

## A Legal Site-Seeing Tour of Downtown Los Angeles

PART 2 OF A SERIES

BY BOB WOLFE\*



MAP: HEART OF LOS ANGELES, 1931. JAMES H. PAYNE, LOS ANGELES PUBLIC LIBRARY.

**T**HE LAW LOVES building metaphors. The highest compliment one can give a lawyer is that she or he has “framed” or “structured” a “carefully constructed” argument upon a “solid foundation” and a “concrete” analysis.

But we must remember that even buildings are not set in stone. They can be remodeled beyond recognition, or torn down and rebuilt in entirely different form. Los Angeles is a place that is “fundamentally ad hoc in spirit,” and the stories its buildings tell are not only inconsistent, but conflicting.

In the words of Christopher Hawthorne, chief design officer for the city of L.A., the city simply cannot be explained in its entirety in one overarching analysis. It requires, as he puts it, a “certain humility” and a recog-

nition that it can wriggle “out of your grasp” just as you try to pin the city down.

This is the second part of an ongoing series where we act as urban archaeologists to unearth legal stories that emerge from buildings within a 10-square block radius of downtown Los Angeles.

Let’s continue the dig.

### CLARIFICATION

*The Fall/Winter 2017 Newsletter described oil tycoon Edward Doheny as having his offices in the Security Building at 510 South Spring Street. Doheny worked out of the Security Building during critical moments, e.g., his son Ned’s delivery of \$100,000 in cash to Interior Secretary Edward Fall, and when federal judges nullified his Elk Hills leases for corruption and fraud.*

*However, in 1926, Doheny moved into his own building, the ornate Petroleum Securities Building, at 714 West Olympic Blvd. He was headquartered there during many of the other key events in his life: the double killings of Ned Doheny and his aide Hugh Plunkett, and Doheny’s criminal trial and acquittal for bribery.*

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**9 Bradbury Building**



304 SOUTH BROADWAY  
(SUMNER HUNT / GEORGE WYMAN, 1893)

**A LAWYER’S VIEW OF UTOPIA — A WORLD WITHOUT LAWYERS**

The Bradbury Building — which has been called L.A.’s “biggest architectural movie star” — is perhaps best known as one of the highly visible interiors in director Ridley Scott’s 1982 dystopian film “Blade Runner.”

But it is another utopian vision that inspired this beloved 125-year-old building. In his best-selling futurist novel, *Looking Backward: From 2000 to 1887*, author Edward Bellamy (PICTURED BELOW) wrote about a fictional character (Julian West) who was placed in a hypnotic trance in 1887 and did not awaken until the year 2000.



Bellamy describes the spectacular interior of the public building in which his protagonist found himself: “a vast hall full of light, received not alone from the windows on all sides, but from the dome . . . . The walls and ceiling were frescoed in mellow tints, calculated to soften without absorbing the light which flooded the interior.”

Bellamy’s depiction is said to have motivated the Bradbury Building’s design.

Bellamy’s next-century world is not only light-filled, but law-free. Bellamy, himself a lawyer (albeit a non-practicing one) wrote about a lawless world: “We have no such things as law schools. The law as a special science is obsolete. . . . Everything touching the relations of men to one another is now simpler, beyond any comparison, than in your day. We should have no sort of use for the hair-splitting experts who presided and argued in your courts.”

Somewhat ironically, a lawyer, John Bicknell, was instrumental in the Bradbury Building’s construction. Bicknell, who had formed a close friendship with a retired gold miner, Louis Bradbury, oversaw construction of the building when Bradbury suddenly died in 1892, securing a loan against the Bradbury estate when the building’s costs neared an astronomical \$500,000. Bicknell ordered the building’s 400 tons of cast-iron decoration and the water-powered bird-cage elevators.

Bicknell was an early tenant of the building; after James Gibson joined as a partner in 1897, the firm was known as Bicknell, Gibson & Trask. In 1903, the law firm of Dunn & Crutcher moved into three adjoining rooms in the Bradbury Building. The two firms “amalgamated” in January 1904 to become what is now known as Gibson, Dunn & Crutcher, moving to larger quarters in the new Pacific Electric Building six months later.



