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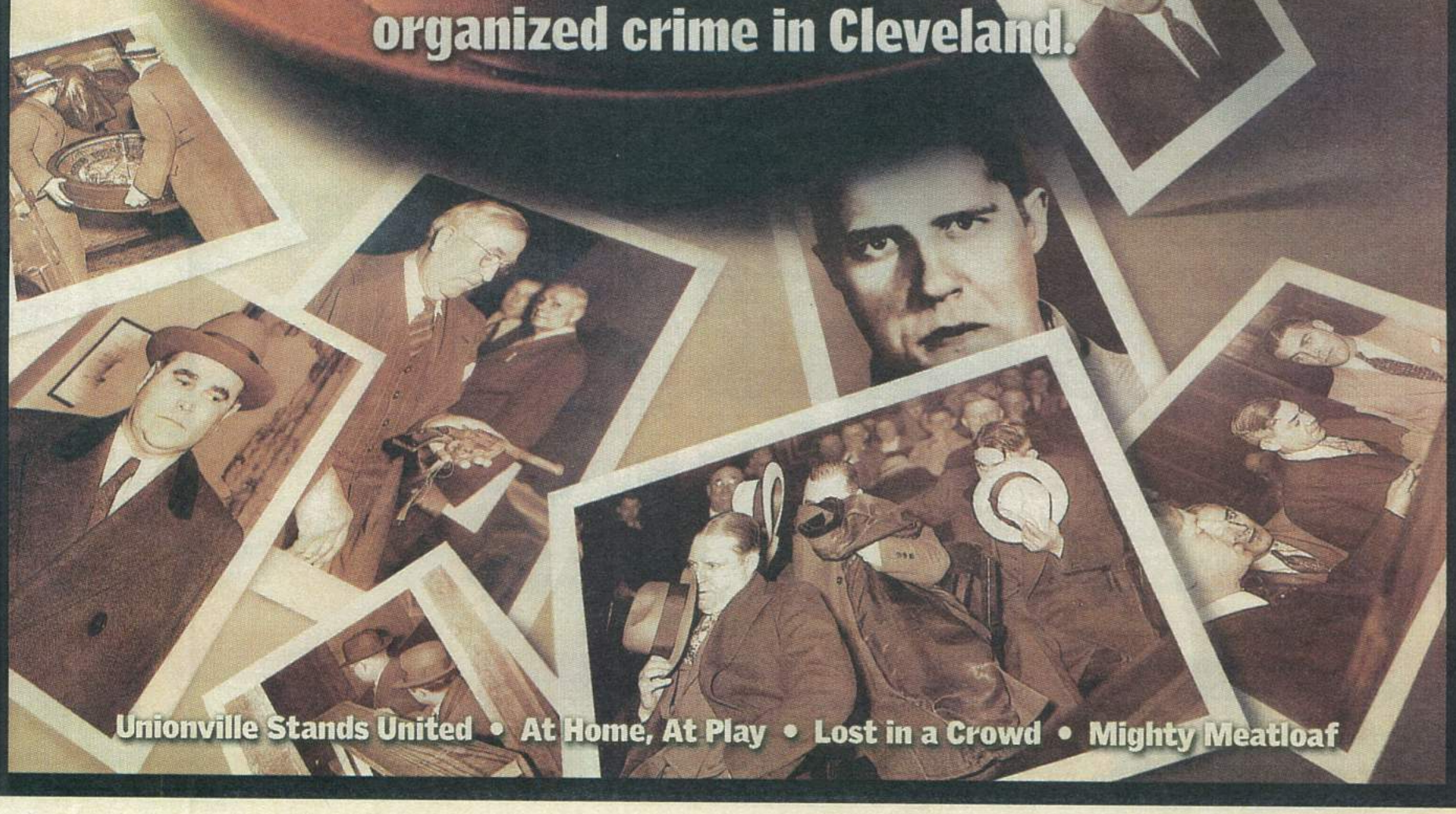
The Great Harvard Club Raid

Eliot Ness takes aim at organized crime in Cleveland.



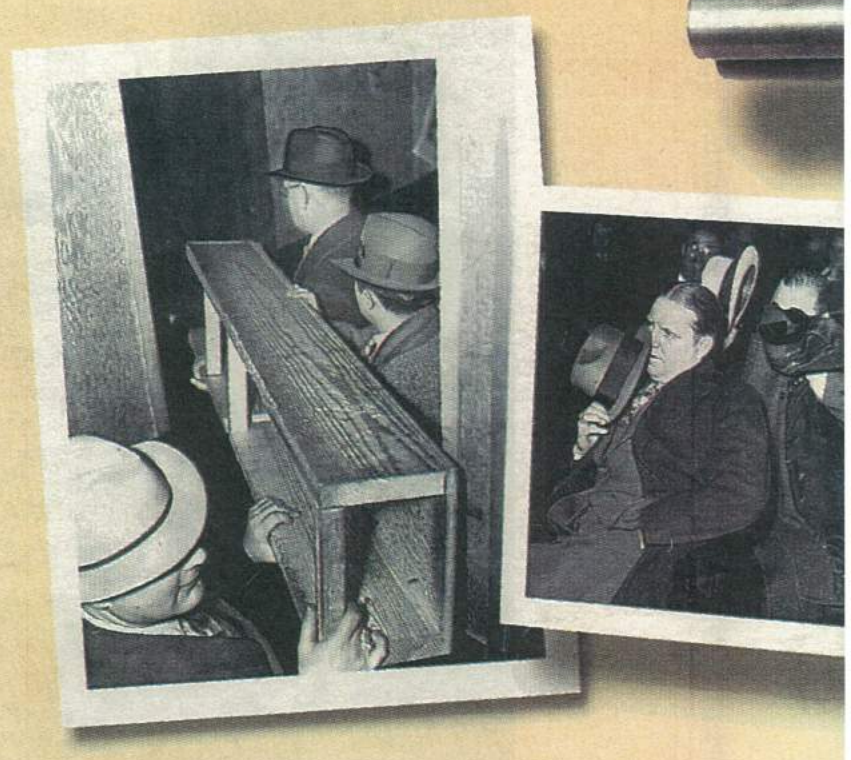
Unionville Stands United • At Home, At Play • Lost in a Crowd • Mighty Meatloaf

