named in the separate indictments voted while the state's attorney was in charge.

Lundin, though periodically promising, in personal letters to the public prosecutor, to appear as a witness before the grand jury, chose to keep away from Cook county and Illinois until after his indictment. He returned on the heels of a sensation that overshadowed even the Lundin indictment —the announcement of Thompson's refusal to run again for mayor of Chicago and his "release" of his ward leaders and lieutenants from fealty to the organization that had already begun to dissolve.

The Thompson announcement was made Jan. 26—a few hours before the special grand jury met to "close up the school graft inquiry" and apparently anticipated the voting of "the blanket indictment" against Lundin, Rohm et al.

The scramble among politicians who had been formidable figures in the "city hall organization" was only equaled by the eagerness with which other political leaders, who had been denouncing them for years, sought to attract the strongest of the ward leaders who had been Lundin's to the republican faction headed by the two public prosecutors — Brundage and Crowe!

Seek to Broaden Inquiry.

Throughout the two months that the attorney-general had been in charge, the grand jurors had glimpses of graft trails leading into city hall offices and departments of public service beside which the plundering of the public schools appeared picayunish. Through the attorney-general's assistants and through their own committee they had come to me to inquire if the scope of their inquiry could be broadened so as to include all of the rotten ramifications of graft in public office in Chicago.

On the morning of Jan. 27, with the Lundin indictment and the Thompson decision to desert his political machine both public property, I appeared before the grand jury and informed them that if they departed from their previous determination to complete the clean-up of graft, waste and extravagance in all public offices which they had started, because of the disintegration of a political party or faction, the public might well lose its confidence.

They replied that they were more determined than ever to clean out the crooks and grafters from Chicago and did not regard their work as finished.

The Paralyzing Force of Party Politics.

ARTILE XVI.

With the politicians busy on the work of rebuilding "organizations" and recruiting from the ranks of erstwhile enemies the same subtle change came over the graft inquiry in the month preceding the primary election for the mayoralty nomination that had come before the county election in November. Names that had figured frequently in the testimony before the grand jury now were heard linked with those of the two political leaders who were the principal law-enforcing officials of the county and state.

Men who had evaded the grand jury, refused to sign "immunity waivers," hidden out from subpœna servers and fled from the state rather than produce books and records of "receipts and disbursements" returned to town and were reported to be holding "round-table" conferences with "Brundage-Crowe leaders." The attorney-general and the public prosecutor were reported, in a signed newspaper story, to have conferred with three colored "bosses" of the late Lundin organization and to have bidden for their political strength.

Meanwhile, many matters before the special grand jury were at a standstill and again stagnation was setting in. Mortimer B. Flynn, the monopolist of city hall coal contracts, who had fled from the jurisdiction of the court to escape an attachment for contempt for failure to comply with an order to turn over certain records of "campaign contributions," returned to town and opened negotiations with an assistant attorney-general. He was not compelled to come before the jury but instead was granted "immunity" from even testifying in exchange for producing his books—a bargain to which court and jury refused to be parties.

Flynn Forced to Testify.

Flynn was forced to appear before the jury after Secretary Seelenfreund

had sought for five hours to obtain information from him in the offices of the attorney-general—information of paramount importance to the inquiry—without assistance from the special assistant attorney-general who had given the "immunity" grant.

"What they have given Flynn is not alone immunity but absolution," said Seelenfreund in reporting to me his reasons for demanding that the chief contributor to the "campaign fund" of "Doc" William H. Reid, Chicago's commissioner of public service, be compelled to testify. Whereupon he was compelled to appear and testify to many things that are a part of the record of a grand jury which is still sitting

The Flynn incident, coupled with other things that could be cited, led to the second "open court" hearing in which the late Secretary Seelenfreund charged that "politics had made an honest inquiry impossible" and again revitalized the grand jury's inquiry by disclosing to what lengths political influence had gone to save certain individuals invaluable to an organization but deeply involved in the mire of official misconduct. There is no real reason to recount that remarkable recital again.

Successive Crises in Inquiry.

In the months that have followed there have been successive crises caused by the sinking of the probe deeper and deeper into the disgraceful things that were the results of a rule of rottenness. As "expert fee scandals," paving "ring" promotions, fire department "slush" funds, street-and-alley vacation graft and board of local improvement exposes have come to the surface there has been a strong, steady influence at work to halt the horror that confronted politics.

