to be signed by Maharg are included in the Johnson correspondence file.

36. Letter of Johnson to Crim, April 9, 1921.

37. Letter of Crim to Johnson, April 11, 1921.

38. Letter of Johnson to Crim, April 22, 1921.

39. The Johnson correspondence file contains an assortment of telegrams to and from Vila, Menke, and Spink.

40. The Johnson correspondence file is replete with late April 1921 telegrams between Johnson and Price.

41. Prosecutorial incompetence had earlier frustrated the effort to extradite Chase from California. A more detailed account of Black Sox-related extradition proceedings is provided by the author in *Black Sox in the Courtroom: The Grand Jury, Criminal Trial and Civil Litigation* (Jefferson, North Carolina: McFarland & Co., 2013), 93-100.

42. Info about Cravath was provided in a letter of Lange to Johnson, dated May 26, 1921. Perhaps Johnson was seeking insight into the rumored fix of the August 31, 1920 Cubs-Phillies game that had prompted Judge McDonald to empanel the original Black Sox grand jury. Whatever the

case, Lange had previously informed Johnson that his efforts to clean up baseball were supported by jazz singer Al Jolson.

43. Letter of Johnson to Eckel, dated May 28, 1921.

44. Letter of Johnson to Maharg, dated May 28, 1921, in which Johnson stated, "Had I been there [in court] last Wednesday, I am sure that I could have influenced the DA into putting you on the stand at the time that [Chicago Cubs club secretary John] Seys testified. ... I appreciate immensely your splendid efforts to assist the prosecutor."

45. Letter of Johnson to Price, dated May 31, 1921.

Later, an eight-page handwritten letter from Price provided Johnson with a verbatim account of Price's follow-up grilling of Gedeon, but Joe remained less than forthcoming about the Sherman Hotel fix meeting.

46. In a July 28, 1921 letter to Reds President Garry Herrmann about expenses, Johnson stated that "the American League is paying the bills for this trial." A copy of the resolution adopted by the AL Board of Directors authorizing "the expenditure by the President of the league of whatever sum of money may be deemed necessary by him ... in addition to the \$10,000 authorized by the Board at the December 1920 meeting" is contained in the Johnson correspondence file.

47. Reflected in a July 19, 1921 letter of Bruce to Johnson subordinate Will Harridge.

48. Replogle itemized his expenses in an August 25, 1921 letter to attorney Charles V. Barrett, a Chicago Republican Party powerbroker who served as legal counsel for the American League. Charles was the younger brother of AL Black Sox trial counsel George F. Barrett.

49. Burns's witness stand performance drew rave reviews in the press. Illustrative is the observation of the *Los Angeles Times*, July 22, 1921: 33: "The State's chief witness ... hurled excellent ball, permitting the defense few hits in the grilling cross-examination."

50. As quoted in the *Chicago Herald Examiner*, *Washington Post*, and elsewhere, August 2, 1921.

51. The jury was out for less than three hours. The writer's analysis of the Cicotte, Jackson, and Williams acquittals is set forth in "[Jury Nullification and the Not Guilty Verdicts in the Black Sox Case](#)," *SABR Baseball Research Journal*, Vol. 44, No. 2, Fall 2015, 47-56. Note: The charges against the Levi brothers were dismissed by the court for lack of evidence and not submitted to the jury.

52. Letter of Johnson to Replogle, August 25, 1921.

53. After Cicotte's grand jury testimony was published, Felsch confessed his own fix involvement to a Chicago newspaperman. See "I Got Mine -- \$5,000," *Chicago Evening American*, September 30, 1920: 1.

54. Early in Crowe's tenure, an anonymous SAO attorney spread word that the Black Sox case was to be dropped. See "Indicted Sox to Escape Court," (New London, Connecticut) *Evening Day*, January 24, 1921: 3; "Indicted Sox May Never Be Forced to Face Trial," *New York Herald*, January 24, 1921: 11. But adverse public reaction to the report as well as Crowe's own chagrin over staff leaks kept the prosecution on track.