THE GREAT HARVARD CLUB RAID

THE 1936 FORAY LAUNCHED BY LEGENDARY LAWMAN ELIOT NESS AND CUYAHOGA COUNTY PROSECUTOR FRANK CULLITAN WAS THE FIRST COUNTERATTACK AGAINST THE FORCES OF ORGANIZED CRIME THAT HAD MADE CLEVELAND THE VICE CAPITAL OF AMERICA.

STORY BY THOMAS KELLY

PHOTO-ILLUSTRATIONS BY ANDREA LEVY



Justice Will Be Done *(left to right)*: McGrath special deputies batter the "Chickie. Photos courtesy Cleveland Press Collection/Cleveland State Univers

The raid was the biggest single-event story in the region since the May Day Riots of 1919. It covered the front pages of all three daily newspapers for days before fading away as the city careened into the busiest news year in its history — the Republican Convention, the Great Lakes Exposition, the American Legion Convocation and the nation's first serial murder case, The Kingsbury Run or "torso" murders.

Cleveland, 1936. After a 70-year boom, the city had fallen.

From the days of the Civil War, the ambitious little town at the corner of the great lake and the crooked river had risen like a metropolitan meteor. One million people at its zenith in early 1929, it was the sixth-largest city in the nation, ranking even higher as an industrial powerhouse, financial center and political stronghold. The Forest City. Jewel of the Midwest. Millionaires' Row.

The Depression struck like a thunderstorm and settled in Cleveland like a hard rain, soaking the city with harsh new realities. Within two years, a third of the jobs were gone. More than a dozen major banks had failed, closed forever. Oil, iron and steel, autos and tools, shipping and hauling — the mighty industries that carried Cleveland to the heights — now sagged and stumbled under the weight of prolonged financial lethargy.

The inspiring words and lofty plans of President Roosevelt in 1934 were met with grinding resistance by the machinery of a local economy with its gears still jammed. Some areas of the country started to climb out of the depths. Cleveland was not among them.

Depression permeated the city, but as bad it was, Cleveland suffered from a plague of even greater dimension. Corruption, frequent companion of a city on the rise, ran deep and lingered long after the good times were gone. Turn-of-the-century progressive Mayor Tom Johnson had done much to stem the tide, but it rose again with his departure and roared with the Twenties, feeding on the complacency of public officials most charitably described as approachable.

leputies batter the Thomas Club door. Busted, James "Shimmy" Patton, Arthur Hebebrand and Alky Miller appear in court. The Miller brothers: Gameboy *(left rear)*, Alky and veland State University. **Safety Director Eliot Ness *(driving)*.** Plain Dealer photo. **Ness' sawed-off shotgun.** Courtesy Cleveland Police Historical Society, photo/David I. Andersen.

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Chicago hogged the front pages with photos of bullet-riddled bodies as mob wars raged. There was little of that in Cleveland, not because there was less illegal activity but because there was so much more. Irish, Italian and Jewish gangs united in efficient harmony, sharing an abundance of ill-gotten gains. Criminals here were far too busy making money to waste time shooting each other.

Something had to be done, and, at last, something was. In November 1935, the city rallied to the first reform slate in two generations and elected Harold Burton as mayor. A nominal Republican, Burton was independent-minded and independently wealthy, with an impeccable reputation that earned a clear mandate from the people and the wholehearted support of the city's elite.

Moving quickly to fulfill his new broom promise, Burton made his first headline only days after the election when he reached beyond the ranks to find a new safety director untainted by cozy local relationships or the laissez-faire tradition of regional law enforcement.

Eliot Ness.

At 32, Ness was already famous as the last of the Untouchables, the man who had brought down Al Capone. Burton said he would do whatever was necessary to lure him to Cleveland. His top adviser, Dudley Blossom, told him he was in luck. The G-Man was already here.

The job Eliot Ness excelled at, Prohibition agent, ceased to exist in 1933. It was time to move on.

More than anything else, Ness had wanted to be a special agent of the Justice Department's Division of Investigation. (The DI would officially change its name in July 1935 to FBI, the Federal Bureau of Investigation.) He had earned it. He had the training, skills and experience. But it was not to be. The favorable press stories about Ness had rankled J. Edgar Hoover, the DI's young director. It wasn't possible for two men to share the title of "America's No. 1 Law Enforcement Officer" and Hoover saw Ness as the leading heavyweight contender. Ness' application was not even given the courtesy of a response. A second and third application went unanswered. The message was clear: Not here, not now, not ever.

