THE AMERICAN CONFIDENCE MAN

He was a courtly, charming citizen, now on parole.

DAVID W. MAURER

Professor of Linguistics
University of Louisville
Louisville, Kentucky

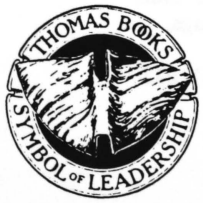
CHARLES C THOMAS • PUBLISHER • SPRINGFIELD • ILLINOIS

THE AMERICAN CONFIDENCE MAN

THE AMERICAN CONFIDENCE MAN

By

DAVID W. MAURER
Professor of Linguistics
University of Louisville
Louisville, Kentucky



CHARLES C THOMAS • PUBLISHER
Springfield • Illinois • U.S.A.

Published and Distributed Throughout the World by

CHARLES C THOMAS • PUBLISHER
Bannerstone House
301-327 East Lawrence Avenue, Springfield, Illinois, U.S.A.

ISBN 0-398-02974-1 (cloth)
ISBN 0-398-06272-2 (paper)

Library of Congress Catalog Card Number: 73-11033

With THOMAS BOOKS careful attention is given to all details of manufacturing and design. It is the Publisher's desire to present books that are satisfactory as to their physical qualities and artistic possibilities and appropriate for their particular use. THOMAS BOOKS will be true to those laws of quality that assure a good name and good will.

Printed in the United States of America
R-1

Library of Congress Cataloging in Publication Data

Maurer, David W.
The American confidence man.

1. Crime and criminals–United States. 2. Cant. 3. Swindlers and swindling–United States. I. Title. [DNLM: 1. Criminal psychology. 2. Language. HV6080 M453a 1973]
HV6789.M35 364.1'63'0973 73-11033
ISBN 0-398-02974-1.— ISBN 0-398-06272-2 (pbk.)

For Joanne

INTRODUCTION

THE principles of the confidence games are very ancient, going back through the history of Europe to the Near East, where their origins are lost in the haze of antiquity. However, the confidence games as we know them today involve very modern technology, and the big-con games represent a brilliant invention of the twentieth century.

The big-con games *per se,* together with the name, are American. Perhaps the earliest mention of the term *confidence trick* was in the *New Orleans Picayune* in 1849. The publication in 1857 of Herman Melville's novel, *The Confidence Man,* introduced the term early into serious literature. However, Melville's novel was concerned only incidentally and in a minor way with small short-con rackets of which he seems to have had only a rather hazy knowledge. The book is primarily a moral allegory, and not a source of information about confidence games. Of course, Melville knew nothing of big-con games, which arose almost a half-century later.

The *Oxford English Dictionary* gives the earliest citation of the term in England in 1884, nearly thirty-five years after its first appearance in the United States. While the big-con games are essentially American, big-con men comprise many nationalities. And the big-con games themselves are played in many parts of the world, though largely in the Western world. In any case, the men who organize and direct them are usually Americans. By the same token, most of the victims in foreign countries are American innocents abroad.

Some of the basic psychology of the con games has been adapted by certain phases of legitimate business, and especially the advertising business, both in the United States and elsewhere. However, the use of these principles by legitimate business is usually (technically, at least) on the right side of the law.

This book is a by-product of linguistic research, in the course of which I have had to examine the backgrounds of many rackets. Over a period of years I have explored the secret and semisecret communications systems of professional criminals both in the United States and in other countries. Very early I discovered that the technical language of criminals, which is called "argot," cannot be studied in terms of language alone. These speech-systems have to be viewed in the light of the subcultures which produced them, for all language has a close relationship to human behavior. In other words, before one can write about criminal argots, he must learn how professional criminals live.

