

# “The Knockout Business”

by John Eatwell

Tom Holland, saloonkeeper, was sentenced to the penitentiary for a term of five to ten years at hard labor by Judge Malone this morning.<sup>1</sup>

“The crime of which the jury have found you guilty and for which you now stand convicted before the bar of justice, is one which, while altogether too common in this community, is unmanly and not at all to your credit. You open your place of business in invite the public to patronize you, and then, taking advantage of your neighbors and patrons, you proceed to drug and rob them, then throw them out in the streets or alleys, perhaps to die.”<sup>2</sup>

Judge Booth Malone delivered his sentence, saying: “This crime is not only a treacherous one, but one full of danger to human life and that brings disrepute to the fair name of your city and community. It reflects not only most seriously upon the reputation of the city, but upon the administrators of the law when a crime like this cannot only occur again and again, but when upon one of the principal thoroughfares of the city, in the very heart of the business center. It is time this ‘knockout drop’ business was stopped.”

“It is extremely fortunate for you that your are not today standing before the court to be sentenced for murder instead of larceny from the person. I do not understand why you permitted yourself to stoop to so mean and dangerous a crime. You were not hungry, nor were you braving danger and defying the law to feed a starving family. You were reported to be a man of means and of some influence, not only among men of your own calling, but also in certain political and other walks of life. You may have presumed upon that influence, or you may have been encouraged by the unbridled or the unpunished spirit of lawlessness that has already too long been riding roughshod and rampant in the community.”

“The judgement of the court is that you, Thomas Holland, are guilty of the crime of larceny from the person, as found by the verdict of the jury, and the sentence of the court is that you be confined in the state penitentiary of the state of Colorado, at hard labor, for a period of not less than five, nor more than ten years.”<sup>3</sup>

Holland’s face was pale as he listened to the scathing words of the court. The sentence of five years at hard labor in the penitentiary almost unnerved the man. As he sat down with the walls of the prison staring at him, a slight moisture gathered about his eyes, but he said nothing.

## Resuming the “Knockout Business”

One year ago, Judge Booth M. Malone of the district court, announced from the bench that it was time for the “knockout business” in Denver to cease operations, and he proceeded to administer a dose of drops strong enough to put a notorious knockout offender out of commission for a period of ten years.

Judge Malone’s actions was taken after a careful examination of the case under consideration, having heard all the testimony and arguments on both sides. After an ex-parte examination, the state board of pardons has prescribed an antidote for Judge Malone’s medicine. The verdict of a jury, the sentence of the



district court and the ruling of the supreme court are mullified by the decision of the board of pardons, and the knockout venders may resume business at the old stand.

Governor Orman will probably pardon Thomas Holland, who is serving time at Canon City for a despicable crime. As a member of the board of pardons, James B. Orman has recommended to Governor Orman that Holland be released from the penitentiary. In his executive capacity, the governor cannot consistently ignore the request made by himself to his advisory capacity. With characteristic evasion of responsibility, the governor will say: “Really, I haven’t had the time to examine the case, but I assume that the board has given it careful consideration, and I suppose I must accept the board’s finding. Honestly, could you expect me to do otherwise?”

“Tom Holland conducted a disreputable saloon in a most respectable portion of the city - in the heart of the business center of Denver. His place was a rendezvous for well-dressed rascals and was headquarters for ‘repeaters’ on election day. He was a power in ward politics, and his pull afforded him protection. One day he was overreached himself and committed a crime so flagrant that it could not be passed without notice. He was given a fair trial, and, in spite of all influences and legal ability used in his behalf, he was convicted. Arguments were submitted for a new trial, which was denied, and the supreme court refused to interfere. He was given every opportunity to establish his innocence. His was no the case of a poor and friendless man rushed to prison because he lacked means for defence.

## Escape from Prison Through the Political Avenue

The release of the notorious Tom Holland, mixer of knockout cocktails and fixer of elections, in generally condemned to this community, for his guilt was thoroughly established at his trial,

and no new evidence has been presented to show his innocence. Holland's pardon was due to political influences, and was not an act of justice to an innocent man, or of clemency to a deserving one. Holland was a power in ward politics before his conviction, and so many politicians were under obligations to him that his pull was not broken when the doors of the state's prison closed behind him. A new campaign is about to open and the governor needs assistance. Holland has proved himself to be a valuable political worker, but as Convict No. 5204, his services would have been unavailable.

