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## BAYTOWN POLICE SCANDAL

by *Buck A. Young*

On November 25, 1950 the bold banner headline of the *Houston Press* stated: "Exclusive — Inside Story — Scandal Hits Baytown — National Syndicate Controlling Payday Games . . ." The accompanying story told of widespread gambling in Baytown and of alleged protection payoffs to top city police officials to let it happen.

For almost two weeks in late November and early December of 1950, more headlines and stories shocked and titillated the public as the investigation unfolded. A scandal that started at an explosive, six and one half hour-long city council meeting ended ten days later in a record-setting, fast-moving grand jury hearing, split the community into two warring factions, and begat events that changed the appearance of Baytown's "sin-strip."

Long before the towns of Baytown, Pelly, and Goose Creek merged into the City of Baytown in 1948, bars, brothels, and gambling places along Main Street in old Baytown catered to merchant seamen and others seeking that kind of entertainment. Since old Baytown was unincorporated, the Harris County Sheriff's Department policed the area. After consolidation, the fledgling Baytown Police Department, headed by Chief H.F. McKee, assumed that responsibility, although apparently little changed. As *Baytown Sun* editor Fred Hartman observed during the investigation: "Main Street in Baytown has been Main Street in Baytown for a long time and always will. McKee does a better job policing it than the sheriff's office did before Baytown became an incorporated city."<sup>2</sup>

The investigation was touched off by the release of an affidavit signed by a black Main Street bar owner, Ike Spencer, alleging that he had paid Assistant Police Chief Roy Montgomery an average of \$50 a month for two years and had given Montgomery and Police Chief McKee cases of beer every week. In return, Spencer said, Montgomery allowed him to operate dice and bingo games at his establishment.<sup>3</sup>

This statement, notarized by City Attorney George Chandler and witnessed by Corporation Judge O.S. McCullough and attorney Howard Boyle, was presented to the Baytown City Council on Thursday, November 23, 1950. Chandler, McCullough, and Boyle, who once represented Spencer, became the principals on the side of the controversy that charged misconduct by police officials. Their opponents were McKee and Montgomery, who immediately denied the charges. City Manager C.D. Middleton and attorney C.D. Little introduced a second affidavit signed by Spencer that repudiated the first statement, claiming that he had been pressured and "abused" by Judge McCullough into making it. Middleton said that McKee was being forced out as police chief because he refused

to fire two police officers for beating a black prisoner even though the two officers had been convicted in federal court on the charges.<sup>4</sup>

In that marathon council meeting, other witnesses hinted at other payoffs and widespread gambling in the city. A former Main Street tavern owner, Mrs. Helen Mulrooney, said she purchased several horse race tip books for \$20 each in Galveston and later learned she could obtain the same tip books from George Hoppe, operator of Club 25 on Main Street. "I bought some from him at \$56 each and when I asked why the big difference in price, he told me it was because of the payoff," Mrs. Mulrooney said.<sup>5</sup>

Two former police officers, discharged only a week before, also testified that they had understood that they were to overlook gambling games in the city. F.W. Vetuski and Joe Shaughnessy were discharged for "insubordination" for allowing Mrs. Mulrooney to go free after state liquor agents raided her bar and charged her with operating an open saloon, that is, serving mixed drinks. Mrs. Mulrooney subsequently was rearrested and released on bond.<sup>6</sup>

Judge McCullough triggered the biggest response from the almost 100 citizens who attended the council meeting when he charged that Baytown was the haven for gambling professionals from a national syndicate who came to town on every payday of the giant Humble Oil and Refining Company in Baytown. But when attorney Boyle started to read a list of eleven known gambling places in Baytown, Mayor J.A. Ward stopped him, took the list from him, and said he wanted to read it. The mayor then adjourned the meeting, announcing that since tavern owner Spencer could not be located — out of town, according to his wife — that more hearings would be held.<sup>7</sup>

On Monday, November 27, after a special, closed session held outside city hall, the council turned the investigation over to Harris County District Attorney A.C. Winborn. According to one councilman, M.L. Campbell, the council decided to wait and see what action the grand jury would take.<sup>8</sup>

Along with all the principals involved, including the entire city council, the grand jury called eleven other witnesses, including Main Street tavern operators Hoppe, Mulrooney, Clyde Lyons, Clyde Pearson, and Wylie Ferguson, and former Baytown police officers Vetuski, Shaughnessy, Edgar Rountree, and J.B. Faulkner.<sup>9</sup>