Instead, Ness was off to federal Siberia: He was assigned to the Alcohol Tax Unit (ATU) of the Bureau of Internal Revenue in Cincinnati. While booze was legal again, it was subject to hefty taxes, and many of the same scofflaws who bootlegged through the Twenties continued to cash in on the black market of the Thirties. The worst and the wildest of these were the moonshiners entrenched in southern Ohio and northern Kentucky. It was difficult enough to raid a fortresslike still in downtown Chicago, but almost impossible to find one in the meandering hills of the Outer Bluegrass. Worse, the discovery of an illegal setup was no sign of good luck. Just the opposite. Smash a still and backwoods folks would have one up and running again in no time. And unlike the Chicago toughs who flashed guns to let you know they meant business, the moonshiners just started shooting.

Frustrated and despondent, Ness gave notice that he would resign from public service rather than continue in the dismal, dangerous and meaningless job.

All he had to do was ask. In consideration of his fine record, the U.S. attorney general OK'd Ness' transfer to Cleveland. He was promoted to the rank of investigator-in-charge of the Northeast Ohio ATU. Back in a big city, busting stills and chasing gangsters, he was in his element again. Ness took to Cleveland, making quick friends, and settling into a Bay Village cottage with his bride, Edna. He pursued his work with quiet efficiency until, a year later, the call came from the mayor's office.

The safety director of Cleveland led the police force, fire department and all safety-related services. In Chicago, Ness led a squad of less than 20 officers. In Cleveland, he would command an army of more than 2,500. It was a dream opportunity. Ness accepted Mayor Burton's first offer and was sworn in on December 10, 1935.

The new director didn't waste any time. In short order, he was up to speed

on the state of the city: Crime was rampant. Downtown streets were thick with thieves, prostitutes and con men. Traffic was a nightmare, with the nation's worst enforcement and highest fatality rate. Gambling spots outnumbered churches. Racketeers feasted on local unions while ruthless local businessmen made their own laws. An ugly river of corruption flowed through council chambers, courtrooms and police precincts.

Ness rolled up his sleeves and got down to business. Four days later, while the rank-and-file cops were still snickering about the new "college boy" director, he dropped the first hammer. More than 100 officers were fired, suspended or transferred without warning. The old guard was aghast, but the press loved it and Ness knew how to use the front page to his advantage. Before long, he had reporters eating out of his hand like pigeons on Public Square, rallying the citizens to his side.

Gathering momentum and confidence, Ness moved ahead with an ambitious agenda. On New Year's Eve, he met privately with the only local law enforcer he considered an equal: Cuyahoga County Prosecutor Francis T. Cullitan.

Working beyond the limelight of the press, Cullitan was an old hand at fighting crime with one hand tied behind his back. His office was an island of integrity in a sea of iniquity. He and his top assistants were genuine Untouchables themselves, hamstrung for years in their enforcement efforts by an array of officials who had vested interests elsewhere. The Ness-Cullitan alliance was sealed that night with a handshake and a mutual pledge of support. Before midnight, they had mapped a bold battle plan — a frontal assault on the legendary fortress of Cleveland's underworld — the Harvard Club, flagship of Cleveland gambling czar James "Shimmy" Patton.

A Royal Flush: Special deputies *(left)* haul bounty from the Thomas Club.

January 10, 1936. The Harvard Club raid was intended to be the second blow in a one-two punch against organized crime. The first was a lightning strike against the Thomas Club in Mayfield Heights, the East Side monument to Shimmy Patton's gambling empire. Standing defiantly at the busy corner of Thomas and McCracken roads, the Thomas Club was boldly lit and busy as a bus terminal.

In spite of the bitter weather and early hour, there were already 500 happy patrons inside when Cullitan arrived with Assistant Prosecutor Tom Burke Jr. and 10 "special deputies" hired from the McGrath Agency, a private detective service that provided security and enforcers to some of the area's largest industrial concerns. Cullitan's decision to enlist outside aid had been made after years of rueful experience. It was impossible to conduct a successful raid if the sheriff's office or suburban police were alerted. All such attempts had been frustrated by tip-offs. Gamblers, operators, equipment and money miraculously disappeared before raiders arrived. It was a public joke.

This time, neither the sheriff's office nor the police had been notified. When Cullitan and his crew arrived, the Thomas Club was humming at full throttle.

The doorman's jaw dropped when the county prosecutor handed him a warrant and demanded entry. It was all he could do to mumble something about "checking with the bosses" and bolt the lock.

The Thomas Club was run by the Miller brothers: Gameboy (Sam), Alky (Alex) and Chickie (Charles). A fraternal triumvirate of mob veterans, they were Patton's top lieutenants, entrusted with enforcement, disbursements and oversight of the No. 2 franchise. All three brothers were inside the club, and they responded to the unexpected news with panic and shock. The impossible — a full-fledged raid with no notice — was happening. Gameboy and Alky opened the four large safes in the club's office and began stuffing canvas bags with money while Chickie tried in vain to reach Patton by phone.

Outside, the raiding party was losing patience. Tom Burke told four deputies to commandeer a heavy oak bench near the entrance and to use it as a battering ram. The door splintered and the deputies spilled through the breach.

The scene inside transformed from revelry to chaos. Well-dressed men and women ran from the gaming tables, screaming and shouting at the sight of a dozen armed men. Dealers and croupiers abandoned their posts. Roulette wheels clacked to a halt. Slot machines spun to silence. Hot dice turned cold.