The evil of such pardons is not so much in the release of an individual criminal as in its effect upon the wrongdoers. It is possible that Tom Holland will hereinafter be careful not to get tangled up in the meshes of the law. He will probably confine his bar-tending to serving straight drinks, without a dash of knockout bitters in them. But the object of the law is not simply to punish the individual offender or to reform him. It is also to furnish an example to others of his class. When the law is nullified, its exemplary effect is destroyed.

In the Holland pardon, the governor has notified the divekeepers that they have licence to resume their disreputable methods, providing they render sufficient political service. Their freedom depends not upon their good conduct, but upon their political efficiency.<sup>4</sup>

**Notorious Convict Released**

Thomas Holland was recommended for executive clemency by the board of pardons at the request of numerous democratic politicians. Holland's place has for years been one of the most notorious resorts in the city for the

repeaters and ballot box stuffers. It was from his place that repeaters went out in droves at the last city election to cast illegal ballots and corrupt the elections. A large number of ward politicians appeared before the governor to plead for Holland's pardon.<sup>5</sup>

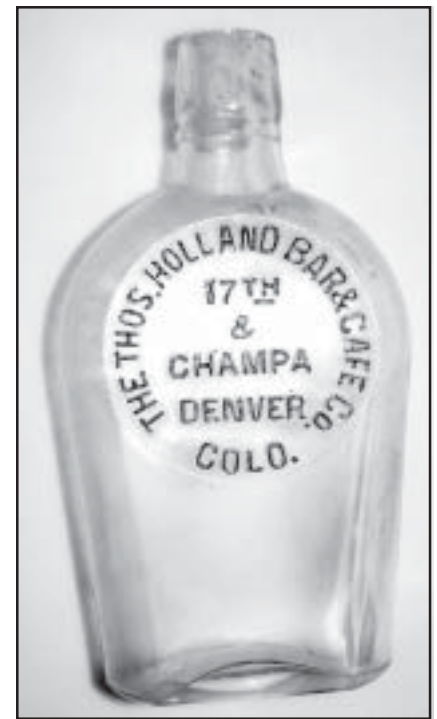
Judge Booth Malone sent a letter, which, while not declaring it in behalf in the man's innocence, left it discretionary with the board to judge if Holland ought to be set at liberty. Another election is approaching and the outlook is not very bright for the party, which always depends on Holland's saloon to do its share in electing a ticket and his services were again needed, hence the pardon.

**Those Responsible**

There is great public interest in the names of the persons who have been instrumental in setting Holland at liberty. Among those petitioned for Holland's release were five from district court, two assessors, one county clerk and recorder, five county commissioners, one sheriff and a number of business men. Besides these were about 100 signatures of private individuals unknown to the general public.

A second petition came from the democratic office holders at the police station, including the chief of police, caption of detectives, under sheriff, state oil inspector and many others along with about 50 names of persons not well known.

Then there were a large number of men who went to the trouble of writing or signing personal letters to the governor, or the board of pardons. Among them were Holland's family physician, a manufacturer, a cigarmaker, a doctor, a paper dealer, an auctioneer, a bank cashier, a liquor dealer (Ed Lewin), the Zang Brewery Co., the warden of the



penitentiary and finally came a communication signed by the ten jurors who could be reached. Many of the personal letters were identical in their contents, showing they had been prepared by one person and signatures secured to them.<sup>6</sup>

Don't forget to visit your personal library and look up information on the saloon owners that produced whiskey flasks in your collection. You might be surprised at what turns up.

<sup>1</sup> *Denver Times*, July 15, 1901.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> *Denver Times*, July 8, 1902.

<sup>5</sup> *Denver Times*, July 9, 1902.

<sup>6</sup> *Ibid.*

Header photo from *Denver Times*, July 10, 1902.