BEHIND THE SCENES: EIGHT MEN OUT FILM SET



In 1987, Neil Toussaint was working as a production assistant during the filming of *Eight Men Out* in Indianapolis. Thanks to the generosity of Black Sox memorabilia collector Jason Kaster, some of Toussaint's photos from the set are shared here. Find more photos and film props on Kaster's Instagram account, [@eightmenout](#)

Above left: Director John Sayles, left, surveys the scene during a break in the action. Bush Stadium in Indianapolis was used as a stand-in for both Comiskey Park and Redland Field. Above right: John Cusack, in uniform as Buck Weaver, hands off a football to an unidentified boy outside a tent.



Right: Bill Irwin (Eddie Collins), center, and David Strathairn (Eddie Cicotte), right, look through a scrapbook of newspaper articles about the 1919 World Series.

Bottom left: Charlie Sheen (Happy Felsch) and Strathairn (Cicotte) stand near the dugout. Bottom center: Sheen and director Sayles talk in front of the ivy-covered outfield wall. Bottom right: Sayles confers with crew members as Gordon Clapp (Ray Schalk) looks on.



Special excerpt: Shoeless Joe on the stand

Nearly 100 years ago, Shoeless Joe Jackson's breach of contract lawsuit against the Chicago White Sox went to trial in Milwaukee, Wisconsin. Jackson had sued his former team for \$16,000 in back pay following his expulsion from professional baseball in the Black Sox Scandal.

The trial hinged on two major points: whether Jackson participated in the fixing of the 1919 World Series and the circumstances of Jackson signing his 1920 contract at home in Savannah, Georgia, with White Sox executive Harry Grabiner.

Jackson testified for parts of four days, under the direction of his own counsel, future Wisconsin Congressman Raymond Cannon, and under cross-examination from Comiskey's attorney, George B. Hudnall.

While Jackson was on the stand, he was confronted with his previous testimony. In the 1920 Chicago grand jury hearing, he admitted under oath that he had accepted a \$5,000 bribe to fix the World Series and he complained that he was not paid all he was promised by gamblers. During the Milwaukee trial,

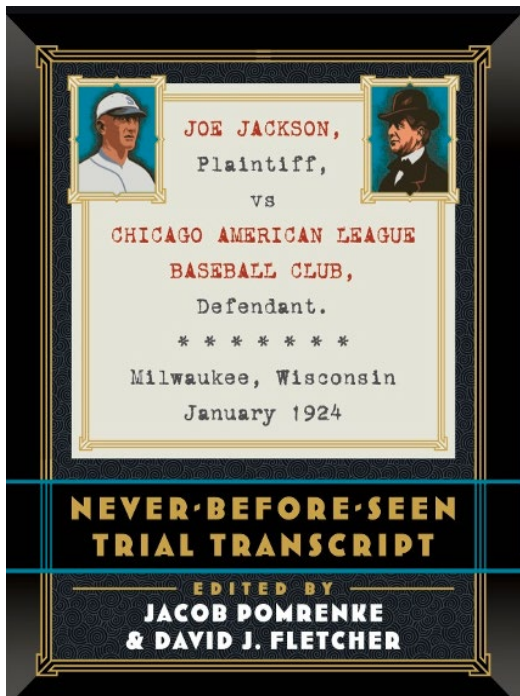
he changed his story, denying any involvement in the fix and even claiming that he never gave the answers attributed to him by the courtroom stenographers.

The 1924 Milwaukee trial concluded in dramatic fashion. The jury awarded Jackson his back pay, but Jackson was cited for perjury by the presiding judge, John J. Gregory, who set aside the verdict. A furious Gregory scolded the jury after the verdict was announced. "Jackson stands self-convicted and self-accused of perjury," Gregory said. "Because on the record, Jackson lied here or before the Grand Jury, and, in my opinion, he lied here."

The full trial transcript is now available in a new book co-edited by Jacob Pomrenke and David J. Fletcher, "Shoeless Joe Jackson, Plaintiff, vs. Chicago American

League Baseball Club, Defendant," published in June 2023 by Eckhartz Press.

A special excerpt from Shoeless Joe Jackson's testimony on January 30, 1924, is published below.



2:00 p.m., Wednesday, January 30, 1924

Cross-examination of Joe Jackson by George Hudnall

JUDGE GREGORY: You better go right to the meat of the thing.