Cullitan took charge with disarming civility. He quieted the crowd, announcing that only the owners and operators would be arrested, and the club assets seized. Magnanimous to a fault, he allowed the patrons to cash in their chips before packing them off and taking possession of the premises.

The Miller boys took full advantage of the prosecutor's hospitality, slipping into the crowd with sacks of cash hidden under their overcoats. By the time Cullitan's men broke into the locked office, the Millers had left the building.

There was no one to arrest, hardly any cash left to confiscate, but the raid was heralded as a great victory nonetheless. They tagged dozens of slot machines, roulette wheels, chuck-a-luck cages and craps tables, along with a 60-foot horse-racing setup with odds posted for major racetracks from Saratoga to Santa Anita. Scattered around the abandoned office they found an arsenal of weapons, a small mountain of silver dollars — too heavy for the Millers to haul — and stacks of ledgers, records and receipts. It took two trips with a moving van to remove the bounty.

The impudence and pervasiveness of the local gambling culture was clear from the schedule posted on the door: Seven locations throughout Cleveland where customers could board free shuttles to the Club, available every 15 minutes, seven days a week.

While Cullitan and Burke were busy taking inventory and congratulating each other, the squad dispatched to raid the Harvard Club was not faring quite as well. In fact, at that very moment, a burly man known only as "Joey," half-drunk with whiskey and rage, was placing a gun to the head of Assistant County Prosecutor Frank Celebrezze. No, things were not going well at all.

In his eagerness to take on the mob, Frank Cullitan had done several things right but at least two things wrong. First, he had committed a cardinal sin of military strategy by splitting his forces. He had kept 10 of the 20 McGrath deputies and sent the others with Assistant Prosecutors Charles McNamee, Frank Celebrezze and John Mahon to simultaneously assault the Harvard Club. Second, he had vastly underestimated the defiant capacity of Shimmy Patton.

Two hours after Cullitan and Burke established one beachhead in Mayfield Heights, McNamee's troops were still floundering in dangerous waters.

After stopping halfway up the horseshoe drive, the men approached the main entrance. Three valets watched with interest from the small parking booth 20 yards away. Like Cullitan, McNamee simply knocked, warrant in hand. A huge man in an improbable white suit answered. McNamee showed him the warrant and a badge and demanded entry. The behemoth responded with a short expletive, and then slammed the door.

Suddenly, men with automatic weapons began to materialize on all sides. Three came around the east corner, two more at the west. Several others appeared above, at the railing of the balcony that ran along the front wall of the building. In minutes, the warrant servers were outflanked and outgunned.

McNamee ordered his men back to the parking shack to regroup, as the valets gathered their tips and gave way without argument.

Inside the Harvard Club, it was business and pleasure as usual. More than 1,000 gamblers, diners and guests made full use of the fine facilities, oblivious to the drama unfolding just beyond the door. The patrons that night included an ample sampling of *Who's Who in Cleveland*: Civic leaders, corporate moguls and their wives, high rollers and high steppers. Just another Friday night at the Harvard Club.

Outside it was beginning to look as though someone would get killed at any moment. McNamee's band held its shaky ground at the parking shack, more out of necessity than confidence. There was nowhere to hide. Their pistols and a few pump rifles were no match for the "Tommy" guns across the gravel drive. Patton's men knew it, too, emboldened by the minute, encroaching on the shack a few feet at a time. Suddenly, a thug stepped out of the darkness, walked up to Frank Celebrezze, put the barrel of a gun under his left ear and cocked the hammer. McNamee and Mahon would later say that they had no doubt he was going to pull the trigger if another unidentified Patton soldier hadn't stepped in and slapped the gun away. "Joey! Guy's a copper, for Christ's sake. You wanna put the jacket on us all?" He shoved him back toward the club. The gunman slouched away, scolded like a schoolboy. Cooler heads had prevailed, but not for long.

A shiny stretch Buick cruised up the drive, lurching to a halt by the door. The stubby little man in back didn't wait for the hulking driver-bodyguard to open the door. He wanted to know what the hell was going on at the club, his club, and Mr. Shimmy Patton wanted to know right away.

The Harvard Club was the pinnacle of the Patton pyramid. Almost a football field's worth of blackjack, roulette, craps and cards, it gave gambling a good name — silver and white linen for dining, big bands and parquet floors for dancing. This was a class joint.

So were the Mounds Club, the Thomas Club, the Hedges and others, all serving up an intoxicating mix of elegance and vice. Thousands patronized Patton's clubs every night, blooming into such weekend crowds that patrons had to arrive early or the clubs couldn't squeeze them in to take their money.

Shimmy's thick frame was wrapped tight in black and white. At the club, he was always in a tux, with a sleek black overcoat and a fine white scarf, a real gentleman's outfit, except for the green felt hat perched on his shiny head. The hat was Shimmy's good luck charm. He wore it all the time.

"Suddenly, a thug stepped out of the darkness, walked up to Frank Celebrezze, put the barrel of a gun under his left ear and cocked the hammer."

Patton jumped from the car. The casino door that had not budged for an hour flashed open for him, then slammed shut again.

Arthur Hebebrand, Patton's second-in-command, met him in the lobby. Patton was smoldering. Hebebrand told him all he knew: Prosecutors from the county had a warrant, said they were busting the place, wouldn't go away. Patton was furious about a double cross by county Sheriff John Sulzmann. "Those aren't sheriffs, Shimmy. Private dicks."

