

# THE LID

BY THAI JONES

In 1914, New York's entertainment establishments were faced with a choice: obey the law for closing time, or else. But it wasn't quite as simple as that.

On March 5, 1914, detectives in the Tenderloin, Manhattan's notorious nightclub district, offered fair warning to the neighborhood cabarets: that evening, for the first time all year, the police would be enforcing Section 30 of the Liquor Tax Law—meaning all establishments would have to close down promptly at 1 a.m.

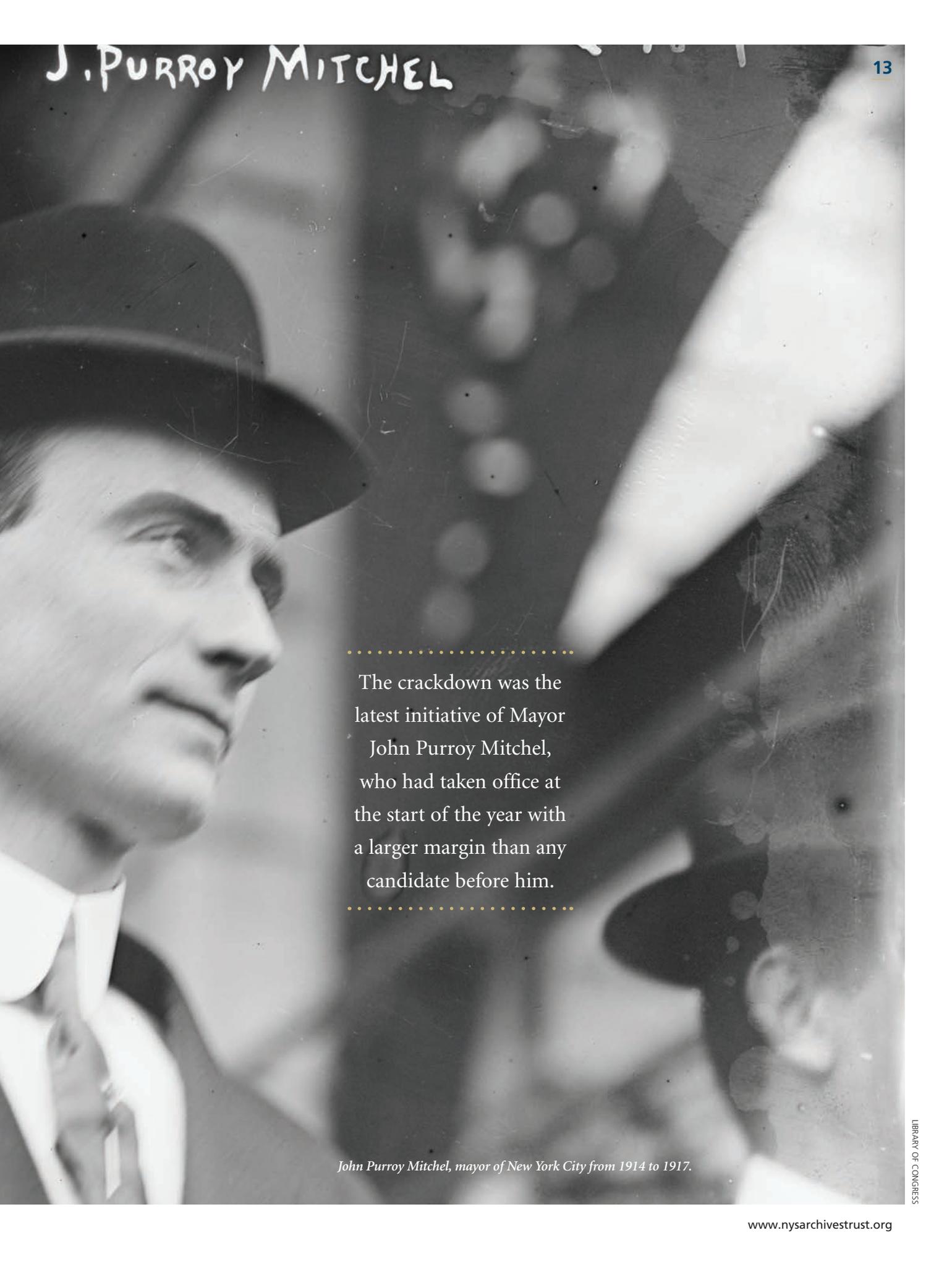
In the parlance of the day, "The Lid" was on.

Later that night, an officer returned to Broadway to

ensure that orders had been obeyed. At Shanley's Cabaret Extraordinaire on 43rd Street, management kept its word; around 12:50 p.m., the orchestra played "Home, Sweet Home" and the remaining patrons settled their checks, retrieved their coats, and filed out to waiting taxis. Fifteen minutes later, and a few blocks further uptown, the inspector noted with approval that all the lights were out at Churchill's, too. Up and down Broadway, the inspectors carefully noted which

restaurants had closed and which remained wide open.