MR. HUDNALL: Were you asked this question and did you make this answer before the Grand Jury at Chicago?

"Q. You played in the World's Series between the Chicago American baseball club and the Cincinnati baseball club, did you?"

"A. I did."

MR. JACKSON: Yes, sir.

Q. Were you asked this question and did you make this answer before the Grand Jury:

"Q. What position did you play in that Series?"

"A. Left field."

A. Yes, sir.

Q. Then were you asked this question and did you make this answer:

"Q. Were you present at a meeting at the Ansonia Hotel in New York about two or three weeks before, a conference there with a number of ballplayers?"

"A. I was not, no, sir."

Did you make that answer?

A. I was not there, no, sir. I made that answer.

Q. Were you asked this question and did you make this answer:

"Q. Did anybody pay you any money to help throw that Series in favor of Cincinnati?"

"A. They did."

A. I don't remember that question at all.

MR. CANNON: The question is, was that question asked you and did you make that answer before the Grand Jury? Do you understand the question? Listen to it.

MR. HUDNALL: Was this question asked you and did you make this answer:

"Q. Did anybody pay you any money to help throw that Series in favor of Cincinnati?"

"A. They did."

A. No, sir.

Q. Did you so testify before the Grand Jury?

A. No, sir.

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Q. Then was this question asked you and did you make this answer:

“Q. How much did they pay?”

“A. They promised me twenty thousand dollars and paid me five.”

A. No, sir.

Q. You were not asked that question and did not make that answer?

A. I didn't make that answer.

Q. Then were you asked this question and did you make this answer:

“Q. Who promised you the twenty thousand?”

“A. Chick Gandil.”

A. No, sir.

Q. Were you asked this question and did you make this answer:

“Q. Who is Chick Gandil?”

“A. He was their first baseman on the White Sox club.”

A. No, sir.

Q. You didn't make that answer?

A. No, sir.

Q. That was a fact, though, wasn't it, he was the first baseman on the White Sox club?

A. He was the first baseman, yes.

Q. You were not asked that question before the Grand Jury?

A. No, sir, not to my knowledge.

Q. Were you asked this question and did you make this answer:

“Q. Who paid you the \$5,000?”

“A. Lefty Williams brought it in my room and threw it down.”

A. I don't remember answering to that there.

Q. You just said a while ago that you did make that answer, as I remember your testimony. Then were you asked this question and did you make this answer before the Grand Jury?

“Q. Who is Lefty Williams?”

“A. A pitcher on the White Sox club.”

A. I guess I did if it is there.

Q. Then were you asked this question and did you make this answer:

“Q. Where did he bring it, where is your room?”

“A. At that time I was staying at the Lexington Hotel, I believe it is.”

MR. HUDNALL: I have already asked you that. I don't care to repeat that. Then were you asked this question and did you make this answer:

“Q. Who was in the room at the time?”

“A. Lefty and myself. I was in there, and he came in.”

Did you make that answer to that question before the



Joe Jackson testified for parts of four days during his civil trial against the Chicago White Sox in January 1924. A jury awarded him back pay but the judge set aside the verdict and charged him with perjury. (Photo: BlackBetsy.com)

Grand Jury?

A. Yes, sir.

Q. Then were you asked this question and did you make this answer:

“Q. Where was Mrs. Jackson?”

“A. Mrs. Jackson — let me see — I think she was in the bathroom. It was a suite; yes, she was in the bathroom, I am pretty sure.”

A. No, sir.

Q. You didn't make that answer?

A. No, sir.

Q. Then were you asked this question and did you make this answer:

“Q. Does she know that you got \$5,000 for helping throw that game?”

“A. She did that night, yes.”

A. She was standing there when Williams offered it to me.

Q. The question is, did you make that answer before the Grand Jury? Did you make that answer to that question before the Grand Jury?

A. No, sir.

Q. What is the fact about Chick Gandil promising you \$20,000 if you would help throw the World's Series, is it true or not?

