

OPIMUM A GREATER MENACE TO NEW YORK THAN LIQUOR

By Davis Edwards.
EXPERTS can trace to the constant and alarming spread of the opium habit here far more of crime than most people dream," said Gen. Nelson H. Henry, the Surveyor of the Port. "Most of the men connected with the Rosenthal murder are admitted to be 'fiends'; indeed a large proportion of professional gamblers are. The police will tell you that the same is true of an amazingly large proportion of those charged with the great city's regular and growing grist of crimes of violence, such as highway robbery, and that many burglars are drug takers. In fact, the entire 'underworld' in these days, is rendered doubly dangerous by its slavery to drugs."

"We are particularly interested in this matter down here at the Custom House, because the drug which is debauching such an amazing number causes a large, if not the greater, portion of our trouble with smugglers. We contend with two very clever and persistent classes, one consisting of the women who endeavor to bring in gowns, jewels, and millinery without paying duty to the Government, and the other of both sexes, but principally male, who show amazing ingenuity in smuggling opium."

Previous to his incumbency in this office, Gen. Henry had been surgeon, soldier, and man of affairs. During his two and a half years as Surveyor of the Port he has reduced to a science the outdoor work of the customs service, over which he has direct supervision.

Duties of the Surveyor.

Few people are familiar with the duties of the Government official known as the "Surveyor" because the original incumbent used to stand upon high ground and watch the harbor with a spyglass for incoming vessels, so that he might be ready to inspect them promptly on arrival. His successor of these days commands a little army of two thousand men, subdivided into forces of Inspectors, weighers, gaugers, stampers, and customs guards, who, for the first time in the history of this port, are now drilled into habits of courtesy to the public, civility to one another and efficiency in the service.

The most important function of the Surveyor's office is to see to it that the customs laws are administered with the smallest possible delay and inconvenience to the honest importer and the incoming passenger; its next most important function is to see to it that the dishonest importer and the lying traveler who aim to swindle Uncle Samuel are caught at it and punished for it. It is interesting to note that Surveyor Henry's men have given him the title of "Judge Justice," because of his unvarying fairness toward them when they have been brought for trial before him, charged with delinquencies or infractions of the service rules. His reputation among importers has grown to be of the same flattering nature, which means, also, that he has become the terror of wrongdoers.

Probably as much to his own surprise as any one's he has, since he took this office, developed the sixth sense of the detective to a degree which constantly astonishes his men, who go to him continually for advice, although there are among them some of the shrewdest detectives in the country—possibly in all the world.

Since tariff laws were first devised mankind has tried with an untiring patience and amazing ingenuity to evade them, and no lawbreakers have been cleverer than those bent upon this effort. The smugglers of to-day, whom Gen. Henry and his men are constantly endeavoring to circumvent, are probably the cleverest of the world he has ever known. Their wits have sharpened to match those of the men who watch for them.

Detective problems quite as puzzling as any which confront Police Headquarters are continually developing in the New York customs service, and, under the present régime which began with the entrance of Collector Loeb into the Custom House, they have been met by the development of an ability at "sleuthing" which compares favorably with that displayed by any detective force now known to fame.

I sat for hours, the other day, while Inspectors, then off duty and quite willing to devote their leisure hours to "talking shop" with me, told me generally under seal of secrecy of their hardest cases. When two of them took me deep into the basement of the Custom House to a little room which is kept locked and in which have been ranged some of the smugglers' apparatus seized by the force, I found the exhibit a fascinating one.

New York's Taste for Opium.

It, as well as nine-tenths of their talk, tended to bear out the General's statement that the opium traffic of New York has grown into a menace to the whole community, and that it is imperative that everything which can be done should be, both by means of legislation and increased forces for inspection, to curtail it.

New York probably smokes more opium than any other city in the world, not excepting the great cities of China itself, for the Chinese smoker uses the drug in comparative moderation, while the Caucasian, once its victim, smokes with something akin to desperate appetite. Ours is, indeed, a drug-ridden community, for not only do we actually smoke more opium than any other city in the world, but we take more morphine and more of all the other opium derivatives than any other of the world's communities. But it is with opium that the customs service has most trouble.

"It has been the growth of various drug habits which has given us our 'Gyp the Bloods,' our 'Lefty Louies,' and 'Monk' Eastmans," said Gen. Henry, as we talked the matter over in the little museum. As he spoke,

Gen. Nelson H. Henry, Surveyor of the Port, Tells of Efforts to Smuggle In the Drug. We Smoke More Opium Than Any City in the World.

the taint of opium hung in the air about us, for on all sides were receptacles, ranging from a nut-shell to a copper-kettle, which had once contained the drug, and, although they had been emptied, were still odorous of it.