It took another lawyer, 85 years later, to again rescue the Bradbury Building, then empty except for the ground floor, and restore it to its former glory. In April 1989, Ira Yellin (PICTURED ABOVE), along with other investors, bought the building for \$8 million and undertook a restoration project with noted preservation architect Brenda Levin. Yellin, who died in 2002 at age 62, was one of the co-founders of Public Counsel, the largest pro bono legal nonprofit in the U.S.

**10 Alexandria Hotel**

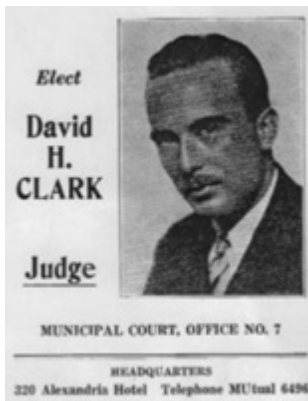


501 SOUTH SPRING STREET  
(JOHN PARKINSON, 1906)

**A MURDEROUS CAMPAIGN FOR JUDGE**

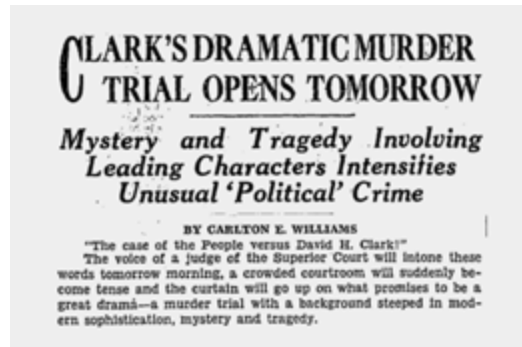
The 500-room Alexandria Hotel was L.A.’s first luxury hotel, constructed at a cost of \$2 million, with 362 rooms, each with a bath. Over the years, it played host to Presidents Theodore Roosevelt, William Howard Taft, and Woodrow Wilson, as well as other notable personages, including King Edward VIII, Winston Churchill, Sarah Bernhardt, Douglas Fairbanks and Mary Pickford.

In 1931, David Clark used the Alexandria Hotel as his campaign headquarters as he portrayed himself as a “crime-busting attorney” in his judicial race against sitting Judge Charles MacCoy. The 33-year old “Debonair Dave” Clark had been a star prosecutor in the D.A.’s office, secur-



ing the conviction for the attempted murder of gangster Albert Marco, and prosecuting an extortion case against starlet Clara Bow’s personal secretary Daisy DeVoe. Clark won the *L.A. Times*’ endorsement for his “courage and sound judgment.”

But in May 1931, Clark was arrested and charged with double homicide in the slaying of crime boss Charles Crawford, the so-called “Gray Wolf,” and journalist Herbert Spencer.



Clark was still in a jail cell in the Hall of Justice on election day, June 2, 1931. He barely lost, receiving 67,000 votes to MacCoy’s 71,000. He was granted bail the next day.

Clark was twice tried for murder, with the first trial resulting in a hung jury. In October 1931, the jury in the second trial returned with a “not guilty” verdict, accepting Clark’s defense that Crawford pulled a gun on him and called on Spencer for help.

Clark thereafter began working as a lawyer for former LAPD police captain Guy McAfee, Crawford’s rival mob kingpin, known as the “Capone of L.A.” Clark also representing gambling and other similar interests.<sup>1</sup>

In July 1953, Clark, by then unemployed, moved into his best friend, George Blair’s house. (Blair reputedly had helped finance Clark’s murder defense in 1931.) In November 1953, Clark shot and killed George’s wife Rose after she upbraided him for mooching off the Blair family. Clark died in prison in February 1954.



Raymond Chandler’s short story “Spanish Blood,” is based upon Clark’s shooting of Crawford and Spencer.

1. See, e.g., *Ex Parte Williams* (1932) 127 Cal.App. 424 [unsuccessful habeas corpus petition by David Clark on behalf of dog race owners who were jailed for contempt for refusing to testify in D.A.’s attempts to shut down Culver City greyhound race track].

**11 Jewelry Trades Building**



500 SOUTH BROADWAY  
(MORGAN, WALLS & MORGAN, 1913)

**RACE RESTRICTIONS: BUYING INTO THE AMERICAN DREAM**

In 1913, the Title Guarantee Co. moved into this 9-story Renaissance-style building on the southeast corner of Fifth and Broadway. The upper floors housed upscale retailers, which faced a wide corridor designed to resemble a street.

