The Fine Art of the Fixer.

ARTICLE VIII.

Under a bipartisan political system "the party in power" is inevitably inspired to perpetuate itself by any means at hand and in consequence the leaders must lean on two factors in fence-building: patronage and the procuring of "favors." This is why we have "the fine art of fixing."

To a politician "a favor" may mean anything from obtaining a pardon or a parole from the governor to getting a permit for a barber pole from the alderman. Reduction of tax-assessments, remitting of fines in the police court, reinstatement of civil service employes suspended for minor infractions of the regulations, transfer of police and firemen to favored posts, excusing of certain citizens from jury service in city or state courts, "squaring" of speeders arrest slips and release of prisoners sent to the house of correction for petty offenses—these are a few of the "favors" classified as "legitimate" by the "practical politicians" who dispense them.

Out of the continuous trading and "delivering" and dickering back and forth among "bosses" of high and low degree for these "favors" and many others far removed from the "legitimate" category has come a condition and a light occupation for professional politicians that is no more peculiar to Chicago as a city than is the common council. The business of boodling is a big brother to that of "the fixer"—that keen-witted, conscienceless character to be found at the threshold of every public office and particularly in the Criminal court of Cook county.

Attempts at Fixing Frequent.

Contempt of the courts and of government generally is not to be wondered at when we who are in public life reflect that a considerable portion of the public is educated in the belief that "anything can be 'fixed if you only find the 'right' person to do the fixing." Hence we have a condition that seems to be permanently established, where half the holders of public office are continually called upon by the harassed "heelers" in the ward or precinct for "favors" or worse—things which at best involve a compromise with conscience and at worst a betrayal of their oaths.

Though service in the Criminal court is distasteful to the majority of judges, by the rule of rotation they are sent to the criminal branches toward the close of their elective term of six years—a situation that is psychologically bad for the bench and bad for the public but fine for "the fixers" whose happy hunting ground is the Criminal court.

How often have I heard during the last two years the angry expletive of this or that "fixer" who had "only asked a favor" such as granting a convicted criminal a new trial or admitting to probation a bandit or a burglar whose claim to clemency and "another chance" was that he had "a fix on through a friend of the judge's." "Another chance" to do what—rob, steal, break into a home, assault with intent to murder, forge or embezzle?

"A heluva help he is to the organization," and "McKinley must be tired of the bench — whoinell does he think elected him?" are some of the caustic comments that come from myriads of men who "made" me politically!

Listened to Many Pleas.

Lest I may be misunderstood as picturing myself as a "lightbearer" of justice who invariably has looked to neither one side nor the other from the bench, granted no "favors," extended no courtesies to persons accused of crime and their counsel, listened to no pleas for probation, given no extensions of time for appeals from convictions—let it be said that no judge of the Criminal court, certainly no chief justice in recent years, has listened to more personal pleas, and, perhaps, granted more "legitimate" ones than I.

Importuned to do everything unethical, unjudicial and unlawful from stopping a vice or graft grand jury inquiry to writing letters to the governor in behalf of burglars, bandits and murderers, whom I, myself, have sentenced—I am free to admit there are many favors I have granted. I have admitted to bail a man charged with murder, who, his friends and my friends said, would die if confined longer in the county jail—and who did die in a week or two following his release on bond. I have admitted to probation a father of seven who turned bandit with a rusty revolver. I have brought from Pontiac to attend his mother's funeral unguarded a boy bandit. I have reduced bonds for defendants whose families and friends had scheduled their all—but not enough. I have excused

jurors and have written to a governor.

All of these things I have done at the instance of "friends" and most of them in open court after a full hearing, but if there is a "fixer" in Chicago or Cook county who has ever obtained the release of a professional criminal in my court or chambers, who has ever "squared a straw bond" or has "put it over" on either a grand or petit jury through a pull with me let him speak.

Not that it is impossible to impose upon McKinley or any other judge—I have simply been fortunate in the fact that no political leader in either party who is, or has been, my friend and whose friendship I value has ever come to my chambers to "put this over" at any cost, save in one instance—and that man is a firmer friend of mine today than before he asked a thing to be done which he admitted was unworthy of his position or mine.

Hundreds of others have come to prey—particularly in the course of the two commercialized vice inquiries—and remained long enough to be refused; to scoff incredulously at a "stand-up fellow" who wouldn't stand up and to depart in high dudgeon. Still, they came, breezily, boldly, slyly, shrewdly, frankly and foolishly, fearfully and arrogantly—a steady stream of "boys who could fix it with the right fellow."

Official Got Vice Jury List.