Patton snorted with contempt, pacing around the room like a nervous penguin. Both men agreed they had to hold off any invasion until the money could be safely transferred to another location. Hebebrand had already issued instructions to have the cash loaded into wicker laundry baskets — it was all they had — then escorted to a safe house in Portage County. Patton was worried. "Yeah? And what if they try to bust in here, Artie? What then?"

Hebebrand thought about the money — almost $1 million, mostly small bills — then answered quietly, almost a whisper. "Then there's gonna be a war."

Word of the face-off spread through the club, passed like dice at the craps table. By the time it reached the back wall, the rumor of a few ambitious officials trying to serve a warrant had become an epic — a battalion of raiders digging in against Shimmy's army of defenders. The carefree casino attitude began to dissipate. Inveterate gamblers shrugged it off, turning back to the tables, but others headed for the cloakroom. Better safe than sorry.

Somehow, the news had passed beyond the doors, across the neighborhood and beyond. While some patrons hastened to their sleek sedans and left, more cars arrived, parking on Harvard Road and around the perimeter. A trickle of bystanders became a steady flow. Reporters and photographers arrived from the *Cleveland Press*, *The Plain Dealer* and the *Cleveland News*, jockeying for position at the front of the crowd. By 7 o'clock the scene was surreal. Winter night had faded to black, a backdrop to the clusters of men at center stage, silhouettes in the spotlights from the club, facing each other across the gravel battle line. Hundreds of gawkers gathered round like extras in a movie, waiting for something to happen.

Something did.

Frank Cullitan and his Thomas Club team arrived in four more black sedans. Cullitan had no idea anything had gone wrong until Celebrezze ran up to his car, shouting for him to pull over by the shack. Moments later, Shimmy Patton stomped out of the club, backed by muscle, and headed for the shack. Cullitan stepped out to meet him. Patton stopped in the drive, huffing and puffing, only six feet from Cullitan but shouting anyway.

"You the big guy here?"

"I'm the county prosecutor."

"I don't give a [expletive]. Anyone goes in there, gets their [expletive] head knocked off. I ain't [expletive] joking. Those [expletive] guys —" he thumbed at the McGrath special deputies — "they ain't cops, they ain't legit, they ain't [expletive]."

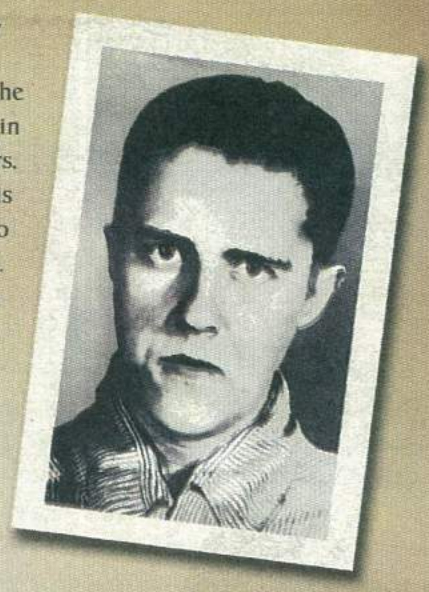
Cullitan stood his ground. "I have tried to go about this as decently as I could, but —"

"Bull [expletive]! You got your [expletive] home at stake and we got our [expletive] property at stake."

"This is my job — to close this place."

"Why don't you quit your [expletive] job!" Patton

The One That Got Away



Alvin Karpis

Unknown to prosecutors, police or reporters, among the patrons in the Harvard Club that night was Alvin Karpis, the Most Wanted Man in America. Murders, kidnappings, bank robberies, jail breaks — Karpis and his gang had been on a six-year crime spree from Minnesota to Texas, undaunted by a national manhunt to bring him down.

An intense campaign by the newly minted FBI had been lethal for many of the notorious gangsters of the day. Dillinger. Bonnie & Clyde. Baby Face Nelson. Pretty Boy Floyd. Ma Barker and her son, Fred. But the man J. Edgar Hoover had proclaimed Public Enemy No. 1 had remained alive, elusive and outrageously active. Only two months prior, he had relieved a mail train outside Garretsville, Ohio, of $34,000, then set a new outlaw standard by making the first recorded airborne getaway, leaving the crime scene in a single-engine plane idling in a field nearby.

Federal agents were scouring 11 states for Karpis. They would not learn until years later that his home away from home was Cleveland, where he was hidden in a safe house on West 130th Street by friends of old friend Shimmy Patton. When he was here, he often joined pals at the Harvard Club.

Karpis was alerted to the raid at the first sign of trouble and wasted no time in heading out. Collar up and hat brim down, he walked through the shadows with his girlfriend, Connie, and three of Shimmy Patton's guards to a coupe in the parking lot. The escort wasn't necessary. Although his face was plastered on the wall of every post office, no one paid heed as America's Most Wanted Man drove away, unchallenged.

— T.K.

screamed back. He took a step toward Cullitan, then stopped, looking to his right. An enterprising reporter had tiptoed in close. Patton saw him scribbling furiously, transcribing the conversation verbatim.

"Hey! Get outta here, you [expletive-expletive]! You wanna get hit by lightning?"

The journalist retreated. Patton turned back to Cullitan, yanked the cigar from his clenched teeth and spat on the ground. "You're trespassing is what you're [expletive] doing. We're coming back out here in a couple minutes and we're getting rid of all [expletive] trespassers, you follow?"