Four o'clock approached, and the General led me from the heavy air of the museum to the big muster-room, crowded, then, with blue coats and brass buttons, ranked for roll call.

Along the Water Front.

Approximately one hundred department watchmen were mustered there for roll call, preparatory to departing on their nightly rounds, each one potentially the discoverer, before the following morning, of some great fraud against the Government, potentially the participant in a pitched battle with a smugglers' gang—very desperate smugglers' gangs sometimes develop upon New York's water front—potentially the centre of events which would inflame a fiction writer's mind with envy. There are five roundsmen in this little force of guardians of the city's shores, and there are 175 miles of water front to cover, comb-toothed with many miles of docks. Each man does his twenty to twenty-five miles nightly.

They form an impressive body, although not physically as massive as policemen are required to be. If their faces may be used as the criterion they are, however, of a higher average intelligence, in general a better mental type. As we stood watching them their assignments for the night were given out. No man has the same beat two nights in succession; no opportunity is given for formation of neighborhood friendships, which might lead to laxness, or collusion. Some tours were many miles from where the roll was called, as on the distant Brooklyn, Staten Island, and New Jersey shores. State lines have no terrors for these officers, for they are Federal policemen, not the city's, nor the State's.

The most picturesque of these watchmen's efforts are those which are devoted to the watching of opium smugglers, just as the most picturesque work of the Inspectors is their search for smuggled opium, although it is but one detail of manifold activities with both sets of men.

"No smoking-opium can be openly imported now?" I asked, after they had gone their way.

"No; the importation of smoking-opium or opium prepared for smoking in any form is prohibited by the act of Feb. 9, 1909. However, crude opium can be imported at the present time, after the payment of a duty of \$6 a pound, and its preparation for smoking, once a secret process, is now a simple matter. While the act of 1909 prohibits the importation of opium except for medicinal purposes, it does not make it a criminal offense to divert it for other purposes, and it does not apply to opium imported before its enactment.

"The provisions of this act wholly failed to make effectual the prohibition contained in the act. Competent medical authority asserts that during the last year 75,000 pounds of crude opium were sufficient, for the legitimate medical requirements of this country, whereas more than 500,000 pounds of this drug were imported.

Entire Underworld Involved.

"Notwithstanding the fact that crude opium can be imported without violation of the law, the effort to smuggle in prepared opium is made continually and frequently succeeds. The vice has spread outward from our small Chinese population until it affects the entire 'underworld' of New York City and the Nation, and through it vice continually makes recruits.

"Legislative and all other efforts to control use of the drug in the United States have miserably failed, up to the present time. Never in the history of smuggling have keener, more ingenious brains been devoted to the task of circumventing Government officials than at present are fixed upon illicit methods of furnishing New York with the immense, the startling, quantities which it consumes of this most dangerous of drugs.

"There is, of course, a legitimate importation of a certain quantity, but this legitimate call is constantly decreasing as reputable physicians discover that they can do better without opium than with it. And the avowed importations of the raw drug are many times in excess of even the old-time legitimate demand, while the amount which gets illegal entrance, by one means or another, is enormous.

"It comes on ships to San Francisco and is smuggled all the way across the continent; it comes over the Canadian boundary; it comes from the West Indies, and from South America; much arrives from Panama; but by far the greater portion of the smoking-opium which gains entrance at the present time doubtless comes across the line from Mexico. It is a National menace."

"What ships are most frequently subject to suspicion?"

"Probably 150 vessels reach this port from China in a year, and they are all objects of suspicion. Sometimes dozens of vessels come from Panama in a week, and they are all potential carriers of opium. The drug is often found on sailing vessels coming down from Nova Scotia; their crews get it after it has been transported across Canada, and are among the many smugglers against whom we must struggle. We used to get much opium over the Canadian border, by express to New

York City, but one or two very heavy penalties have decreased, if not entirely stopped, that avenue of ingress. It still comes by express from Mexico, however, twenty-five cans at a time, and the discovery of it, on its arrival in New York, constitutes one of the most puzzling problems confronting our Inspectors."

"Briefly, what are the present laws and what legislation is proposed?"

"The present law was passed Feb. 9, 1909, and various bills are now before Congress. No proposed legislation is of more importance, and the public should thoroughly inform itself about those bills and use its influence to further the best one of them. That which most interests the customs service prohibits absolutely the importation

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tion of opium in any form, or that of any preparations or derivatives of it for other than medicinal purposes. This would absolutely stop the importation of smoking-opium and opium prepared for smoking—and the forms of the drug described thus differ, although their nomenclature would not indicate a variance.