A. It is not true.

Q. You didn't testify so before the Grand Jury?

A. No, sir.

Q. What is the fact about anybody offering to pay you any money to help throw the Series in favor of Cincinnati?

A. The first I knew of it was the night after the World's Series. Nobody ever talked to me about it.

Orbie: Arnold Rothstein's Long Island pitchman

By Ron Coleman

ronandvicki@msn.com

One of the obscure characters that appears in historical accounts of the Black Sox Scandal is a man referred to only as "Orbie." He makes one brief appearance in newspaper accounts during the 1920 investigations and is never mentioned again in any subsequent reports or courtroom proceedings. Properly identifying this figure may help to reveal or confirm the identities of other operators existing within the gambling syndicates involved in the 1919 World Series fix.

Orbie's name is first mentioned in a September 30, 1920, newspaper interview with Val O'Farrell, a former New York police lieutenant and the head of a prominent detective agency.¹ He was also a longtime friend of Arnold Rothstein and other gamblers. O'Farrell was quoted as saying:

Just before last year's world series, Rothstein asked me to meet him at the Hotel Astor one afternoon. He had an appointment with somebody and wanted me to be present. After waiting around a while three men came into the lobby. One of them I recognized as Orbie, a Long Island gambler, who is known as a friend of Abe Attell, the former featherweight champion. Benny Kauff was with him and there was another good-sized fellow who I was later told was Billy Burns, but of this I am not sure.

Orbie came over to Rothstein and in my presence asked him if he would listen to a world series proposition. Rothstein turned to me and said, "What do you know about that?" Then pointing to Benny Kauff, he added: "I wouldn't listen to anything in which that man is concerned."

Orbie went over to Kauff and told him it was all off; that Rothstein wouldn't have anything to do with it because of his connection, and that it would have to be pulled off in another way. The man, unknown to me then, said a few words to Rothstein which I did not hear. The three then got together and walked out.²

Reports state that some time after this, Billy Maharg, the Philadelphia boxer, and Bill Burns arranged another meeting with Rothstein and that Attell called Rothstein on

the phone, but was unable to reach him. Ultimately, Rothstein flatly refused to get involved with any party, according to O'Farrell.

Val O'Farrell identified two important facts: Orbie was a Long Island gambler and he was a friend of Abe Attell. These details are not enough for anyone to make a clear determination of Orbie's true identity; however, they might be considered indisputable facts given the source and timing of the interview.

Although no other facts were ever revealed contemporaneously, in 1929 former American League president Ban Johnson recalled his 1920 interview of Arnold Rothstein while the Cook County Grand Jury investigation was active:

[Rothstein] sent word that he desired to talk with me. ... I went to New York to learn what he had to say. ... Rothstein informed me that ... he was approached by Benny Kauff of the Giants and a gambler named Henderson from Providence. Kauff wanted Rothstein to put up \$50,000. Henderson was ready to put up an equal amount. Rothstein claimed he upbraided Kauff for the suggestion.³

In this case Ban Johnson only recalled a couple of facts: He recalled the name *Henderson* and that he was from *Providence*. The detail of Henderson being

ready to put up \$50,000 for the fix is also a new revelation. However, it does not help in identifying "Orbie."

After nine years, it can be assumed that Ban Johnson might have forgotten some of the details. Val O'Farrell said Orbie resided in Long Island. This is most likely accurate as the individual was known to O'Farrell. Ban Johnson was only relating a story about someone he was told about; perhaps he simply mixed up Rhode Island with Long Island.

The most intriguing detail of Ban Johnson's recollection is that the Long Island gambler was named Henderson. Since it is our best clue, we might assume Johnson was correct. While researching Long Island gamblers named Henderson during the 1910s and '20s, one name stands out: Charles L. Henderson.

Henderson was a Brooklyn boxing promoter and president of the Nostrand Athletic Club who operated popular fight venues on Long Island, first in Brooklyn's Crown Heights neighborhood and later at Coney Island.⁴ His first open-air arena on Nostrand Avenue, called



Charles L. Henderson (1877-1949)
was a Brooklyn-based boxing promoter who shared connections with Arnold Rothstein and Abe Attell.
(Photo: New York Daily News)

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Henderson’s Bowl, occasionally drew up to 20,000 fans for big fights after it opened in the summer of 1924.⁵ Located just a few blocks east of Ebbets Field, Henderson’s Bowl was shut down less than a year later by the New York Supreme Court after a group of neighborhood residents filed a nuisance lawsuit.⁶

Henderson was also business partners with boxing insiders Dan McKetrick and Max “Boo Boo” Hoff, both of whom were known associates of Abe Attell.