Cullitan was undeterred. "We're going to see this thing through."

Patton turned and stalked away. His lackeys hustled to keep pace.

Back in the shack, no one ventured to guess whether Patton was bluffing. To Cullitan, it didn't matter. This moment had been discussed on New Year's Eve and now it had come. He ordered the men to back off the property and reassemble at the tiny Esso station at the corner. It was time to play the trump card.

Eliot Ness was at Cleveland Police Headquarters on Payne Avenue, sitting at a desk, waiting impatiently. The phone finally rang at 9:30 p.m.

"Mr. Ness, this is Francis Cullitan. I am the county prosecutor for Cuyahoga County." Cullitan recited the words as if he was reading them from a piece of paper, which he was.

"Yes, sir."

"I am at 8111 Harvard Road in Newburgh Heights. There is a situation here."

"Yes, sir."

"Mr. Ness, we are attempting to serve a warrant for search and seizure and there are armed men here obstructing justice. Lives are in danger."

"Have you contacted the county sheriff's office?"

"The sheriff has ... uh ... has taken ill, and no one from that office is able to respond." Cullitan didn't waste time on the particulars of his first phone conversation. Ness would learn the details later, along with everyone in Cleveland, when all three daily papers printed them. The prosecutor had called the sheriff's office and demanded that Deputy Peter Murphy, the officer in charge, send "as many deputies as you can muster" out to the club. Murphy balked, claiming he was unauthorized to act without the sheriff's permission.

County Sheriff John Sulzmann was known for his amicable nature. He had friends everywhere, many of whom exhibited profound appreciation for his kindness. The cornerstone of Sulzmann's philosophy was what he called his "Home Rule Policy," an unwritten but sacred law that precluded taking any action anywhere in the county without the specific permission of the respective suburb's mayor. To do otherwise, Sulzmann proclaimed, would be rude.

Reached at home by Murphy, Sulzmann was bewildered by news of the surprise raid, but stood by his beliefs: No officers would be dispatched. The Home Rule Policy would stand. As soon as he had made his decision, Sulzmann realized he wasn't feeling well and took to his bed, telling his wife he wouldn't be available for further calls.

The news — which Ness had predicted — was still a jolt to Cullitan. He told Murphy he should be ashamed of his part in the "... most flagrant defiance of the law in this county in a hundred years" and slammed down the phone.

Then he placed the historic call to Ness.

"Mr. Ness, this is an emergency situation. We need assistance."

"Mr. Prosecutor, I have no authority beyond the city of Cleveland, but I would be glad to offer my help as a private citizen."

"I will accept that, and I am authorizing you to bring as many armed volunteers with you as possible, to assist in the enforcement of law in this county."

"I'll do my best, sir."

"Ness?"

"Sir?"

"It had better be a lot. They got a damn army out here."

Ness placed the receiver back in the cradle and looked over his shoulder. His top assistants, Detective Jim Hogan and Assistant Safety Director John Flynn were there, listening carefully, taking notes. When the time came — as it surely would — when it was important to explain just exactly how the safety director of Cleveland turned up at a gambling raid in another town, here it was. The county prosecutor himself had invited him to come on out and join the party.

Hogan flipped his notebook shut. "You think we can get enough?"

Ness smiled. "I think so."

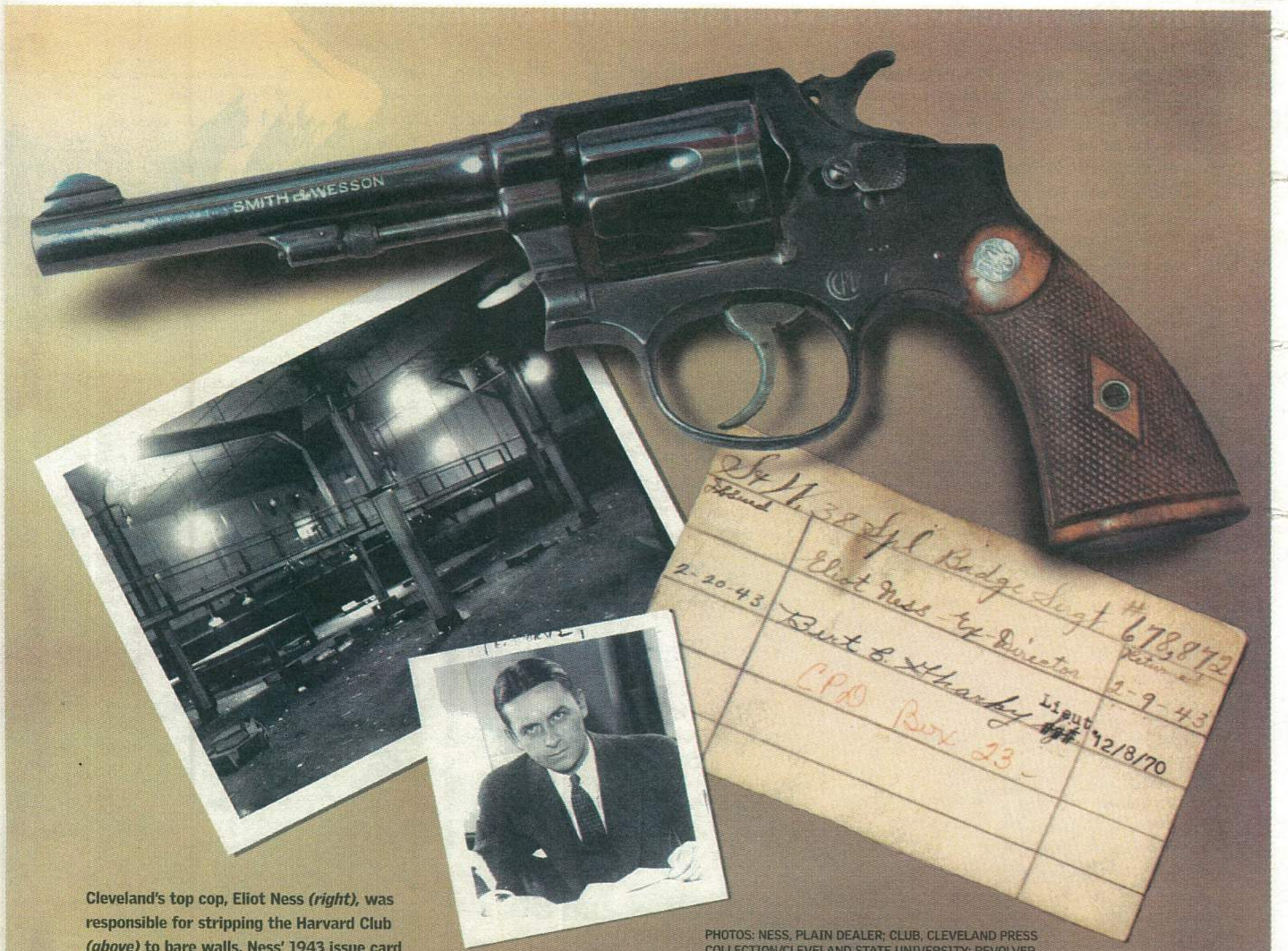
He stood up, fixing his fedora in place. "All right, this is it."