"The application of the present law is that all opium prepared for smoking now in the United States and which has not been manufactured in accordance with the internal revenue laws must be presumed to have been imported after April 1, 1909, when the act of Feb. 9, 1909, prohibiting the importation into the United States of opium for other than medicinal purposes became operative.

"The effect of fore-knowledge of this act upon importers was that they not only held at greatly increased prices that opium which they had on hand, but rushed into the country large quantities of the drug in the form of speculative imports. This was duly passed by the customs Inspectors, under the conditions of the Dingley act, which required the payment of duty at the rate of \$6 a pound, and the stamping of the containers. These stamped containers are as valuable, now, as the drug, itself, for one way to 'beat' the law is to refill them. A majority of them have done duty more than once, some of them many times. Now, unstamped cans, if found, would be confiscated and destroyed, and so the practice became general of refilling the old cans or of removing customs stamps from them and affixing them to new cans. When a seizure of opium was made and this work had been cleverly executed, it enabled the miscreants to declare that the drug had been legally imported, and made it extremely difficult for the Government's prosecuting officer to convince the courts to the contrary. I always feel that we are really accomplishing much if we do nothing more than to secure possession of and destroy some of these old receptacles.

An Important Section.

"A section of one of the proposed acts is devised to obviate this difficulty of the proof upon its owner, whereas it now rests upon the prosecution. The bill reads that all smoking-opium and opium prepared for smoking which shall hereafter be discovered shall be deemed to have been imported subsequent to April 1, 1909, and, therefore, shall be subject to seizure. This, if passed, will greatly strengthen our endeavors.

"The fourth section of the proposed act relates to the jurisdiction of the United States and the right to seize

opium discovered on any foreign or domestic vessel in our waters. This is most important, for a pretty complication has arisen. The fact that by the original act smoking-opium had been prohibited, left it no longer subject to the payment of duties, and it followed as a result that the bringing of opium into port on one vessel, when it was declared that the drug was to be immediately shipped out of port upon another vessel, left it free from regulation by our laws, for the contention was that its arrival in a port did not constitute its importation, and that transfer from one vessel to another could be legally made.

How Smuggling Is Done.

"The mere presence of the opium in port has been a danger, and the transshipment has not always been to other vessels, but as often, perhaps oftener, to smugglers who took the drug ashore. Vast quantities have gone overside upon dark nights. To watch constantly a ship which lies for weeks here in the harbor in the endeavor to prevent the carrying of opium ashore from her is a tiresome, an expensive, and well-nigh a hopeless task. Hence the Secretary of the Treasury ruled that smoking-opium imported for transshipment must be transhipped within fifteen days in order to secure immunity from duty. But even fifteen days in port for an opium cargo entails much work by our watchmen, who, because of our small force and the amount of work it has to do, can scarcely watch a given vessel every minute of each day and night, even for two weeks.

Subsequent to this opinion of the Attorney General large quantities of opium prepared for smoking continued to be shipped to our Pacific ports, particularly San Francisco, and there, after some leakage to the local smugglers, transhipped to vessels bound for Western Mexican ports, whence most of it was promptly smuggled into the United States.

"Such traffic has now reached immense proportions, which by no means indicates corruption or any delinquency in the customs service on the boundary, for to watch that long and largely desolate border is impossible. Nor is there any doubt that there has been tremendous traffic in the drug at Panama. Vessels land at two or three points near that port for the purpose of receiving opium, which has been shipped across the Isthmus to them. It is then brought to the States or Canada. Most of that which goes to Canada is eventually smuggled into the United States. In order to control this traffic, we should need to have the full co-operation of the Government of Panama, which we do not at present have.

"The situation, therefore, is plainly very difficult. Even had the law been so interpreted as to entirely prevent transshipment in port, the importers could transship, unmolested, at any point beyond the three-mile limit.

"In order to circumvent the evil as it is, it has been thought best to follow a previous practice of the Government, as laid down in certain navigation laws which have withstood the tests of the courts, and to forbid any vessel and all land vehicles to receive or conceal on board or to transport any opium for transmission to the United States. The land vehicles involved, of course, are, more especially, railway trains at the Mexican and Canadian borders.

"Section 5 in the proposed law prohibits the importation into the United States for transmission to another country of smoking-opium, or opium prepared for smoking, and also the transfer or transshipment of these commodities within our boundaries, or between vessels within the three-mile limit in our waters, even for immediate transportation to other countries, or for any other purpose. This section supplements Section 4, making, in all, a direct prohibition of the importation of opium, except for medicinal purposes, into the United States.