Arnold Rothstein

McKetrick was a New York-based promoter who managed several well-regarded fighters, including Willie Lewis and future International Boxing Hall of Fame inductee Joe Jeanette. He had also been instrumental in reviving heavyweight champion Jack Johnson’s career in Europe.⁷



Val O'Farrell

McKetrick teamed up with Harry Pollok — one of Abe Attell’s former managers⁸ — as Madison Square Garden promoters after both left employ as sports writers at the *New York World*. They introduced every gimmick imaginable, including roller skating, basketball on skates, bike races, physical culture shows, and even wrestling.⁹



Benny Kauff

Attell’s connection to Hoff, a Philadelphia-based gangster and occasional boxing promoter, was much more controversial. In 1926, just hours before Jack Dempsey and Gene Tunney squared off for the heavyweight championship in Philadelphia, Tunney and his manager, Billy Gibson, signed away 20 percent of Tunney’s future earnings in exchange for a \$20,000 loan from Hoff. Tunney and Attell were close friends, and Tunney later alleged that Attell had brokered the deal. Attell was at ringside for the

fight the next day — along with Arnold Rothstein, who reportedly won \$500,000 betting on the underdog Tunney.¹⁰ Rumors circulated afterward that Attell or Rothstein may have tried to fix the match in favor of Tunney, but the controversy was largely forgotten in the wake of Tunney’s “Long Count” win in his rematch against Dempsey.

Charles L. Henderson ran in all the same social circles as these men. In the fall of 1924, Henderson was reported to be negotiating with Dempsey and his manager, Jack

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Merry Xmas from
CHARLES L. HENDERSON and **DAN MCKETRICK**
President Matchmaker

In the mid-1920s, Charles Henderson attempted to build a 110,000-seat open-air arena near the Queensboro Bridge in Long Island City. It was dubbed “Henderson’s Crater”, but negotiations stalled and the stadium was never built. (Photo: Courtesy of David Bergin / BoxingTreasures.com)

Kearns, to schedule a bout in Long Island City. A groundbreaking ceremony was held to announce plans for a 110,000-seat arena near the Queensboro Bridge, capable of being used for football games and other outdoor sports. Dan McKetrick was reported as the new arena’s matchmaker.¹¹ McKetrick held an option on Dempsey’s services as he planned to defend his heavyweight championship that summer.¹² These negotiations continued into 1926 with the new arena being billed as “Henderson’s Crater.” But it was never built.

Also in 1924, Henderson and Max Hoff teamed up to lodge a protest to the New York State Athletic Commission against a scheduled boxing match in Queensboro. Henderson claimed to have already signed one of the fighters for the Nostrand Athletic Club at Henderson’s Bowl.¹³ Into the 1930s, Henderson would continue hosting and promoting outdoor fights at his arena on Long Island.

For purposes of identifying Charles L. Henderson as Orbie, the subject gentleman does check the right boxes. His name was the same as what Ban Johnson remembered, and he had lifelong ties to Long Island. He was in the boxing business and, although his gambling ties could be disputed, there is reason to believe he was not innocent on that fact. The conclusion drawn is that Charles L. Henderson, Coney Island stadium promoter, was the same Orbie who met with Arnold Rothstein about fixing the 1919 World Series.

A final curious connection to the Orbie or Orby name is a tie to Richard Croker, Grand Sachem of Tammany Hall from 1886-1902. As head of Tammany, Croker received bribe money from the owners of brothels, saloons and illegal gambling dens. Croker’s political success led to strong control of the government in Manhattan.

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► ORBIE

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After Tammany was swept from power in the 1901 elections, Croker returned to his native country of Ireland. An avid horseman, his horse, Orby, won Britain's most prestigious race, The Derby, in 1907.

One may wonder if Charles L. Henderson had any ties to Richard Croker. In choosing to protect the identity of the man meeting with Arnold Rothstein, Val O'Farrell referred to him only by his nickname, Orbie.