The company, which was less than 20 years old, was organized to validate land ownership in Southern California by issuing certificates of title. Its archives grew to contain records of every real estate transaction in Los Angeles County since 1850, as well as records of the previous Mexican Ayuntamiento, or town council.

In 1916, the Title Guarantee Co. sued H.L. Garrott, an African-American police officer, to force him to forfeit his purchase of a home at 420 West 59th Place in south Los Angeles and to reconvey it without compensation. It relied on a deed restriction prohibiting a sale “to any person of African, Chinese or Japanese descent.” (Garrott had used a white man to initially buy the house.)

Garrott was represented by attorney Willis O. Tyler (PICTURED), a Harvard Law School graduate, who practiced in L.A. for more than 35 years.



Superior Court Judge John W. Shenk sustained Garrott’s demurrer to the Title Guarantee litigation. Judge Shenk ruled that Garrott, as a citizen of both California and the U.S., “is entitled ‘to acquire property’ under the state [C]onstitution and to ‘the equal protection of the laws’ under the federal [C]onstitution.”

Following Judge Shenk’s ruling, a group of adjoining property owners raised funds to further pursue as amicus curiae in this and other cases. As quoted in the *L.A. Times*, the group insisted that segregated neighborhoods would “avoid disorder and violence [and] make a better feeling among the races. . . .”

For some reason, it took three years for Garrott’s case to be resolved on appeal. In July 1919, the Court of Appeal affirmed Judge Shenk’s ruling, but on different grounds.

The court rejected the constitutional claims, holding they did not apply to private contracts. But the *Garrott* court held that restrictive covenants violated the public policy against restrictions on the alienation of property: “[T]he tying up of real property has been regarded as an evil that is incompatible with the free and liberal circulation of property as one of the inherent rights of a free people.”<sup>2</sup>



In September 1919, the California Supreme Court denied a petition for hearing in *Garrott*. But as we shall see, another California Supreme Court decision made this but a momentary triumph and a hollow victory.

In 1924, Judge Shenk was appointed to the California Supreme Court, where he served for 35 years until his death in 1959. In sharp contrast to his ruling in the *Garrott* case, Shenk dissented from the Court’s landmark decision striking down California’s anti-miscegenation laws because “there is . . . a great deal of evidence to support the legislative determination . . . that intermarriage between Negroes and white persons is incompatible with the general welfare. . . .”<sup>3</sup>

2. *Title Guarantee & Trust Co. v. Garrott* (1919) 42 Cal.App. 152, 157.  
3. *Perez v. Sharp* (1948) 32 Cal.2d 711, 759, dis. opn. of Shenk, J.

**12 L.A. Investment Co. Building / Chapman Building**



756 SOUTH BROADWAY  
(ERNEST MCCONNELL, 1912)

**RACE RESTRICTIONS: LIVING THE AMERICAN DREAM — NOT!**

From its headquarters in a 13-story steel frame building, the L.A. Investment Co. intended to build and sell more than 12,000 modern bungalows over a 20-year period throughout Southern California.

In 1916, H.T. Lucas, a contractor, sold one of these bungalows, located at 1728 West 51st Street, to Alfred Gary, an African-American. Within three weeks of the sale, the L.A. Investment Co., as the original developer, sued to compel Gary to forfeit his title based on a restrictive covenant barring the sale, lease, or occupancy “by one not of the Caucasian race.”

Like Homer Garrott, Gary won at the trial court level, but the L.A. Investment Co.’s appeal made it all the way to the California Supreme Court.

The Supreme Court affirmed the “scholarly” opinion in the *Garrott* decision that restrictive covenants were “repugnant” to the interest created in the deed. As a result, Alfred Gary was legally entitled to buy his house on West 51st Street.

That, however, was not the end of the story. The Supreme Court had no objection to another provision in the L.A. Investment Co.’s deed against *occupancy* of the property by nonwhites.

The net effect: the Garys were allowed to *buy* the house on West 51st Street, but they were not allowed to *live* in it. In dissenting to an order denying an en banc hearing, Chief Justice Frank M. Angellotti was incredulous: how can the holder of the estate be so restricted in his control of the property? <sup>4</sup>

Loren Miller (PICTURED), an African-American journalist and attorney, who was admitted to the California State Bar in 1933, embarked upon a lifelong campaign to

overturn the *Gary* decision and end racial bias in housing. He ultimately persuaded two Los Angeles Superior Court judges, Thurmond Clark and Stanley Mosk, to go beyond the *Gary* holding and strike down racial covenants on broad constitutional grounds.