As Ness rose, there was a clamor of shuffling feet, the creak of leather and the rustle of heavy gabardine. He stepped away from the desk.

The Patrol Center was the largest single room at Police Headquarters, and it was packed. Forty-three officers stood with him. Cleveland's finest, volunteers all, recruited by Ness, forewarned of the danger and sworn to secrecy. They had all reported as requested, every one. Now they adjusted guns and overcoats, quiet and grim, ready to follow Eliot Ness into battle.

Ness pulled on his trademark camel hair coat and then turned to his troops.

"I want to remind you one more time: We're going out there as volunteer citizens, responding to an emergency request from an elected official. They've got a lot of heat out there. And if one of them is stupid



Cleveland's top cop, Eliot Ness *(right)*, was responsible for stripping the Harvard Club *(above)* to bare walls. Ness' 1943 issue card and revolver.

PHOTOS: NESS, PLAIN DEALER; CLUB, CLEVELAND PRESS COLLECTION/CLEVELAND STATE UNIVERSITY; REVOLVER AND PERMIT, CLEVELAND POLICE HISTORICAL SOCIETY.

enough to — well, it could be a hell of a bloody night all around."

He paused. Not a word. Not a sound.

"Last chance for second thoughts. If you have them, just stay back when we leave and don't get in a car. Nothing will be said. Ever. I give you my word. If you decide to go with us, believe it — this is going to be remembered for a long time. We're going to have law and order here or not — one way or the other, and we're going to find out tonight."

The Cleveland force arrived in 15 minutes. Twenty patrol cars formed two complete circles around the filling station. Inside, the prosecutor and the safety director conferred briefly. When Cullitan suggested they try for one more parlay, Ness shook him off. "Forget that," he said. "Time for talk is over. Let's go."

Two minutes later, the assault began in earnest. This was the scene that the hundreds present would remember as the defining moment — a picket line of 63 soldiers quick-stepping across a field of white snow, Commander Eliot Ness in front, leading the charge.

No one could say for sure if an order was given or it just happened, but the suspense didn't last long. The defenders arrayed in front of the club broke ranks, withdrawing slowly at first, then with haste. By the time the raiders were within 50 yards, they had abandoned their posts for the safety of the club's interior.

A few cheers rose from the crowd, followed by a round of applause.

At 40 yards, Ness raised his hand and the advancing line stopped like a drill team. He turned to whisper something to Cullitan, then stepped forward alone. All eyes followed him to the door, drawn by the single beam of light slashing through the peep hole. Behind him, clouds of breath rose from the ranks like the smoke of idling engines.

He stopped, close enough to kiss the heavy oak panels. Waited. Nothing.

He knocked, a couple of firm taps like a neighbor stopping by to borrow a cup of sugar. He was about to knock again when the door shifted, a crack at first, then wide enough to make room for the ample shoulders of Shimmy Patton, glaring at Ness like a bulldog at a poodle. There were so many thugs behind him it was impossible to see far into the room.

Ness took one step, to the brink.

"I'm Eliot Ness."

Shimmy's face curled into a snarl.

"And I'm the guy who's here to tell you to go [expletive] yourself."

Ness didn't blink. "I'm not armed."

Shimmy reached inside his coat, yanked out a snub-nosed .38, and offered it to him like a nickel to a bum. Ness ignored it. "These officers are here to serve a warrant on this place, and they're not going home until they do."

"They ain't officers. They's vigilantes. They got no business here and if they want some, let 'em come and get it! There's not gonna be no [expletive] pinches here, you hear me, no pinches!"