Immediately many questions need to be answered. How is professional status acquired? What must a criminal do to maintain his reputation in his own culture? How does that culture differ from the dominant culture – the everyday world in which you and I live? What is the status of women? How are families established and maintained? How are children brought up? What are the attitudes toward the dominant culture? How does the professional regard the occasional or nonprofessional criminal? How does the professional manage to work on his racket regularly without spending much time in prison? How is protection organized and purchased? If protection fails and the criminal goes to prison, what effect does this have on his attitude, his behavior, his status? How does he establish credit either in the dominant culture, or within his own group, or both? How does he spend his money? How does he view money and valuables? How do other criminal subcultures view him, and what are his attitudes toward them? What does he do for recreation? What part does religion play in his life? How is he organized to prey on the dominant culture? What are the legends, tales, and folklore of his subculture? What is the language he uses in his own environment? And most important of all, what are the skills and techniques by which he makes a living – and usually a very good one?

Where does one look for the answers to these questions? Certainly not in the spate of romantic film and fiction which purports to depict the life of the professional criminal; these fanciful tales do more to obscure the nature of professional crime than to clarify it. Likewise, the police are not very good sources of

information, since few of them really know much about the life within the criminal cultures, and those who do may have very sensitive reasons for remaining silent. It is true that some newspaper reports of criminal activities have value, but the wheat must be carefully culled from the chaff here; likewise, a few criminologists have touched on the nature of criminal subcultures, but much of their work is of the arm-chair variety. When we come to the culture of the con men, there simply is little if any valuable material in print.

It is an ironical fact that, with the United States supporting the most extensive and spectacular "underworld" of all time, we have surprisingly little authentic information about that world. Among the notable exceptions are *The Godfather,* which is a brilliant documentary on the Mafia, and Nelson Algren's *The Man with the Golden Arm,* which similarly depicts life at the other end of the underworld spectrum with unmistakable authenticity. In fact we have readily available much more reliable anthropological data on obscure primitive cultures in Africa, Australia, and the South Seas than we have on those criminal groups which create such acute and expensive problems for our own society.

Where, then, does one go for the answers?

I have gone to the criminals themselves. And I have not been disappointed.

While the methods by which this material is collected cannot be described here, it should be said that they are in no way sensational, mysterious, or colorful. I do not wear disguises or spy on operating professionals. And although I speak several argots with some fluency, I do not, like many bright young television detectives, join mobs incognito in order to case the racket from the inside, for I would be detected inevitably – probably on the basis of my language. My approach is simple. I determine who the good professionals are, secure their assistance, and work with them much the same as an anthropologist might work with an American Indian tribe he is studying. This work is not glamorous or exciting or filled with adventure; rather, it is carefully restrained within the severe limits of the scientific method. When I begin having adventures in my work, I will know that something has gone wrong with my method.

This book should give the reader a better understanding of one phase of professional crime, but it is not intended as as exposé. It does not purport to reveal "forbidden" secrets of a dark and sinister underworld. I have not intended to appear as an apologist for the criminal. On the other hand, I have scrupulously refrained from passing any judgments with a moral bias. My only aim is to tell, for the general reader, the story of American confidence men and confidence games, stripped of the romantic aura which commonly hovers over the literature of the modern big-time criminal.

THE NAMES USED IN THIS BOOK

MOST of the names and *monikers* of confidence men appearing in this book are genuine. However, in some cases it has been desirable to disguise the identity of certain men under synthetic underworld nicknames. When this has been done, the moniker has been so composed that underworld figures may, without too much difficulty, discern the true identity underneath. For instance, 102nd Street George is so called because his first name is George and his swindling establishment was for years located in the 200 block of West 102nd Street, New York City. The Hashhouse Kid conceals the identity of a very successful modern big-con man who was a waiter before he turned out on the rackets. The Clinic Kid has made a fortune swindling wealthy patients who visited a famous Midwestern clinic. However, there are relatively few of these counterfeit names, and the lay reader will probably not be conscious of them.