Notes

1. O'Farrell first gained notoriety in 1912 when he helped to investigate corrupt New York police Lt. Charles Becker, who was later executed for plotting to murder the gangster Herman Rosenthal. O'Farrell quit the police force to open a private detective agency that same year.

2. "Benny Kauff in Fixing Plot, Says Detective," *New York Tribune*, September 30, 1920: 2. The interview was also published in the *New York Daily News* and the *Los Angeles Times* on the same day.

3. "Famous White Sox Scandal Explained by Ban Johnson," *Seattle Times*, March 29, 1929: 32.

4. "Charles L. Henderson, Sports Promoter, Dead," *The Tablet*, April 2, 1949: 14.

5. W.C. Vreeland, "Martin Wins Over Snyder and Terris K.O.'s Chaney at Henderson Bowl," *Brooklyn Eagle*, May 24, 1924: 10.

6. *Russell v. Nostrand Athletic Club, Inc.*, 212 A.D. 543 (1925), CaseLaw Access Project, Harvard Law School, accessed online at <https://cite.case.law/ad/212/543/> on November 30, 2023.

7. Finis Farr, "Jack and the Game," *Sports Illustrated*, June 22, 1959. Accessed online at <https://vault.si.com/vault/1959/06/22/jack-and-the-game> on November 28, 2023.

8. "Attell Arrives; Ready to Train," *Los Angeles Herald*, April 9, 1906.

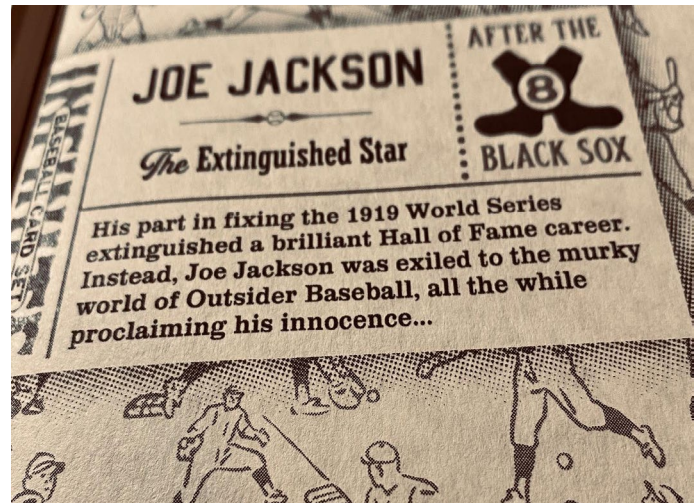
9. Zander Hollander, *Madison Square Garden: A Century of Sport and Spectacle on the World's Most Versatile Stage* (New York: Hawthorn Books, 1973): 8.

10. The murky details of the Hoff-Tunney agreement are covered in David Pietrusza, *Rothstein: The Life, Times, and Murder of the Criminal Genius Who Fixed the 1919 World Series* (New York: Carroll & Graf, 2003): 232-243.

11. "Ground Broken for New Queens Arena," *Brooklyn Standard Union*, January 6, 1925: 16.

12. "Construction Work on Long Island Arena Begins," *Atlanta Journal*, January 11, 1925: 21.

13. "To Protest Mandell-Terris Bout," *New York Telegram and Evening Mail*, June 18, 1924: 17.



After the Black Sox card series highlights players' outlaw baseball careers

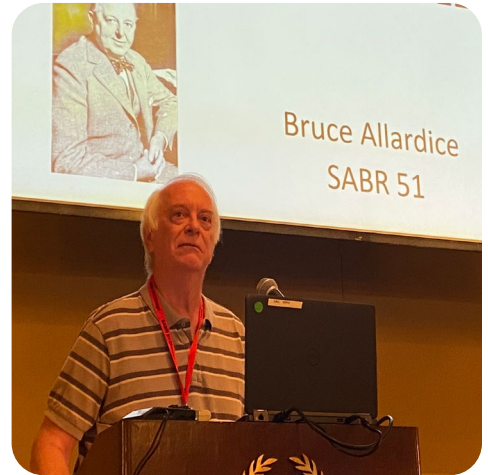
SABR member and acclaimed artist **Gary Cieradkowski's** new booklet series *After the Black Sox* — on the lives of the eight banished White Sox players after their professional baseball careers ended — is now available for purchase at studiogaryc.com. Quantities are extremely limited, since each booklet is hand-made by the artist.