Early in July a crisis, foreshadowed for some time by the sudden reassurance of certain persons and firms under investigation, came to the grand jury on the eve of a verdict in the Lundin case and the departure of the attorney-general for Europe. At a meeting of the grand jury immediately preceding the "vindication" verdict of acquittal for "the big boss" and his fourteen co-defendants on the banket-conspiracy charge of defrauding the schools of $1,000,000, an announcement was made that appeared to mean the end of the municipal-graft inestigation.

"Before leaving for Europe the attorney general gave irrevocable instructions to conclude this investigation, so far as his office is concerned, at the end of this week, unless the county board appropriates an additional fund to continue and complete the inquiry," the assistant attorney general in charge of the jury declared. "We have left only $22,500 of the $165,000 originally appropriated for this and the school-board investigation and the attorney-general has instructed us to conserve this for the prosecution of indictments already voted. Consequently we have no choice but to quit!"

Jury Refuses to Quit.

"The question of prosecution of pending indictments is no concern of the grand jury—we're conducting an investigation only—and if the attorney general wants to quit he can do so, we won't," quickly replied one of the grand jurors. "That money was appropriated for this investigation and if the attorney general later is unable to prosecute indictments for lack of funds the state's attorney will have to or the county board will be forced to provide more money."

Informed of the impasse created by those "irrevocable instructions" I went before the grand jury and interrogated its members and the attorney-general's representative, Frederick A. Brown, in substance as follows:

"Has this grand jury, in your judgment, concluded its investigation of alleged irregularities and violations of law which have come to its attention under your direction?"

"We haven't even half finished the 'city hall' inquiry and it will require at least $50,000 and several months time to do so," admitted Mr. Brown.

"Has the attorney-general given any alternative instructions before leaving for Europe under which the inquiry may be continued until at least such time as the county board may meet—or an opportunity be given to the public to become informed as to the condition that has arisen and the necessity for funds?"

"As I have stated to the jury, my only instructions are ironclad—to wind up our work with this investigation next Saturday—unless the county board agrees by then to provide funds sufficient to continue and complete this work. I have been given no discretion either to modify or disregard those instructions," Mr. Brown replied.

Thereupon the court turned to the jurors and inquired:

"Does this jury desire to continue and complete this investigation?"

Jurors Insist on Going Ahead.

"Yes," was the unanimous reply. "We have worked nearly a year and now when the end is in sight we don't want to see our work go for nothing. If the attorney-general quits—why can't this court appoint a special state's attorney?"

"The court will not concur in any abandonment of this inquiry while the grand jury is ready to function—in any event until such time as the public has had an opportunity to learn of the plight of public justice in this community," I answered. "There will be no change in the conduct of this inquiry until the county board has refused finally to provide the necessary funds."

Again the court communicated with the Chicago Bar association, which has stood so splendidly behind the school board and city hall graft investigations from their inception. And again there came before a special meeting of the county board finance committee, called by its keenly conscientious chairman, Commissioner Charles S. Peterson, the bar association committee on the administration of criminal justice, composed of John M. Cameron, Former Judge John P. McGoorty, Russell B. Whitman, Walter H. Jacobs and Charles Center Case, Jr.

Confronted by four legal opinions which held that in the absence of any "emergency such as fire, flood, riot or otherwise" an additional appropriation by the county board to a law-enforcing arms of the courts would be illegal, President William H. Sexton and the Bar association committee courageously contended that the expense of such an inquiry as the special grand jury's was "a public charge fixed by law" and consequently mandatory upon the county board. Morecver they supported their stand with a strong and searching legal opinion, signed by each of the six.

But the board of commissioners—with four notable exceptions—failed to recognize a public duty as its own and refused to appropriate further funds.

In justice to the majority of the county board it must be remembered that there were four legal opinions presented to the members by counsel opposed to any appropriation for the attorney-general of Illinois or the grand jury and, chief among these opinions was that prepared by the political partner and statutory subordinate of the chief law officer—the state's attorney of Cook county. His was an extraordinary effort to "advise."

An inconsistent parallel might be pointed to the $100,000 "emergency appropriation" for the "labor war prosecutions" of 1922, previously asked and obtained by the public prosecutor whose political prestige and official place were now employed in an attempt to cut off funds for the completion of the graft inquiry. It was as unnecessary as his influence on the fate of the grand jury was unimportant for again public opinion played the trump card!

Business Men Called to Meet.

Under the auspices of the Union League club's public affairs committee headed by Attorney Harry Eugene Kelly, a conference of fifty business men of the type and caliber of Wyllys W. Baird, president of the club and former president of the Association of Commerce, was called to which were invited the representatives of the grand jury, the attorney-general and myself. President Baird presided.