In the course of preparing the manuscript, it has seemed advisable to suppress some material which might damage confidence men now operating and prominent individuals who have been victimized. I have also omitted the names of some high police officials and politicians who act as fixers for criminals, and have attributed pseudonyms to others in order to avoid repercussions which might result from linking ostensibly respectable citizens with the underworld. Often it has seemed better to generalize upon certain sensational material, retaining the essential facts but omitting or altering the specific circumstances. Some underworld folk and police officials who read this will observe that occasional episodes are here attributed to persons who did not actually figure in them, or that, for very obvious reasons, the names of dead con men have sometimes been substituted for ones now operating; this has been done, not to reflect unfavorably upon anyone, but rather, in a few instances, to avoid embarrassing persons whom the

exact truth might damage. To this extent it has seemed necessary to fictionalize. But these changes are only superficial; they do not in any way vitiate the truth of the general principles which they illustrate.

ACKNOWLEDGMENTS

IN the preparation of this edition the author gratefully acknowledges assistance from Institutional Development and Educational Affairs, Inc., as well as the clerical assistance of his research staff.

CONTENTS

Page

Introduction vii
The Names Used In This Book xi
Acknowledgments xiii

Chapter

One. A Word About Confidence Men 3
Two. The Big Store 8
Three. The Big-Con Games 30
Four. The Mark 90
Five. The Mob 116
Six. Birds of a Feather 144
Seven. Tin Mittens 181
Eight. Short-Con Games 209
Nine. The Hype 234
Ten. The Con Man and His Lingo 261
Eleven. A Summing Up 293

THE AMERICAN CONFIDENCE MAN

Chapter One

A WORD ABOUT CONFIDENCE MEN

THE grift has a gentle touch. It takes its toll from the ripe sucker by means of the skilled hand or the sharp wit. In this, it differs from all other forms of crime, especially the heavy rackets. It never employs violence to separate the mark from his money.

Of all the grifters, the confidence man is the aristocrat. Although he is sometimes classed with professional thieves, he is really not a thief at all because he does no actual stealing. The trusting victim literally thrusts a fat bankroll into his hands. It is a point of pride with him that he does not have to steal.

Confidence men in no way resemble the popular image of the "crook" or criminal. They are suave, slick, and capable. Their depredations are very much on the genteel side. Because of their high intelligence, their solid organization, the wide-spread connivance of the law, and the fact that the victim must virtually admit criminal intentions himself if he wishes to prosecute, society has been neither willing nor able to avenge itself effectively. Relatively few good con men are ever brought to trial; of those who are tried, few are convicted; of those who are convicted, even fewer ever serve out their full sentences. Many successful operators have never spent a day in prison to pay for their merry and lucrative lives spent in fleecing willing marks on the big-con games.

A confidence man prospers only because of the fundamental dishonesty of his victim. In his operations, he must first inspire a firm belief in his own integrity. Second, he brings into play powerful and well-nigh irresistible forces to excite the cupidity of the mark. Then he allows the victim to make large sums of money by means of dealings which are explained to him as being dishonest and hence a "sure thing." As the lust for large and easy profits is fanned into a hot flame, the mark puts all his scruples

behind him. He closes out his bank account, liquidates his property, borrows from his friends, embezzles from his employer or his clients. In the mad frenzy of cheating someone else, he is unaware of the fact that he is the real victim, carefully selected and fattened for the kill. Thus arises the trite but nonetheless sage maxim: "You can't cheat an honest man."

This fine old principle rules all confidence games, big and little, from the simple three-card monte or shell game in a shady corner of a country fairgrounds to the intricate pay-off or rag, played against a big store replete with expensive props and manned by suave experts. The three-card-monte grifter takes a few dollars from a willing farmer here and there, with an occasional big score if he is good enough; the big-con men take thousands or hundreds of thousands from those who have it. But the principle is always the same.