The series of eight booklets includes an original illustrated baseball card of each player, along with a hand-numbered and signed booklet that reveals what each Black Sox player did post-scandal. The card depicts each player with one of their "outsider baseball teams," plus some never-before-told stories and research.

Dozens of other individual booklets, covering the likes of Stan Musial to Alta Weiss to Jimmy Horio, are also available for sale on Cieradkowski's website.



HIGHLIGHTS FROM SABR 51



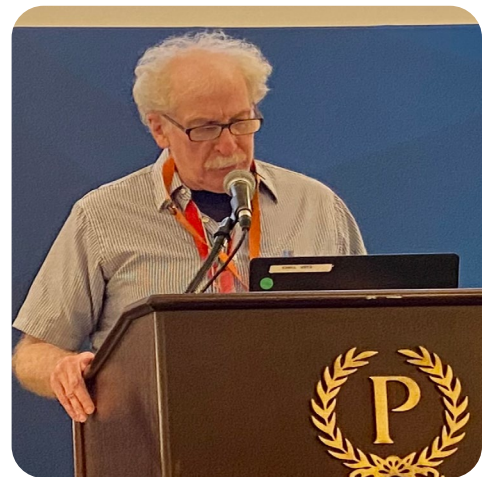
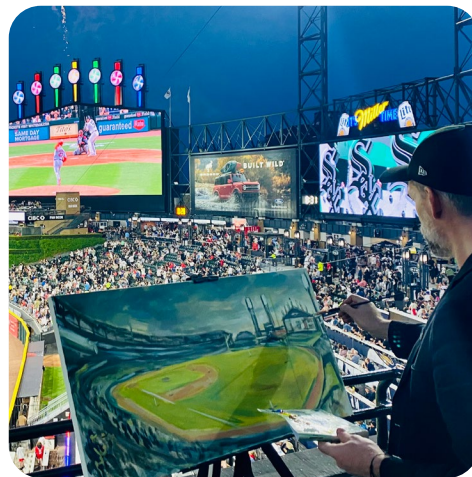
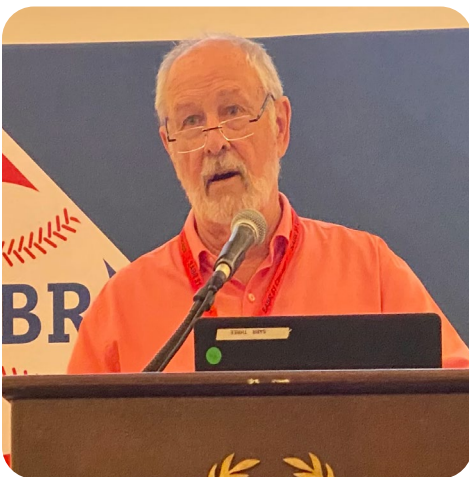
At SABR's 51st annual convention in Chicago, held July 5-9, 2023, at the majestic Palmer House Hilton, the Black Sox Scandal Committee was well represented.

Top center: Jacob Pomrenke and David Fletcher hosted a panel discussion about the 100th anniversary of Shoeless Joe Jackson's lawsuit against the Chicago White Sox, which went to trial in Milwaukee in 1924. [Click here](#) to listen to highlights from their panel.

Bruce Allardice (right and top-right), Sharon Hamilton (top-left), Rob Garratt (bottom-left), and Steven A. Riess (bottom-right) delivered research presentations on subjects related to the Black Sox Scandal and gambling in baseball. [Click here](#) to listen to their talks and view their PowerPoint slides.

Meanwhile, artist Andy Brown (bottom-center) dazzled attendees all week with his live paintings at the White Sox game and during the sessions at the hotel.

(Photos: Jacob Pomrenke and Dan Wallach)



AROUND THE WEB

Jacob Pomrenke and David Fletcher's newly published book, *Joe Jackson, Plaintiff, vs. Chicago American League Baseball Club, Defendant*, has led to a flurry of media coverage about the 1924 civil trial and the release of the complete transcript this year.