It has been hinted in another article that "a high police official" obtained a list of the February grand jurors within an hour or two after I had charged them to continue and complete the commercialized vice inquiry begun by the January body. Innuendo is the weapon of weaklings and I do not intend that the thing to which I, personally and officially, have been continuously exposed for more than a year shall creep into a story that may be told in straightforward terms without injury to any innocent party.

Weak-kneed and unworthy as were the members of the February grand jury who were influenced into signing the "whitewash" report, they were not "fixed" in any such sense as we have been speaking of.

True, their opinions were "fixed" finally as the result of an amazing and incredible "influence" that started to spread its poison almost before a single witness had been heard through to a conclusion. The "inside" story of the fine and artful "fixing" to which only the experts in a school of skilled "squarers" were assigned has come to me from subterranean sources of information that are credible to a degree, in the months since several of the five grand jurors who refused to bedaub themselves with "the blackwash" started me to inquiring.

Five Jurors Fought Report.

The February grand jurors who protested against adoption of the reprehensible report which originated with one who was not a member of the jury, but the representative of the state's attorney of Cook county, and who reiterated their refusal to concur in its findings at the open court session at which it was expunged from the record, were George F. Towne, 2361 East 70th street; F. H. Clarke, 819 West Madison street; Samuel O. Stewart, 2131 Orrington avenue, Evanston; Herbert L. White, 1166 South Homan avenue, and Percy J. O'Hare, 4308 West Monroe street. George L. Larson, 4449 North Whipple street, another juror, told the court that he "did not believe" he had signed it.

From several of these men I learned later what had been rumored repeatedly during the taking of testimony—that every member of the February grand jury had been "talked to"—not once, but several times—by the fine-art "fixers," their "follow-ups" and those among their friends and neighbors who could be convinced that "this vice inquiry is a political frame-up."

Lest again I may be misunderstood as employing innuendo against the police alone, it may be said definitely and directly that all the "fixers" were not from the police department. The police, from headquarters to the "harness coppers," were not even the first line of defense or offense in the operation and protection of commercialized vice and in preventing the prosecution of those who made it possible.

Nevertheless in every precinct in Chicago where a member of the February grand jury resided there appeared within twenty-four hours of their impaneling casual callers at places where a particular juror was known or accustomed to go; drug stores, garages, cigar stands, soft and hard drink "parlors," pool-rooms, elevated station platforms, a ward club in one instance and a church in another, all furnished the meeting places, the introductions, the chance conversations and the desultory discussions of what was "in the papers." The result an "inside" informant described to me after three months of waiting to see "what was what" in

a new administration as "the fanciest piece of free and easy fixing that ever fooled a jury."

It is this "insider's" judgment as well as mine, that none of "that Lake county stuff" was used, none of the risky ruses that run up and down the scale from bold bribery to anonymous appeals to "an American's spirit of fair play," none of the veiled or open threats of bodily harm, bomb-planting, kidnaping or kindred things that had already been tried on vice-quiz witnesses.

Amusement Over Indignation.

No bitter feeling from "the friend on the force" whom the grand juror "hadn't seen for years"—only tolerant amusement over his indignation at the terrible tales of young girls doomed to death from disease that can't even be spoken of without shuddering by an average citizen called to jury service. No denial from the political captain of a precinct, who once got an exorbitant tax bill "fixed up" for the citizen suddenly made a powerful part of the local government, that "they's a lotta crooks that's in the game"—only an admonition in friendly fashion to "go after them reformers that's always collecting too."

No fuss, no feeling, no agitation in favor of commercialized vice—now and then the off-hand observation that "the segregated district was the thing that kep' 'at stuff under control" and the occasional reminder: "It's a big town to keep clean of everything—the chief or any copper can tell you how hard it is to drive bandits and prostitutes off the street at one time."

Slowly and steadily for a week while the February grand jury sat listening to Judge Trude tell of a Morals court crowded to capacity each day with the flotsam of "an open town," to Dr Bundesen relating the whole rotten story of vice in Chicago and reiterating it; to the Rev. John H. Williamson, the "law-enforcer" who was "fired" because he told what he had learned at first hand—while all the evidence was being heard, the jurors, in their hours at home, at business and wher ever else they chanced to be, felt the force of a shrewd psychological campaign which in its casual character was most disarming.

Meanwhile the detective agency employed by the prosecutor was bringing in witnesses suggested by the Juvenile Protective association, the Illinois Vigilance association investigators and others—but not the witnesses named in the grand jury summonses. The alleged "substitution" of witnesses was discovered and reported by Attorney Harry E. Smoot, counsel for the Juvenile Protective association, who had been denied admittance to the inquiry except in an advisory capacity—and that detective agency owned by an ex-inspector of police was discharged.

Phone Threat to Bundesen.