This accounts for the fact that it has been found very difficult to prosecute confidence men successfully. At the same time it explains why so little of the true nature of confidence games is known to the public, for once a victim is fleeced he often proves to be a most reluctant and even untruthful witness against the men who have taken his money. Often the victim does not understand how he was taken. By the same token, confidence men are hardly criminals in the usual sense of the word, for they prosper through a superb knowledge of human nature; they are set apart from those who employ the machine gun, the blackjack, or the acetylene torch. Their methods differ more in degree than in kind from those employed by more legitimate forms of business. Madison Avenue, for instance, seems to have adopted some of their techniques.

Modern con men use at present only three big-con games, and only two of these are used extensively. In addition, there are scores of short-con games which seem to enjoy periodic bursts of activity, followed by alternate periods of obsolescence. Some of these short-con games, when played by big-time professionals who apply the principles of the big con to them, attain respectable status as devices to separate the mark from his money.

Today, in order to circumvent certain new federal laws relating to the sending of the victim's money through the mails, or to

causing a mark to cross a state line in order to obtain it before he is fleeced, many big-con men live and work outside the continental United States. Others continue to operate in this country and depend on skill and political connections to avoid prosecution. Still others, especially those of advanced years, prefer to live here and apply their talents to certain short-con games which, while they make a good income, do not entail either the large scores or the federal "heat" which the big-con games engender. For instance, both Count Victor Lustig and his brother Emile have, in recent years, applied big-con skills to the simple money-box-with-the-con (described later in detail as one of the short-con games) with results which ordinary con men could never obtain. "Why should I cat-hop around the world looking for a chump with a hundred grand," philosophized the Count, "when I can take off touches up to thirty-five thousand right here at home and be safe and secure?" Many of the older big-con men with spectacular records both here and internationally now settle for quiet little rackets which bring in a steady income but which do not carry so much risk of a jolt in federal stir. Tighter passport regulations also now serve to keep some operators either at home or abroad.

The three big-con games, the wire, the rag, and the payoff, have in some seventy-five years of their existence taken a staggering toll from a gullible public. No one knows just how much the total is because many touches, especially large ones, never come to light; both con men and police officials agree that roughly ninety per cent of the victims never complain to the police. Some professionals estimate that these three games, together with the short-con operations, have produced more illicit profit for the operators and for the law than all other forms of professional crime (excepting violations of the prohibition law and illicit gambling) over the same period of time. However that may be, it is certain that they have been immensely profitable.

All confidence games, big and little, have certain similar underlying principles; all of them progress through certain fundamental stages to an inevitable conclusion; while these stages or steps may vary widely in detail from type to type of game, the principles upon which they are based remain the same and are immediately recognizable. In the big-con games the steps are these:

1. Locating and investigating a well-to-do victim. *(Putting the mark up.)*
2. Gaining the victim's confidence. *(Playing the con for him.)*
3. Steering him to meet the insideman. *(Roping the mark.)*
4. Permitting the insideman to show him how he can make a large amount of money dishonestly. *(Telling him the tale.)*
5. Allowing the victim to make a substantial profit. *(Giving him the convincer.)*
6. Determining exactly how much he will invest. *(Giving him the breakdown.)*
7. Sending him home for this amount of money. *(Putting him on the send.)**
8. Playing him against a big store and fleecing him. *(Taking off the touch.)*
9. Getting him out of the way as quickly as possible. *(Blowing him off.)*
10. Forestalling action by the law. *(Putting in the fix.)*

The big-con games did not spring into existence full fledged. The principles on which they operate are as old as civilization. But their immediate evolution is closely knit with the invention and development of the big store, a fake gambling club or broker's office, in which the victim is swindled. And within the twentieth century these games have, from the criminal's point of view, reached a high state of perfection.

Although the confidence games still prosper merrily, we now see the passing of a whole generation of individual con men whose exploits – spectacular, hilarious, irreverent, and sometimes well-nigh unbelievable – mark them as masters of the high art of chicanery. Also passing are the famous big-time confidence mobs, which represented an all-time high in the concentration of criminal skills and criminal organization. Most of the big-con men rose from lowly origins on the grift to become big-time operators in the higher fiscal brackets. Some of them became national and international celebrities.