"Section 6, drafted in conformity with the suggestions of the International Opium Commission, which met at The Hague, applies with equal force to the importation and transshipment of opium and all its alkaloids, derivatives and preparations, thus including morphine, cocaine, &c.

Money to Enforce the Law.

"Section 7 of the bill is the penal section, providing that a moiety of any fine collected from any one convicted of offense against the law may, if so directed by the court, be paid to persons giving information leading to conviction. This was added to the bill because it had been contended that under the operation of the original opium act, which provided that all smoking-opium must be destroyed and could not, therefore, be sold to the highest bidder, as is the case with other seized goods, the Treasury Department had no fund with which to reward Inspectors and informers and that there had been, therefore, a lack of interest upon the part of both the Inspectors and the public in bringing such offenses to the attention of the Government. It supplies a source of income from which informers may be rewarded.

passage of some similar legislation, is a matter of the gravest import to the welfare of the country.

"But this legislation would control the entrance of opium, except for medicinal purposes, and absolutely prohibit the importation of smoking-opium, it would not control the cultivation of the poppy in this country or prohibit the manufacture here of smoking-opium.

"In other legislation this is aimed at, although it probably would be unconstitutional to prohibit the manufacture of any article, even opium. An endeavor is in progress to pass an internal revenue measure regulating the manufacture of opium of whatever sort, and imposing such a tax upon the manufactures of smoking-opium as would restrain it, practically, to the point of prohibition. The proposition, indeed, includes the placing of an internal revenue tax of \$200 a pound on smoking-opium, forbids any person not a citizen of the United States to engage in the manufacture, requires from persons so engaged a bond of not less than \$100,000, which may be increased from time to time, at the discretion of the Collector of Internal Revenue, requires the filing of notices and inventories with the Collector, and provides that the manufacturer's books shall be open to inspection at all times. All the provisions for stamping, cancellation, &c., are to apply as with the manufacturer of tobacco and snuff. The penalties proposed are not less than \$1,000 fine, or imprisonment for not less than five years, or both. The act also provides that all smoking-opium and all opium prepared for smoking found without proper stamps shall stand forfeited and be destroyed."

I asked the General if he thought even this drastic law would be effective.

Not to Prohibit Opium.

"I do not see," he answered, "how a more effective measure could be devised. However thoroughly a person may favor absolute prohibition of certain things, it must none the less be admitted that prohibitive laws have never been effective in this country. The best we can do with opium, I think, is to bring it under Government control.

"I suppose some people will say the Government is encouraging opium smoking by sanctioning the existence of the drug at all within our borders; but if we can so attack the amount offered for consumption as to force the importer to cease to regard opium as a commercial commodity, so that he will only import what is honestly required for medicinal purposes, the cost of the drug for smoking purposes will quickly rise until it is beyond the reach of its present victims."

"It would be impossible to overestimate the necessity for doing this. I have been in close touch with the subject for a long time now, and I am prepared to say without hesitation that opium smoking has had a far more demoralizing effect upon the New York public than liquor drinking has had. Discuss the matter with the police, and you will learn that they have found our worst criminal elements to be far more addicted to the opium than to the liquor habit. In the sensational case now on trial before Justice Goff it has been repeatedly brought out that Webber kept an opium joint. Sam Schepps is known to be an opium fiend. The whole 'underworld' is tainted by the fumes of opium; it breeds a vastly greater sum of crime than most people have imagined.

"When to the harm done by the direct smoking of straight opium is added that done by the consumption of the various opium derivatives we have a total which provides an opportunity for reform through remedial and prohibitive legislation such as has probably not before existed in the history of this Nation. General public knowledge of the vast spread of the vice is singularly meagre, which is a handicap upon endeavors to bring about reform, for while the alcoholic drinks in company, or, at least, in public, opium-smoking and drug-taking are the most secret of all vices."

"What method of procedure do you follow with a suspicious ship?"

"Our officers board her and notify her commanding officer to forthwith muster crew on deck. They are there inspected by certain of our officers, who can almost invariably detect, by his appearance, a person addicted to the use of opium. Such men are always likely to be opium smugglers, and their quarters are minutely searched. These searches may be dangerous work, too. Twice our officers have been attacked by men who had been maddened by the drug."

"If a search of the whole ship is deemed advisable, we find ourselves confronted by a difficult matter. The drug may be concealed beneath the heaviest cargo, it may be so hidden in the bunkers that to find it would necessitate reshoveling each bit of coal on board; after the most careful search of an incoming vessel we never feel quite certain that we have not been outwitted."

Watching Suspected Vessels.