"Mr. Patton, they will serve that warrant. That's what is going to happen."

Shimmy had nothing to say to that. Much as he hated the thought, Ness was probably right. If it wasn't the biggest damn bluff he had ever seen in his life, it was a game with the fix in. Once he started shooting it out with a small army of cops, there was no coming out of it any way but ugly or dead.

Ness took the silence as his cue. "I'm going to advise the county prosecutor that the warrant should be presented with all force necessary at exactly 11 o'clock." He looked at his watch. "That's almost 15 minutes from now."

He turned to go, then turned back.

"This is a standard service. That's all. There aren't any officers assigned to other exits, and no action will be taken for" – He looked at his watch again – "14 minutes."

Patton raised an eyebrow. A concession? Ness walked away.

Frank Cullitan never saw so many human beings move as fast as the occupants of the Harvard Club in the next 13 minutes and 50 seconds. The remaining guests fled like roaches from a kitchen light. Most drove away. Some pulled over and joined the outdoor crowd to watch the final act. Button men turned into stevedores, hauling enough merchandise through the back bay doors to stuff a pickup, two vans and assorted automobiles. Cars and trucks roared away.

By the time Ness walked back to the door at the stroke of 11, the building was little more than an empty shell. The door was unlocked and unguarded. Ness pushed it open and peered inside.

"All right, Frank. Tell your men to go on in and serve their warrants. We'll back them up."

The prosecutor crossed the marbled lobby, past a lonely cigarette girl counting small change, pushing through the double doors to the main hall.

The vast room had been pillaged, nothing left but the fixtures. There wasn't a roulette wheel in sight.

The racing parlor had been stripped to a bare frame. Except for a few chips and some loose cards scattered on the floor, it could have been a church meeting hall. A skeleton crew of Shimmy's boys remained, folding chairs and sorting silverware. Patton and Hebebrand sat at the front table, captains of a vanquished ship, waiting for the formal surrender.

The rest of the victors – prosecutors, deputies and police – filed in. Everyone wanted a look. Reporters and photographers crowded in behind, eager to record the moment. It was then, just when everyone thought it was over, that all hell broke loose in the Harvard Club.

Little Byron Filkins, a *Cleveland Press* photographer, popped in a bulb and jumped up on a bar stool. At 5 feet 2 inches, Filkins needed a boost to capture a panoramic shot. He hardly had a chance to focus before a Patton loyalist took umbrage, walked up and sent Byron sprawling with a roundhouse right. A *Cleveland News* writer rushed to Filkins' aid, landing a nice one-two combination to the attacker before reinforcements arrived on both sides. In seconds, a full-scale brawl broke out.

It didn't stop until Ness sent in the cavalry, dispatching a dozen uniformed officers to wade in, batons raised. Patton shouted for his men to back off and order was restored with only a few lumps, a bloody nose and a broken camera. Filkins never did get his picture.

"Frank Cullitan never saw so many human beings move as fast as the occupants of the Harvard Club in the next 13 minutes and 50 seconds."

That was it, the end of the great Harvard Club raid, except for a comic conclusion. After Cullitan advised Patton and Hebebrand they were under arrest for violation of gambling ordinances, they asked for leave to gather their coats and hats from the upstairs office. Permission granted.

Fifteen minutes later, deputies broke in to find an empty room and an open window. Cullitan was incensed, but Ness was unperturbed. "Forget it," he said. "Where are they going?" He had to laugh at the thought of the two kingpins hang-dropping 12 feet from the window ledge and scurrying off into the woods in shirt sleeves.

The perfunctory search was an anticlimax. No money or equipment, hardly enough evidence to fill a grocery bag, but it didn't matter. An hour later, Ness and Cullitan watched with satisfaction as the front door was chained and padlocked, then shook hands and departed, no words necessary.

The message was clear. The era of "Cleveland the Open City" was over.

EPILOGUE

Sheriff John Sulzmann was disgraced and vilified for his inaction, and soundly defeated for re-election. His successor, Martin O'Donnell, was known for his pleasant demeanor and affability, much like Sheriff Sulzmann.

Tom Burke Jr. served as Cleveland law director under Frank Lausche, then succeeded him as mayor of Cleveland. In 1947, he ran for election and handily defeated a formidable opponent: Eliot Ness.

Frank Celebrezze succeeded Eliot Ness as safety director, won election to the Municipal Court bench and mentored yet another Cleveland mayor, younger brother Anthony Celebrezze.

Frank Cullitan was re-elected county prosecutor for another 20 years, setting the standard for integrity and independence. His career featured extraordinary bookends – the Harvard Club in 1936 and the Sam Sheppard murder case in 1954.

Mayor Harold Burton was twice re-elected, then moved on to the U.S. Senate. In 1945, he was appointed to the Supreme Court by President Truman. Few Clevelanders have served the city, state and nation with such distinction.

Shimmy Patton, Arthur Hebebrand and the **Millers** soon surrendered, paid hefty fines and went back to their old ways, peddling vice, breaking laws and making money.

The Harvard Club was shuttered forever, never to reopen after the night of January 10, 1936. One month later, however, a new establishment opened on Harvard Road in Newburgh Heights, a half-mile away. Large and luxurious, it featured dining, dancing, entertainment ... and gambling. It survived numerous raids, citations, investigations and arrests to generate handsome profits for six more years. It was called the Harvard Club. ■

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