*Federal legislation of 1956 made sending a victim across state lines a crime if amounts over $5,000 are involved, and big-con men now must either evade this law in some manner or simply take a chance that they will not be prosecuted under federal law.

To them, nothing was impossible. They fleeced the bankers, the investment brokers, the millionaires, the big shots of management. They out-tycooned the tycoons. So well did they understand human nature that they played upon it like a symphony conductor directing a great orchestra. It is mainly about these men that this book is written; some of them contributed substantially to it. The new generation, while producing some very competent operators, is a pedestrian lot by comparison. They lack the grand thinking, the unlimited gall, the sure touch, the high intelligence, and the total contempt for a materialistic culture.

Perhaps typical of the generation going out is that distinguished old rascal, the Yellow Kid Weil. After a lifetime of beating every known variety of sucker on every known variety of con game – including some innovations of his own – he spent his last years quietly retired in Chicago. As of 1962, he was solemnly coaching a University of Chicago dramatic club for a presentation of *Pal Joey*. I have heard some confidence men comment snidely that he must have had to swallow a lot of pride to do this – for Joey is the smallest of the small-timers – but I do not entirely agree. The confidence games are not always played for money. Sometimes, as will be shown in the following pages, they are played just for fun.

Chapter Two

THE BIG STORE

IN the fall of 1867 the Union Pacific Railway reached Cheyenne, Wyoming, and that hurly-burly outpost became the spearhead of a frenzied effort which thrust its way relentlessly up the canyons, through the passes, and over the Badlands ever toward the West. Its population increased manyfold, until the frontier town became a teeming little city, sprawling on the plateau like a heavily muscled giant in a suit too small, threatening momentarily to burst every seam. Close-packed frame buildings lined the mud streets, ridiculous in their raw elegance, while around the outskirts clustered the shacks and tents of the myriad adventurers who sought they knew not what in this new country. In the dust-swirled streets cattlemen, miners, laborers, engineers, land speculators, soldiers, and gamblers surged in a tangle of men, horses, and material; the gunman elbowed the itinerant evangelist and the Oriental jostled the American Indian. Over the odor of horses and men and raw whiskey and wood smoke there hung a more elusive smell, one which emanated from the fevered blood of the men and tainted the air with an electric quality. It was the odor of an ancient lust, the lust for easy money.

Ben Marks understood all about easy money, for his business was sure-thing gambling. Ever since he had left his home in Council Bluffs, Iowa, he had roamed the country from the Mississippi on west. His youthful, stocky figure and red whiskers, bristling in friendly fashion, were a familiar sight on river steamboats, at land openings, and on the streets of frontier towns. Suspended from his broad shoulders he carried a board upon which he played a most popular frontier gambling game which had come up from Mexico – three-card monte. It was a simple little game in which the players bet against the operator, whose deft

manipulation of the cards and amusing spiel drew a crowd about him on the street. He threw three cards, face down, upon the board in plain view of the spectators then invited them to pick out the queen, first for fun, then for money. They knew it was easy, for they could see the queen flash as he threw the cards. Then he offered to bet upon the ability of anyone to find the queen. One of his accomplices (a *shill*) bet a dollar and picked out the queen. The crowd grew interested. More and larger bets were taken; meanwhile, another accomplice had located a fat sucker and connived with him to examine the cards, surreptitiously bend the corner of the queen slightly, and beat the operator. When the bet had been run up high enough, the trick was tried, but Ben deftly removed the "ear" from the marked card and put it on another as he manipulated the cards. The player was dumbfounded when the queen evaded him.

Ben ground away at this little grifting game, picking up bets of five and ten dollars, occasionally one as large as twenty-five. It made a living for him and his shills, but that was about all. He had too much competition on the streets of Cheyenne, where catering to the vices of lusty men had become one of the chief enterprises. The fat suckers paid little attention to a monte player who plied his trade on the street.