On December 7, 1945, Judge Clark barred the white plaintiffs in the so-called “Sugar Hill” case from introducing any testimony that the defendants, including Oscar-winning actress Hattie McDaniel as well as legendary singer Ethel Waters, lowered property values in their West Adams neighborhood by ignoring the racially restrictive covenants against occupancy. Clark ruled, “It is time that members of the Negro race are accorded . . . the full rights guaranteed them under the 14th Amendment to the federal constitution.”



In like fashion, then-Superior Court Judge Stanley Mosk rebuffed a lawsuit by Pastor W. Clarence Wright of the Wilshire Presbyterian Church for a temporary



injunction to evict his neighbors Frank and Artoria Drye from occupying their dream home in Country Club Park. Mosk dismissed the lawsuit as inconsistent with the 14th Amendment. “[T]here is no more reprehensible un-American activity than to attempt to deprive persons of their own homes on a ‘Master Race’ theory,” he wrote.

Miller cemented this victory on a national level when the U.S. Supreme Court, in a landmark decision, held racial covenants to be unenforceable.<sup>5</sup> Miller authored the briefs and argued the case along with cocounsel Thurgood Marshall.



In 1964, California Governor Edmund G. “Pat” Brown extended judicial appointments to both Loren Miller and Stanley Mosk, Miller to the Municipal Court bench and Mosk to the Supreme Court.

Artoria Drye lived in her Country Club Park house for 57 years, until her death in 2004 at age 106.

4. *Los Angeles Inv. Co. v. Gary* (1919) 181 Cal. 680, 684–685, dis. opn. of Angellotti, J.

5. *Shelley v. Kraemer* (1948) 334 U.S. 111. See also *Estate of Dabney* (1951) 37 Cal.2d 402; *Dabney v. Philleo* (1951) 38 Cal.2d 60.

**13 Pacific Finance Building / Heron Building**



510 WEST SIXTH ST.  
(DODD & RICHARDS, 1921)

**CRAIG’S LIST**

In February 1921, the California Court of Appeal moved into leased offices on the top three floors of the 12-story Pacific Finance Building, then considered one of the finest office buildings in the West. The California Supreme Court held its Los Angeles sessions there as well, as did various state agencies and commissions.



Gavin Craig

The building was sold for \$3.5 million in 1924 and renamed the Associated Realty Building, but it remained the home of the appellate courts for another eight years.

In December 1931, Associate Justice Gavin Craig (PICTURED) met in his chambers with John S. McKeon, an oil man in the defunct Italo Petroleum Corp., who had been federally indicted for mail fraud. As McKeon later testified, Craig told him that he could help get the charges dismissed if his position was “properly presented in Washington to the proper authorities.” When asked what it would cost, Craig replied that U.S. Senator Samuel M. Shortridge needed about \$125,000 in campaign contributions for his reelection.

During a second meeting with McKeon, Craig suggested that he donate \$50,000 to Sen. Shortridge. (Shortridge ultimately was narrowly defeated in the 1932 Republican primary elections.)

In December 1934, a federal grand jury indicted Craig and others on charges of conspiring to obstruct justice. In May 1935, Craig was tried and convicted, sentenced to a year in jail and fined \$1,000.

Despite this, Craig continued to sit on the Court of Appeal and even to author appellate opinions.<sup>6</sup>

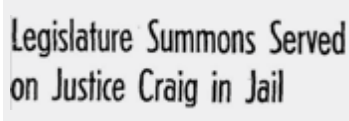
Craig lost his federal appeal in February 1936<sup>7</sup> and the U.S. Supreme Court denied certiorari.

In the fall of 1936, the California attorney general began a quo warranto proceeding to oust Craig from his position as an appellate justice. On October 30, 1936, the California Supreme Court ruled that Craig was still entitled to his position and his \$10,000 annual salary unless and until he resigned, was recalled or impeached.<sup>8</sup>

Although Craig was jailed in November 1936, he nonetheless refused to resign his appellate judgeship. As the *San Jose News* noted, as an active justice, Craig could issue writs of habeas corpus “to free every man in the county jail.”