"We do not satisfy ourselves, therefore, with the mere search. After suspected vessels have been tied up at dock they are kept under sometimes open, sometimes secret surveillance by the customs guard. More than once we have seized suspicious persons as they went ashore and found opium in quantities concealed upon them.

side officer of the Customs Service. His representative is the boarding officer, who visits every vessel coming into port. This work is followed by that of the discharging Inspectors, one of whom boards the vessel down the Bay, while a second meets her at the dock. The department gauges and stamps liquors, measures lumber, and weighs all sorts of commodities, thus estimating the value of ships' cargoes. This, of course, brings it into the most intimate contact not only with attempts to smuggle opium, but with all attempts at smuggling.

"The Surveyor's force handles all passengers' declarations, whether they have come by the first cabin or the steerage, and so, while opium is a problem of great magnitude, it can be but incidental to a tremendous mass of work. It is, however, the largest source of frauds against the Government, jewel smuggling coming next. More women than men attempt to smuggle, and they are cleverer at it than men are. The lying woman is, too, decidedly more effective than the lying man. But, as a rule, women do not smuggle opium."

A Case of Smuggling.

"One woman recently concerned with smuggling opium, however, was Mrs. Isaac Marks, who was captured while her husband was in prison for the same offense. We first seized opium at the Marks home, well uptown, 18 months ago, after a night search by our Inspectors. Among the contraband discovered was 1 tin can of smoking-opium, part full, and one full can; 2 pails of crude opium in solution; 2 copper kettles of crude opium in solution. 1 pitcher of opium, 1 wash bowl full of yin-shi, 2 bags of crude opium residue, 5 shells of smoking-opium, and 1 ball of crude opium. The defense before Commissioner Shields was that the defendants were manufacturing a 'cure' for the opium habit, known as 'Opicurine.' Every ounce of all that opium had been smuggled."

"While we make few seizures upon vessels, ships searched frequently reveal the clues which lead to the discovery of 'joints.' Last year we made approximately thirty opium seizures, of a value of about \$30,000, and probably one-half of them were due to information we had gained on shipboard. Ships' crews, you see, are concentrated; we can easily identify opium fiends among them, and then trail them when they come to shore."

"Information comes to us from all kinds of sources, often from the absolutely down and out, who, through motives of revenge on those who have denied the drug to them, are willing to reveal its whereabouts. Moral wrath sends much information from Chinamen to us; but most of the informers are unquestionably after the reward. Chinamen are sometimes prompted to reveal the sins of enemies by the factional feeling which runs so high among the 'tongs.' Our own men, too, have built up an especially qualified detective service. We have at least a dozen here who have developed detective ability of the very highest order and have been frequently complimented by the Federal courts for their ingenuity in gathering evidence and their ability in presenting cases."

"I have been advisory rather than closely in personal touch with detective work of this character, but some of it has been astonishingly good. In one instance we were sure that opium was being sold in a certain laundry. Search revealed none; but the laundress."

"Then it developed that callers, paying money at the tiny counter, held their hands occasionally clasped underneath the scantling, which acted at once as the shelf's support and as a rail across the room. Investigation showed this scantling to be hollow, with a hole beneath the counter, just where the hands habitually wandered in apparent carelessness. A thin, almost unnoticeable slit, ran the scantling's length, above, and, with an apparently careless movement, the salesman, when the customer had paid, could slip a tiny pocket knife blade along this, until a shell of opium had fallen through the hole into the waiting fingers. The device was certainly as clever as any of the many which the fiction writers have invented in their stories about crime and criminals."

"The trade across the Canadian border has furnished opportunities for some good detective work.

Opium from Montreal.

"One man, captured and well punished for engaging in the opium trade, was Walter Funk, a brakeman on the Delaware & Hudson Railway, running between Albany and Montreal. He got smoking-opium from Chinamen in Montreal, and distributed it from Albany in quite a wholesale manner, sending it throughout the country by express. His operations were uncovered through a raid by our men on a Chinese grocery and tea store in West Twenty-eighth Street, where one of our men had purchased opium in K'chee nut shells. Cans of opium were there discovered hidden in the coal bins, and while our men were there at work an express wagon drove up with a box of opium, which had been shipped by Funk. This led to the discovery of other railroad men who were working along similar lines, supplying, among others, the famous Charlie Boston, whose Seventh Avenue 'joint' has often been referred to in the public prints."

"One Chinaman has been captured four times, once in Newark, once on a ferryboat at midnight with a dozen cans, once at the Hudson Terminal, where he dropped a bag containing fifty cans, and once on Pell-Street, where he was carrying a dress suit, case full. Quong Quock was this man's name.

"By such means is New York debauched beyond the knowledge of most people. Nothing is of more importance than that a check should quickly be placed on the evil."