Then Ben had an idea, an idea which was eventually to revolutionize the grift, an idea which was to become the backbone of all big-time confidence games. Why not set up a place of business of his own? Why not operate from a permanent base, let the players come to him? But how would he get trade? He would have to compete with numerous saloons where gambling was carried on amid other forms of red-blooded entertainment.

He turned the idea over in his mind for some time and finally opened, in a shack of a building, what he called The Dollar Store. In the windows he exhibited all kinds of colorful, useful and even valuable merchandise – with all items priced at one dollar – and he soon had customers aplenty. Inside there were several monte games going, replete with shills and "sticks" to keep the play going at a lively pace. Once a gullible customer was lured in by the bargains he saw displayed, Ben "switched" his interest from the sale to the three-card monte, which was being expertly played on

barrelheads. The merchandise never changed hands. It remained always the same. But the customers were different, and each one left some cash in Ben Marks' money belt. Like most pioneers Ben did not realize the importance of his innovation.

Thus, in a very crude form, developed what we know today as the *big store* – the swanky gambling club or fake brokerage establishment in which the modern pay-off or rag is played. It became the device which enables competent modern operators to take, say $75,000 from a victim and at the same time conceal from him the fact that he has been swindled. Although today there are several types of store used, they all operate on the same principle and appear as legitimate places doing a large volume of business. So realistically are they manned and furnished that the victim does not suspect that everything about him – including the patronage – is fake. In short, the modern big store is a carefully set up and skillfully managed theater where the victim acts out an unwitting role in the most exciting of all underworld dramas. It is a triumph of the ingenuity of the criminal mind.

The use of a store against which to play the victims of a confidence game developed gradually. Before 1900 there were no big-con games, although the country was overrun with what were then called confidence games, known today as *short-con* games. They were played on the street, on passenger trains, in saloons and gambling houses, on passenger ships, with fairs and circuses – in short, any place where short-con workers could find people with a little money. During the last quarter of the nineteenth century there were thousands upon thousands of these short-con workers plying the country; they liked to follow the boom towns connected with mining and the land openings on the westward-sweeping frontier, for there people had money and were speculation-bound. The feverish atmosphere west of the Mississippi River was a healthy one in which con games could flourish and grow. It was quite natural that the principle of the store should have been discovered in Cheyenne. But the mobs were not yet organized, the fix did not extend beyond the occasional bribing of a sheriff or constable, and the grifters made a small income at best.

The idea of a store caught on among grifters, and they began to

organize, raise enough capital to open stores, and profit by Ben's simple invention. It spread over the West, then to the East, where it housed *green-goods* games and the *gold brick.* Other forms of the short-con, largely some form of gambling games, copied the idea, and little Dollar Stores sprang up all over the United States – one of them, incidentally, in Chicago, grew into a great modern department store because the founder found that he could unload cheap and flashy merchandise at a dollar and make more money than he could at monte. But the idea of a store was well established and was to be forever afterward associated with confidence games. Ropers and steerers (long used by gambling dives) were adopted, which of course increased the volume of business tremendously and eventually made the display of merchandise unnecessary.

Gamblers took up the idea, and the *mitt store* succeeded the Dollar Store. The mitt store masqueraded behind the front of a legitimate business – for instance, a sample room where cloth was sold wholesale, or, in the South and Southwest, under the guise of an institute where farmers were to be instructed in the control of the boll weevil or some other agricultural pest. Old Farmer Brown sometimes used exhibits of cotton bolls in various stages of destruction, together with bottle specimens of the weevil showing its development from egg to maturity. A lecture which compensated in color what it lacked in scientific value was used as a stall for the farmers from the cotton states and served to lure the unsuspecting into the monte game. The steerer for a mitt store brought the victim in on some equally legitimate pretense, invited him to sit down until the proprietor arrived, and pushed him into a chair at a table. Other strangers were seated there, too. A newspaper covered the top of the table. Finally the newspaper was raised to reveal a little game of poker which was going on to pass the time. The mark was "mitted in" whether he wanted to be or not, was cold-decked on his own deal, and fleeced. This type of store, housing both mitt and monte games, flourished prosperously well into the first quarter of the twentieth century, and is still occasionally used by some short-con workers.