A telephonic threat to bomb Dr. Bundeson's home if he again testified failed to prevent his appearance. Dr. Philip I. Yarrow, superintendent of the Illinois Vigilance association, appeared before the jury with sworn affidavits concerning immoral conditions in fifty places in one or two police districts—and was not permitted to place responsibility for the conditions which he charged were worse in Chicago than in any other large city in the world.

"State's Attorney Wayman did clean up conditions here and for many years Chicago was the cleanest big city in America—now it is one of the vilest and I would like to ask Mr. Crowe why in December, 1921, when he started to clean up Chicago he suddenly stopped or was stopped," Mr. Yarrow said in a statement challenging the public prosecutor to permit him to return and name "the three big officials" whom he declared to be responsible. He was told by a juror to "go home and pray."

Virgina Browne, who went in one year from a Memphis missionary worker to housekeeper of a disorderly resort at 13 South Halsted street, located in a building leased by the city and owned by the board of education, was the object of an attempted kidnaping in which a member of the police department figured.

One of the strangest sidelights on the situation was the entente cordiale between the chief of police and a reform agency to whose shoulders he had shifted such responsibility for regulating moral conditions as he recognized at all. In such shrewd fashion was this accomplished that four members of this Committee of Fifteen resigned in open repudiation when they found a policy of palliation had been forced upon its superitendent by reason of the acceptance of funds from the police for its work of investigating.

And suddenly after the appearance of that superitendent before the grand jury to admit that "while conditions were bad they could be much worse, even though 500 places actually exist

in Chicago," the stage was set for "the great vindication scene" for which "the fixers" had been creating the "atmosphere" for nearly a fortnight. Forgotten was the fact that the same superintendent of the Committe of Fifteen had declared in his annual report of 1915 "that vice in Chicago is rampant—more than seventy places of prostitution exist."

Police "Vindicate" Themselves.

Forgotten soon, too, were the concrete, circumstantial facts sworn to by investigators and corroborated by Dr. Bundesen, the Rev. Mr. Williamson, et al., investigators who were asked by an aid to the prosecutor if they had "criminal records" in the midst of their testimony. The cold, keen cross-examination of the witnesses who identified state senators as west side vice-lords; police captains as procurers of women for resorts in which they were "interested"; big politicians as protectors of prostitution; a millionaire real estate dealer as the owner of hundreds of parcels of property used for immoral purposes; city prosecutors as attorneys for vice-lords, was succeeded by a friendly invitation to the police to "tell us in your own way what there is to commercialized vice in Chicago." For almost a week they "vindicated" themselves.

It should have been funny to any one who watched it all with an understanding eye—particularly to a "political judge" who should have remembered he would be "up for re-election" within a few months, but to those fearless five minority members of that futile February grand jury, to the earnest men and women who were working to clean Chicago of a pestilence worse than that which came in the wake of a war, to a million mothers and fathers of the city, county and state, it was tragic—the shame of Chicago.

To an "insider" it may have been "the fanciest piece of free-and easy fixing that ever fooled a jury," and to the apologists for a vice-ridden city "a complete vindication of the police department and a city from its defamers." So much space has been devoted to it here because, though it turned out to be a boomerang on the men who mixed "the blackwash," it is the boldest by far and most perfect example of a conspiracy to defeat the ends of justice, impossible of accomplishment if there had been no partnership between politics and crimes. Impossible of punishment, too, this pollution of the wells of justice in a county controlled by those who for years have throttled decency in public office.

"Fixing" will go on in the Criminal court, in the federal building and in the city courts so long as the day is delayed when bi-partisan bosses will be forced or fooled into electing a Joseph W. Folk, a William Travers Jerome, or another Charles S. Deeneen to the public prosecutor's office.

As a phase of a general condition "fixing" is again the foaming "froth from the body of the bad brew" we have been making for many years in Chicago and Cook county—but more than that, it is a fine art for which an entire court building has been the "institute."

The Crime Against the School Children.

ARTICLE IX.

There are to-day enrolled in the public schools of Chicago between 25,000 and 40,000 more children than may be taught—even in the haphazard fashion of double-shifts made necessary in many schools by a shortage of seats and buildings.

There was lost to the school children of Chicago and the tax-payers through "waste graft, extravagance and the leaks that led away from unwararnted expenditures" a staggering sum, somewhere between $75,000,000 and $80,000,000 in the seven years of a rule of rottenness in civic affairs that was Thompson-Lundinism!

There in two contrasting estimates, the first by the superintendent of schools and the second by one of the most conservative members of the special grand jury that inquired into school fund expenditures for many months, is to be found the summary of a situation which may well be called:

The Crime Against the School Children!

In an inquiry which was inherited from my predecessor as chief justice of the Criminal court, Judge Kickham Scanlan, I have learned that there was no limit to which the looters of school funds would not have gone were it not for the newspapers, the school teachers