It was an open secret that the 1 a.m. curfew law was routinely ignored, but now something had to be done. The crackdown was the latest initiative of Mayor John Purroy Mitchel, who had taken office at the start of the year with a larger margin than any candidate before him. The anti-Tammany reformer was also the youngest chief executive in the city's history, a dashing thirty-five-year-old whom the press soon dubbed "the



J. PURROY MITCHEL

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*John Purroy Mitchel, mayor of New York City from 1914 to 1917.*

OCT -7 1914

WEEK ENDING OCTOBER 10, 1914

PRICE TEN CENTS



THE CURTAIN IS UP!

PAINTED BY W. A. VAN GELUM

*Establishments like Rector's that catered to the "upper crust" were reviewed leniently by city inspectors.*

Boy Mayor." Pledging to uplift all aspects of metropolitan life, it had only taken a few months before Mitchel turned his attention to restaurants and cabarets. "If decent citizens cannot obey the law it is

unfortunate," the police commissioner proclaimed, "but they will simply have to be made to obey the law. That is all."

A jigger of controversy in comparison to the kegs of trouble that would flow with

the arrival of Prohibition five years later, the struggle over The Lid in 1914 revealed a ferment of class conflict in the Progressive Era metropolis. Though loudly protesting their own impartiality, the administration tended to act with blind bias, disciplining the poor while the wealthy ran riot. As a result, Mitchel's attempt to put The Lid on, as well as various other forays into social control, became a political catastrophe that drove the mayor, once the toast of the town, from power after a single term in office.

#### For and Against

"New York is old enough to stay up all night"—that was the general feeling of Broadway socialites. But the municipal government could not quite concur. The existing 1 a.m. curfew might be a remnant of the Victorian era, but the city fathers were not prepared

#### Proprietors of Bowery dives

to completely ignore the law. As officials weighed their options, citizens jammed into City Hall to lobby their positions for and against obeying it. "[Any] proposed extension is not for good morals," a leader of the Church Temperance Society complained, "not for good order and the quiet of the city, but in the interests of undesirable things and undesirable persons." The waiters' union testified that shifts

already stretched sixteen or seventeen hours, and later closing times would only mean longer and more inhumane workdays. Proprietors of Bowery dives complained that the administration was unjustly favoring the wealthy establishments on Broadway. "There are hundreds of strangers who come to this city who can't afford to pay \$3 for a meal," a Lower East Sider told the curfew committee, "and if only the big restaurants are allowed to keep open, it isn't fair. I'd call it class legislation."

Against this testimony were arrayed the desires of the upper class. For the city's wealthy and fashionable, the curfew simply did not suffice. "After the first performance of a play it is often within a few minutes of midnight before one can reach a restaurant," noted one theater aficionado. "Several of my

purpose of giving plenty of time for persons after the theatre to get a comfortable supper without being hurried."

The next step was to award the late-night licenses. Plainclothes agents undertook a series of clandestine inspections, and the evidence gathered would be used to decide which establishments were worthy of special dispensation.

For example, at 10:30 p.m. on April 7 an investigator entered the Marlborough-Blenheim on 36th Street. "The patrons are largely visitors to the city and appear to be respectable people," he observed. "There were no unaccompanied women present and no drunkenness or disorder." A few days later, an inspector visited the Kaiserhof, a German restaurant on 39th Street. "The place is well managed," he observed. "The food is good and prices reasonable." He was especially



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friends are suffering from dyspepsia because of the present early closing. They have had to eat so rapidly in order to avoid breaking the law that they are in a serious condition." Mayor Mitchel was young, a noted devotee of the tango—and he found such arguments compelling. After a thorough review of the situation, he proposed a plan that would extend the curfew for specially licensed restaurants by one hour—until 2 a.m.—"for the

impressed by the "very good string orchestra." But other establishments fared worse. The floor show was tawdry at the Café Regent: "A female with transparent drapings and her hair down her back performed a dance that consisted mostly of kicking," the investigator reported. Jack's, on Sixth Avenue, served as "the rendezvous at night for a number of the big gamblers of the city." In Bustanoby's, the inspector

observed "a respectable class, mingled with showgirls and prostitutes." At the Princess on 29th Street, an agent complained that one of the coat check girls "flirts with patrons."

### Privilege for the Wealthy

Since some of these establishments catered to the upper crust, the inspectors took a lenient stance. Rector's café, for instance, was filled with "wealthy and respectable

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people” when the undercover agent arrived. “While no persons were present who could properly be said to be drunk, there were a number that were mellow and happy,” he observed. “One young couple, man and woman, had some difficulty in negotiating the stairs in coming down from the ball room.” And although these debauches might have brought a vice squad raid for a corner saloon, at a cabaret apparently they could be excused. On the whole, the investigator concluded of Rector’s, “This is a desirable and high class place.”