Before 1900 crime had not become a big business. Confidence men did not realize that they were destined to become the

aristocrats of crime. They had not visualized a smoothly working machine, its political cogs well greased with bribe money and its essential parts composed of slick, expert professionals. While even in those days the police were frequently paid off, the "fix" as we know it today was still to be developed. The operators of mitt and monte stores simply gave the cop on the beat an occasional five or ten-dollar bill to avoid being run in, and their game went merrily on. The idea of inducing the victim to try to beat the store had not yet germinated; he was pitted against the players, and the store was only a center for the game, a device to facilitate getting the sucker to play. The grifters had to content themselves with the money the sucker had on his person. If they took off scores of from twenty-five dollars to two hundred dollars, they were satisfied. Some of the better monte mobs made fairly good money, but nothing to compare with the consistently larger scores taken off by modern con mobs. On the whole, they lived a hand-to-mouth existence, with only the best ones making much of a profit over and above their operating expenses.

From 1880 to 1900 thousands of these small-con games appeared, played in crude stores which offered little more than shelter to the players. The fix was a simple transaction between con men and officers, with influential saloonkeepers or politicians occasionally acting as intermediaries in difficult cases. In New York and especially in Chicago, there were hordes of gamblers, thieves, grifters, and short-con workers. These men naturally made saloons their headquarters, came to know the proprietors, and the machinery of the fix was established. From 1893 for some ten or fifteen years, the famous proprietor of two of these saloons, Michael Kenna (Hinky Dink), was unquestionably the best fixer for all kinds of criminals, but especially for grifters; his saloons were a veritable rogues' gallery most of the time. His successors still wield a powerful influence in Chicago. There were, of course, many others, some of whom still operate prosperously. The situation in Chicago was typical of the rest of the country, except that both grifting and fixing went on on a larger scale there than anywhere else, with the possible exception of New York.

But bigger things were ahead. Times were to change, and the days of the small score were to end. After 1900, when the big-con

games began to develop, the mit and monte stores gradually dwindled away. With the advent of the big-time games, the simple fix for a small fee was no longer sufficient. Con games were to pass into the realm of big business.

Meanwhile, other types of short-con workers realized the advantage of playing their marks against a store, with ropers to bring the victims in and an insideman to do the playing. The sporting proclivities of the American public were exploited and thus arose the *fight store,* the *wrestle store,* and the *foot-race store,* immediate ancestors of the big store as we know it today. Ben Marks had not stopped with his original Dollar Store, but continued to contribute liberally to the development of confidence games; he had quite an extensive layout at Council Bluffs, Iowa, his home town, where marks taken off the railroad trains or roped at their homes were brought in for the slaughter. He built a large clubhouse where he had a faro layout, dealt one-handed with great dexterity by his partner, Stebbins, who had lost an arm while blowing a safe. Also, Marks had a prize ring where he played marks against the fight store, and a circular cinder track for the foot race.

These early stores are important because they not only developed the principles later applied to the big-con games, but also trained a host of both inside and outside workers who brought the benefit of their experience to the big con as soon as its principles were discovered. Ben Marks himself "turned out" many of the young men who were later to become notorious on the rag, the wire, and the pay-off. He probably contributed more than any other one man to the development of the big store.