In March 1937, Craig mailed a resignation letter to Gov. Frank Merriam when the California Legislature initiated removal proceedings by joint session. Craig said that any such legislative hearings would be a “farce.”

In May 1937, the Legislature proposed a constitutional amendment (the so-called “Craig Law”) requiring removal of any judge on conviction of felony or misdemeanor involving moral turpitude.



In September 1937, Craig was released from the Ventura County Jail. On September 2, 1938, the California Supreme Court permanently disbarred Craig, finding he was convicted of a felony involving moral turpitude, and even though he was a judge at the time, not a lawyer.<sup>9</sup>

In September 1942, President Franklin Roosevelt issued a presidential pardon to Craig and he was reinstated to the State Bar a month before his death in 1948.

6. See, e.g., *People v. Groves* (Oct. 2, 1935) 9 Cal.App.2d 317.  
7. *Craig v. U.S.* (9th Cir. 1936) 81 F.2d 816; see also 83 F.2d 450, dis. opn. of Denman, J.  
8. *People v. Craig* (1936) 61 P.2d 934. The Court, acting on its own motion, subsequently vacated this controversial opinion. See *People v. Craig* (1937) 9 Cal.2d 615.  
9. *In re Craig* (1938) 12 Cal.2d 93.

**14 Bank of Italy Building / NoMad Hotel**



505 WEST SEVENTH ST.  
(MORGAN, WALLS & MORGAN, 1922)

**FROM BLACK GOLD TO L.A. NOIR:  
THE CASE(S) OF RAYMOND CHANDLER AND  
THE GREAT SIXTH SEAL**

By 1923, the Bank of Italy, founded just decades earlier by A.P. Giannini, was the largest U.S. bank in terms of number of depositors when it moved into this brand new 12-story neoclassical building. Bank officials estimated that more than 200,000 curious Angelenos toured the new “ultramodern” space.

The third through twelfth floors of the Bank of Italy Building were devoted to offices. Dabney Oil Syndicate, headed by oil tycoon Joseph Dabney, had its offices on the topmost floor.

Dabney had the immense good fortune of prospecting for oil in the Signal Hill area of Long Beach. By the time Dabney moved to the Bank of Italy Building, Signal Hill was producing 20 percent of the world’s oil and Dabney became a multi-millionaire.



Included in Dabney’s employ was a junior accountant, Raymond Chandler (PICTURED). As Chandler later told it, he discovered in 1923 that William Bartlett, the firm’s chief accountant, was

embezzling funds to gamble and speculate in the stock market. Chandler assisted in Bartlett’s prosecution, and Bartlett was sentenced to prison.

Chandler himself took over Bartlett’s position and went on to become director of eight of the Dabney syndicates and president of three. He more modestly called himself “simply an overpriced employee.”

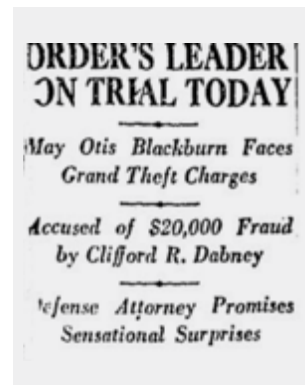
Among Dabney’s business associates was Clifford Dabney, his nephew. Beginning in 1924, Clifford became entangled with a bizarre religious cult, headed by May Otis Blackburn, its “high priestess.” Blackburn claimed that the archangels Gabriel and Michael were in the process of dictating a book to her, *The Great Sixth Seal*, which would reveal the location of all mineral and oil deposits in the world based on lost measurements from Noah and King Solomon (an unlikely duo). She convinced Clifford to finance the book’s completion. Over the next four-and-a-half years, Clifford gave her and the cult more than \$40,000 in cash, land and oil royalties.



By 1929, Clifford still hadn’t received any information regarding the archangels’ hidden secrets of the earth. His uncle finally convinced him to go to the district attorney to demand an accounting and to complain of the fraud. Blackburn was prosecuted on 12 counts of grand theft.

Clifford also filed numerous civil suits against Blackburn. In December 1929, his attorneys spent three days deposing her in their offices in Suite 530 of the Bank of Italy Building.

Blackburn’s criminal trial on grand theft began in mid-January 1930 and lasted for seven weeks. The sensational testimony included evidence of strange rituals, sex scandals and the attempted resurrection of the lifeless body of a 16-year-old girl, who had died from an infected tooth in 1925, but whose body was preserved and guarded, along with seven dead puppies.