Baytown citizens interviewed by the Houston newspapers generally supported Chief McKee, discounting Spencer's claim that he was abused, cursed, and intimidated into signing his original statement. Editor Hartman, a staunch supporter of McKee, editorialized that "they'd never make three people in Baytown believe that Judge McCullough ever abused any human being, or cursed anyone . . . I would just as soon believe that the San Jacinto River had changed its course and was now flowing over the Number 2 CAT unit at the plant."<sup>10</sup>

Bank President Hugh Echols Jr. stated that having lived there thirty years, he did not believe Baytown was "a wide-open town." "There's some Negro gambling all right, but I wouldn't know where to go if I wanted to gamble."<sup>11</sup> To barber Joe Lee, "McKee is as good a chief as there is in the country, a man who wouldn't take a dime from anyone and that's the way the hundreds of people who visit my shop feel."<sup>12</sup>

City Manager Middleton promised to keep McKee on the job if he was no-billed by the grand jury and called Judge McCullough "a fine, sincere citizen" who was mistaken in saying that Baytown was a haven for syndicate gamblers. "There isn't that much money in Baytown. A gambling syndicate wouldn't even stop in Baytown to buy gasoline."<sup>13</sup> Those who disagreed with McKee's supporters said nothing or made remarks such as "I wish I could tell you what I thought of him."<sup>14</sup>

On Wednesday, November 29th, the Harris County Grand Jury questioned twenty-four witnesses in approximately two and a half hours, or about seven minutes for each witness, then recessed until the following Monday. Chief McKee spent approximately eighteen minutes on the witness stand.<sup>15</sup>

Before the grand jury reconvened, three new affidavits were recorded in the district attorney's office. Wayne Carter, son of a prominent Baytown attorney, told of witnessing a gambling payoff four or five years previously in George Hoppe's Club 25. The officer receiving the cash was neither McKee nor Montgomery, Carter said. Mrs. Virginia Brinkley, formerly an employee of a Baytown tavern, also submitted an affidavit on alleged gambling "payoffs." Another waitress, Miss Mildred Shane, signed an affidavit concerning "moral turpitude." All three were subpoenaed to appear before the grand jury on Monday, December 4th.<sup>16</sup>

After hearing thirty-five witnesses in less than four hours, twenty-four on Wednesday in less than three hours, and eleven more on Monday, the grand jury issued a one-paragraph report stating that it had found no evidence of payoffs and turned the matter back to the Baytown City Council.

Attorney Boyle termed the grand jury's speedy action "a complete whitewash" and remarked, "The people in Baytown know what's going on regardless of the grand jury's report. It's terrible that this town can be run by a handful of men. But I don't know what anyone can do about it." City Attorney Chandler, who had denounced Police Chief McKee by saying "this town isn't big enough for both of us" at the marathon city council meeting, now declared that he would go along with the decision. Mayor Ward had no comment beyond marveling at the grand jury's speed. City Manager Middleton concluded that "this thing is over as far as I'm concerned."<sup>17</sup>

But it was not over. During the investigation, Harris County Sheriff C.V. "Buster" Kern promised "to look into the Baytown city limits to

see if there is any gambling going on there," even though he had not received any complaints.<sup>18</sup> After a few more years and the killing of George Hoppe in his own bar, the Harris County District Attorney's office finally brought suit to shut down the gambling and prostitution activities on Main Street in Baytown. The Baytown City Council later renamed it Harbor Street.

Today a few bars are still located on Harbor Street and an occasional shooting or stabbing occurs, but old Main Street is now a rundown area frequented mostly by Mexican nationals and closely watched by a mature Baytown police force.

#### NOTES

<sup>1</sup>*Houston Press*, November 25, 1950.

<sup>2</sup>*Houston Press*, November 28, 1950.

<sup>3</sup>*Houston Press*, November 24, 1950.

<sup>4</sup>*Houston Press*, November 24, 1950.

<sup>5</sup>*Houston Press*, November 24, 1950.

<sup>6</sup>*Houston Press*, November 24, 1950.

<sup>7</sup>*Houston Press*, November 25, 1950.

<sup>8</sup>*Houston Press*, November 27, 1950.

<sup>9</sup>*Houston Press*, November 28, 1950, *Baytown Sun*, November 27, 1950.

<sup>10</sup>*Houston Press*, November 28, 1950.

<sup>11</sup>*Houston Press*, November 28, 1950.

<sup>12</sup>*Houston Press*, November 28, 1950.

<sup>13</sup>*Houston Press*, November 30, 1950.

<sup>14</sup>*Houston Press*, November 28, 1950.

<sup>15</sup>*Houston Press*, November 29, 1950.

<sup>16</sup>*Houston Press*, November 2, 1950, *Baytown Sun*, December 2, 1950.

<sup>17</sup>*Houston Press*, November 5, 1950.

<sup>18</sup>*Houston Press*, November 27, 1950.