The fight-store swindle worked, briefly, like this. The mob consisted of one or more ropers, an insideman, a "doctor," two prize fighters, and several minor assistants. The roper traveled about the countryside (usually not far from the store) and steered a mark in whenever he could find one. He posed as a disgruntled secretary to a millionaire sportsman, often a railroad executive, who ostensibly traveled about the country in a private car with a prize fighter, his own personal doctor, a trainer, and staff of servants. In order to indulge his sporting instincts, he would match his fighter against any other fighters who could get any backing

from their own communities, and of course he bet heavily on the fight. Many fight stores used some local bruisers for their fighters; Ben Marks engaged a famous ex-champion of the prize ring and his brother, who was also a prominent pugilist.

The roper told the victim that he had been selected for a part in this scheme because he could be depended upon. The roper's problem was this: he had been abused and neglected by his employer, who, he says, is really an old skinflint. He has decided to quit his service – but not without making some money for himself. The next fight, for which he is now making arrangements, will be held in Council Bluffs. He has contracted with his employer's fighter to "take a dive" – pretend to be knocked out – in the tenth round. His employer will bet heavily on his own fighter. He, the secretary, cannot personally bet against his employer; hence he needs someone with money who will bet heavily on the other fighter, then divide the proceeds. It is a sure thing.

If the mark was interested, the roper moved him into Council Bluffs to look the situation over. He met the millionaire executive (the insideman) and his fighter. Everyone talked of the coming fight, with the millionaire calling wildly for large bets and waving money under the mark's nose. As soon as the victim was convinced that he could win heavily, he went home, procured his money, contributed something to the purse, and made his bet. Often he was made stakeholder as a mark of the high esteem in which he was held – although, without his knowledge, the satchel containing the money for all the bets was "switched" and he was given a duplicate full of paper, just in case he should yield to temptatation.

The fight was held before a very limited audience, for in those days prize fighting was illegal in most states and prize fights were held clandestinely, like cockfights today. However, for the mark's benefit, the fighters put on quite a show. In the sixth round, something happened which no one had counted on. The millionaire's fighter delivered a terrific right over his opponent's heart and he fell to the ground, spurting blood from his mouth. All was confusion. The millionaire's "doctor" came forward with his stethoscope and pronounced the fighter dead. The mark was

dazed; the millionaire collected the bet (which was already in his possession, since he had taken the satchel with the stakes in it), and everyone was in a hurry to get out of town before the local authorities got wind of the fight and arrested them for being accessories to manslaughter. Thus the mark blew himself off and the con man split the amount of his bet.

Buck Boatwright who had this type of store in Joplin, Missouri, Webb City, Missouri, and Galena, Kansas, around 1900, made several innovations in the fight store and raised it to a high peak of perfection. Buck introduced the idea, later used in the pay-off, of furnishing the mark with part of the money for the play; his outsideman carried the millionaire's money in a satchel and, with the insideman (Buck) calling for bets, the outsideman would slip several hundred dollars out of the satchel and surreptitiously give them to the mark so that he could start by placing that much of a bet. This was important, for it "tightened up" the mark and made him ripe to be put on the send for more money. Buck also made some use of shills, who bet on the millionaire's fighter with money which Buck furnished; the mark was thus impressed with the amount of money he would win when the fight was over, and would raise his own bet as high as possible – another principle which was later used in the payoff. Boatwright placed all this money in a small safe which stood against the wall, and the mark was impressed with the sheaves of greenbacks he saw being stored therein – not knowing, of course, that the safe had a door in the back from which the money was removed by an assistant in the next room who handed it to another shill to bet. This device was later to become one of the strongest elements in the modern big store.

Wrestle stores and foot-race stores worked on the same general principle as the fight store, with foot racers or wrestlers taking the place of the prize fighters. The stores were quite crude at first, and $5,000 was regarded as a "banner score." However, technique rapidly improved and stores spread over the country, prominent ones, in addition to those operated by Ben Marks and Buck Boatwright, doing quite a business and breaking the ground for the big-time games to come. One of the biggest of these early stores was opened in Hot Springs, Arkansas, in 1902, by Eddie Spears