In plain words these broad-visioned business and civic leaders were told by the writer of the pass to which politics had brought the enforcement of law and the administration of justice in Cook county through the partnerships and alliances that paralyze public officials. They were told bluntly that the court and grand jury were ready to function and that it was plainly "up to the public" whether an inquiry of vital importance to good government should end because of the withdrawal of financial support.

No appeal to those present to subscribe to any "fund for the grand jury" was made by any one—and none was necessary. Harry Eugene Kelly, himself a former United States district attorney at Denver, Col., for four years, announced through the press that the public affairs committee of the Union League club would provide funds sufficient to continue and complete the special grand jury's graft inquiry.

And within one week the $50,000 asked of the county board by the attorney-general was available! President Baird and Mr. Kelly informed Mr. Brundage and the members of the special grand jury that the funds would be disbursed as desired and "absolutely without reservations"—except that it was to be expended for the purposes of investigation.

"The Union League club and the contributors of these funds are not interested in indictment or prosecution of any one," said Mr. Kelly. "Only are they concerned with upholding the

hands of honest law-enforcers and in making certain that there shall be no miscarriage of justice through the nonfeasance of those whose sworn duty it is to administer justice. With funds sufficient to sustain this inquiry the duty of driving crooks and grafters out of public office is directly placed on those who have sworn to do their duty by the public!"

Can the creators of political "machines" and their creatures ignore that challenge? And can the grafters continue confident that they will be given: "Immunity or absolution—which?"

Can Chicago Clean Up?

CONCLUSION.

Can Chicago clean up?

To the ultimate degree that Chicagoans wish it to be clean! To a degree measured only by the manner in which the men and women of Chicago and Cook county meet their responsibilities and exercise their rights as citizens to vote at all elections, and thus force the naming of honest and efficient officials.

Everything is comparative, especially in a city such as the Chicago of to-day, a city slowly and painfully cleansing itself of civic sores, that were fed from the cancer—graft. And so the things that were commonplace in the community one year ago must be contrasted with conditions as they are after six months of cleaning out the cesspools, if the cleanup is to continue.

Can Chicago clean up? Consider the results already accomplished by an aroused civic conscience and a powerful public opinion that to-day is standing solidly behind the man who means to enforce the law—Mayor Dever.

Out of a miasma of malfeasance, corruption and conscienceless evasion of duty by county, state and federal officials, there has come a clearcut challenge to the citizenship of Chicago, Cook county and Illinois from a courageous executive in the city hall, who recognizes a paramount public duty to enforce the law, regardless of personal preferences and political pressure.

Law and Order Basis of Society.

Law and order are the substructure of society. On the security of life, property and person depends everything good in government, and in evasion and violation of the law are to be found retrogression and ruin.

Regardless of the rotten condition of the body politic proved to have existed in Chicago for years the writer is hopeful that there is a cure for the civic cancer—and that the cure is slowly but surely being effected. Chicago has not and will not go to "the dogs" so long as a decent citizenship will support its servants in public office who put law enforcement and the discharge of their duty above political aggrandizement and personal interest.

Even in the Criminal court building, sharply contrasted with the conditions incidental to vice and graft investigations of which I have spoken in unsparing terms, there has been a remarkable record of results in the last two years as regards the prosecution and punishment of crime.

To the members of the state's attorney's trial staff headed by First Assistant Edgar A. Jonas as well as to the personnel of the Criminal court judiciary for the years 1922 and 1923 the writers desires again to acknowledge his recognition of a great public service. Untiringly that first assistant to the public prosecutor, Mr. Jonas, has labored to build up the energy and efficiency of an arm of the court without which any effective effort at law-enforcement through prosecution of crime would have been impossible.

2,745 Indictments in Year.

It is in the speedy trial of all criminal cases and the energetic enforcement of all law that any assurance of safety for the community must be found. During the year ended Aug. 1, 1923, there were 2,745 indictments disposed of in the Criminal court with a consequent reduction of pending criminal cases to the lowest level in twenty years—from 1,460 to 660. There were 1,227 defendants convicted, of whom 953 were sentenced to penal institutions, ten to death. There were 264 acquittals.

For the first time in many years it was possible to give any defendant who desired it, a trial within thirty days of indictment. That is the summarized story of one "cleanup" that came from the close co-operation between the judges of the Criminal court and the prosecuting staff.

Many times throughout the months since Chicago awoke to an understand-