The secrets of the universe were not produced at Blackburn's criminal trial. Defense witnesses testified that the only copy of the *Great Sixth Seal* mysteriously disappeared when the document, which reportedly took 42 months to write in longhand, was shipped out of state for safekeeping.

On March 2, 1930, Blackburn was convicted and sentenced to prison in San Quentin.

Blackburn's appeal went to the California Supreme Court. The Supreme Court reversed based on the prejudicial admission of evidence regarding "the gruesome story of the preservation of the body of Willa Rhoades, in the promise of resurrection," which was irrelevant to the fraud charges against her. The court added a cautionary note about imposing criminal liability for "claims to the possession of exceptional spiritual power or knowledge."<sup>10</sup>

On remand, L.A. Superior Court Judge Thomas Patrick White dismissed all charges against Blackburn for insufficient evidence.

In June 1931, Joseph Dabney fired Raymond Chandler, then 44-years old, based on a coworker's report of habitual absenteeism, drunkenness and womanizing. Chandler considered filing suit for slander, but, as many of his biographers came to recognize, the charges had a considerable measure of veracity.

Chandler did get some measure of retribution. Using inside information he had acquired during his lengthy employ, Chandler assisted a longtime personal friend, oilman Edward Lloyd, in pursuing a lawsuit against Dabney for misappropriation of revenues from an oil lease in Ventura County.

In gratitude, the Lloyd family gave Chandler a monthly stipend of \$100, which Chandler put to good use while he sought to dry himself out and pursue a new career as a published writer of pulp fiction and detective novels. His first story was released in 1933. He later wrote in his notebook as a potential title for a future detective novel, "The law is where you buy it."

Joseph Dabney died in September 1932, but his death did not put an end to the lawsuits. In the late 1940s, Clifford Dabney sued his uncle's \$6 million estate for conspiracy to defraud him of oil royalties. The litigation reached the California Supreme Court before being resolved by settlement.<sup>11</sup>

In January 2018, the long-vacant Bank of Italy Building reopened as the swank NoMad Hotel. ★

10. *People v. Blackburn* (1931) 214 Cal. 402, 412–413.

11. *Estate of Dabney* (1951) 37 Cal.2d 402; *Dabney v. Philleo* (1951) 38 Cal.2d 60.

## PHOTO CREDITS

### PAGE 16

Bradbury Building: Jack Boucher, Library of Congress, Prints & Photographs Division, CA-334-12.

Edward Bellamy: public domain.

Ira Yellin: courtesy of Adele Yellin.

### PAGE 17

Alexandria Hotel: The Miriam and Ira D. Wallach Division of Art, Prints and Photographs: Photography Collection, NY Public Library.

David Clark campaign advertisement.

Clark's Dramatic Murder Trial: *L.A. Times* headline, Aug. 2, 1931.

Former Prosecutor Jailed: *San Bernardino Sun* headline, Nov. 13, 1953.

### PAGE 18:

Jewelry Trades Building: Wikimedia Commons.

Attorney Willis O. Tyler: Monroe County Historical Center Research Library.

Judge Sherk on Property Rights: *Indianapolis Recorder* headline, May 20, 1916.

### PAGE 19:

L.A. Investment Building: USC Libraries, California Historical Society Collection.

Photo of Loren Miller: public domain.

Judge Stanley Mosk Rules: *L.A. Sentinel* headline, Oct. 30, 1947.

Race Restriction War: *L.A. Times* headline, May 23, 1916.

### PAGE 20:

Pacific Finance Building: The James H. Osborne Photograph Collection, Department of Archives & Special Collections, CSU Dominguez Hills.

Gavin Craig: *L.A. Times* drawing, Jan. 14, 1937.

Summons: *L.A. Times* headline, Jan. 14, 1937.

### PAGE 21:

Bank of Italy Building, 1920s: Water & Power Associates, public domain.

Photo of Raymond Chandler, ca. 1918: Raymond Chandler papers, Dept. of Special Collections, Charles E. Young Research Library, UCLA.

Photo of cult leader May Otis Blackburn and daughter Ruth Wieland Rizzo, 1929: *L.A. Times* Photographic Archives, Dept. of Special Collections, Charles E. Young Research Library, UCLA.

Order's Leader: *L.A. Times* headline, Jan. 13, 1930.