At Fox 32 News in Chicago, **Dane Placko** produced a comprehensive video segment about the book with an interview of the co-editors filmed at Comiskey Park's old home plate.

David Schultz of Bloomberg Law dives into the legal aspects of the Jackson trial in a new episode of his *On the Merits* podcast.

Randy Maniloff, a Philadelphia-based attorney and Temple University adjunct law professor, was also keenly interested in the trial's twists and turns in a new article for the *American Bar Association Journal*.

Pomrenke and Fletcher also recorded radio and podcast interviews with veteran journalists **Sean Dillon** (*Beyond the Mic*), **Debbie Elicksen** (*Locker Room for Growth*), **Darren Peck** (*Sports Byline USA*), and **Nestor Aparicio** (*WSNT/ Baltimore*).

◆ A new season of **Dan Wallach's** long-form interview podcast, *My Baseball History*, premiered in October, along with an email newsletter with interesting news and notes from his travels. The former executive director of the Shoeless Joe Jackson Museum conducts in-depth interviews of people with varied connections to baseball. New episodes include Wallach's interviews with Jacob Pomrenke, chair of SABR's Black Sox Scandal Committee; former Negro Leagues player Sam Allen; and Peter Capolino, founder of the Mitchell & Ness Nostalgia Co.

◆ The rise of sports gambling in the United States — legalized in 2018 after a US Supreme Court decision — has led to an array of touchy ethical issues in pro and amateur baseball.

At the *Wall Street Journal*, **Jared Diamond** details the shady efforts some bettors from a gambling website made this summer to acquire insider information from New York reporter Joel Sherman.

Maury Brown of *Forbes* reports that the Baseball Writers' Association of America is looking to formalize rules and expectations around sports betting as it relates to writers' coverage of the game, including voting on annual awards such as MVP and Cy Young Awards.

Matt Snyder of CBS Sports looks at the fine line Major League Baseball is trying to walk with fans, encouraging betting without risking the sport's integrity.

Pat Forde of *Sports Illustrated* explores an explosive college baseball gambling scandal after suspicious betting led to the dismissals of University of Alabama coach Brad Bohannon, University of Cincinnati coach Scott Gogins, and two other Cincinnati athletics employees this spring.

Darren Rovell at Action Network reports that Iowa



A new season of Dan Wallach's long-form interview podcast, *My Baseball History*, premiered in October 2023. Find new episodes at shoelesspodcast.libsyn.com or wherever you like to listen to podcasts. (Courtesy photo)

authorities launched an investigation into the University of Iowa baseball team after several players were suspended for unknown violations.

◆ The Chicago Public Library announced an expansion of their historical online archive of the *Chicago Daily Times* (1929-47), *Chicago Sun* (1941-48), and *Chicago Sun-Times* (1948-85), now available to all library card-holders. A newly uncovered **Buck Weaver interview from 1945** following the death of Judge Kenesaw Mountain Landis and Nelson Algren's first-person memories of the 1919 World Series are among the early highlights found in the new collection.

◆ **Jason Schwartz** looks into rare **Chick Gandil baseball cards** from his time in the Pacific Coast League and the major leagues at the SABR Baseball Cards Blog.

◆ The Tampa Bay Rays set a dubious mark for the lowest attendance in an MLB postseason game since Game 7 of the 1919 World Series in Cincinnati. The Rays drew **19,704 fans for Game One** against the Texas Rangers, the lowest total in 104 years, as ESPN broadcaster **Sean McDonough** pointed out on air.

◆ A Shoeless Joe Jackson bat from the collection of rock star **Geddy Lee** sold at auction for more than \$22,000 in December. The Jackson bat and other items from Lee's extensive baseball memorabilia collection will be featured in a new book, *72 Stories From the Collection of Geddy Lee*.

◆ **Richard Cuicchi** of Crescent City Sports looks back at Shoeless Joe Jackson's **spectacular 1910 season** with the minor-league New Orleans Pelicans.

◆ **Mark Benton** of the *Buffalo News* tells the tale of a local pitcher, Dick Rooney, who learned his craft under the tutelage of Hall of Fame catcher Ray Schalk at Purdue University in the 1940s.