However, no such tolerance was meted out to the rathskellers, beaneries, and low pouthouses where the Other Half took its leisure. A basement restaurant on Seventh Avenue was described as “a resort for men and women of a type whose characters are extremely questionable.” Schultz Café, a saloon with a small restaurant attached, was “frequented by many women of questionable character.” The Whip, a basement dance hall in Brooklyn, was damned from the start when the police observer noted that “the patronage is not high-class,” even though the six sailors and two Marines present “all were well behaved.” Still, the license was denied. At another neighborhood restaurant, the policeman “observed no unaccompanied women enter or in the place” but still concluded that “this seems to be a resort for prostitutes.” Using his intuition—

or, rather, his bias—the inspector speculated about the nature of the establishment: “Am not certain whether this is a resort for thieves pimps or other undesirable persons, but this is the kind of place that would appeal to these as it is located in a basement and not easily observed from the street.” At a dance hall on the Bowery, the absence of vice was not enough to justify the granting of a license. “While I did not see any unescorted women enter or in the place I believe it harbors prostitutes & pimps,” the report concluded.

After the investigation period, the city awarded nineteen licenses to cabarets and only five to saloons; then, throughout the summer and into the autumn, the police continued to duly note the actual time each of the licensed establishments turned off its lights. The results demonstrated the owners’ scorn for the whole trial period, as prominent Broadway establishments remained open till 3:30, 4:30, 4:40, or even 5:50 a.m. In September, despite “friendly admonishings and warnings,” Rector’s Café violated curfew on eighteen out of thirty nights. “Some of the other restaurants have violated their agreement in this respect but none so bad as Rector’s,” a detective reported, calling it “...the most flagrant violator of the two o’clock stipulation.” The police were furious, and the chief inspector urged the commissioner to take action. “I would recommend,” he

wrote, “that the All Night License granted to Rector’s Restaurant, 48th Street and B’way, under the provision that they close at 2 A.M. BE REVOKED, for the reason that said provision has been persistently violated.” But even this recommendation did not suffice; Rector’s stayed open for as long as its “high class and desirable” patrons cared to tango.

The cabarets remained sacrosanct. For years they had enjoyed special privilege—violating the liquor laws, affronting public decency—and no action had been taken against them. While high-society patrons blithely gambled thousands of dollars in their private sanctums, police busied themselves “raiding corner saloons and arresting sailors for shaking dice for five-cent beers.” The new 2 a.m. closing time was just the latest instance of placating these constituents. “The vote [to extend the curfew] showed that the hotel and restaurant men got nearly everything that they asked for,” the *New York Times* concluded, while “the objections of church representatives, reformers, and temperance workers did not figure in any compromise.”

### Backlash

Over the next four years, John Purroy Mitchel and his administration would devise additional ways to impose on the working people of New York, all the while defending the privilege of the rich to behave as flagrantly—or as

badly—as they desired. Constraints on free speech, expansion of city jails, tightened strictures on charity: in each instance the charge of “class legislation” was entirely apt. As a result, the 1917 election saw Mitchel voted out of office by an even greater plurality than had previously endorsed him. “The humbler people of New York revolted against the consequences to themselves of government by capable and disinterested experts,” the *New Republic* concluded. “Mr. Mitchel’s downfall was greeted by a wild outburst of popular enthusiasm on the East Side. It was interpreted as the overthrow of an autocracy of experts which interfered egregiously and unnecessarily with the customs and the privacies of the common people.”

John Hylan, the Tammany Hall functionary who next took office, rode to victory on this surge of hostility against government meddling. He promised to remove The Lid and throw the town wide open once again. In a few years, this leniency would add to the conviction of temperance advocates that Prohibition was necessary, but at the moment the champagne flowed in celebration. The new mayor’s first words in office consisted of one promise that a Tammany Hall politico could actually keep. “We have had,” he told cheering voters, “all the reform that we want in this city for some time to come.” ■

## THE ARCHIVES CONNECTION

At the center of this narrative is a unique set of police inspectors’ investigation reports, which I found in Mayor John Purroy Mitchel’s papers in the New York City Municipal Archives. For weeks the detectives entertained themselves at public expense in a variety of cabarets, nightclubs, and saloons around the metropolis. Then they wrote up their findings and submitted them to the police commissioner, whose office preserved them for posterity. These reports allow researchers and readers to imagine the nightlife of the city in some of its wilder moments; they also provide priceless evidence into the police investigators’ mindset—puritanical, deferential to wealth, and blind to their own biases. In an intimate and vivid way, these texts shed light on the social conflicts of early twentieth century New York, a time when elites and government reformers struggled blindly to maintain some control over a city that was utterly foreign to them.