

Foresaw Hampering of Jury.

From the first moment that my acquaintance with the men of that special grand jury began in September, 1922, I was convinced that an extraordinary effort would be made to defeat and discourage these jurors and that every trick known to the "framers" and "fixers" already at work would be tried. I was not in error on this point.

Purposely I have passed over the things I now know were done to defeat those two other investigations into school affairs for the reason that there is nothing of hearsay in this history or what has happened to halt, impede, block and embarrass the grand jury since it was first continued as a special inquisitorial body by Judge Scanlan into the beginning of my term as chief justice.

Throughout the six months of the school-board inquiry there have been many times that I have been tempted to forget the fettering code of ethics which forbade a judge disclosing to the public the things that came out of a secret grand-jury session—things that, if known, would have made instantly clear the reasons why it took a six months' investigation that could have been concluded in half the time to pry the paw of politics and privilege from the public-school system.

There have been other times that I did speak out, when the stench of that festering sore in the vitals of our school system was sickening. It became known to me that the teachers who stood between the children of their classes and the crooked spoilsmen in their seizure of the schools were being terrorized and intimidated by the agents of an anonymous "influence."

At the risk of being regarded as a sensation seeker I have turned to the public through the daily press, upon those occasions when it seemed necessary to let the light in on a dark corner where the particular attempt of the moment to defeat the ends of justice and to compound the crime against the school children was being made.

To the end that there shall never again be given an opportunity to spoils politicians and plunderers of public funds to regain control of the Chicago schools, to make of the mold in which citizenship is cast an influence to destroy and disillusion the confidence of the school children in civic ideals and the existence of anything good in government, I am writing this series. If thereby I succeed in making a few more enemies for myself and a great many more friends for the fine body of conscientious and courageous women who are the classroom teachers of Chicago it will be worth while.

The Silver Teapot and Those Who Filled It.

ARTICLE X.

A system of spoils politics under which the unclean hands of boodlers, grafters, wasters and plain "crooks" were laid on anything and everything connected with the Chicago public schools is aptly illustrated by "the silver teapot" episode of the school-graft grand jury investigation.

"The silver teapot," strictly speaking, was only the central piece in a sumptuous set of silver service presented to Albert H. Severinghaus, the vice-president of that Thompson-Lundin board of education which with two or three exceptions—J. Lewis Coath, Hart Hanson and Francis E. Croarkin—was at the time the boldest band of officials that ever came to the attention of this court!

Filled by Union Leaders.

"Those that filled it"—with something more seductive than tea were the officers and leaders of the organization known to the school system as the engineers-custodians union, whose directing heads were Charles E. Driscoll and James J. Spain.

For these men whose names are necessary to the narrative of "a story that tells itself," I have nothing but a certain sense of sympathy and an impersonal contempt—which was matched by that which they displayed for me in my official capacity as chief justice of the criminal court.

With an "inside" knowledge of things that they attempted to conceal from the court and grand jury—choosing to serve several days in the county jail

state's attorney of the 'slus collection of a certain Saturday Masonic Temple headquarters school-engineers' union when member came in with the car represented a retroactive inc salary for these school employ

"Didn't I tell the jury of 1
detectives from the office of the
of police who sat all day and
the money paid in?"

"Did I not testify to this grade of an attempt by certain men that board of education and its to bribe the teachers with a increase in exchange for a promise to oppose the bill then pending the state senate which would have admitted the crooks and grafters to school lands without the consent of the city council?"

"If this investigation is to be conducted in the same manner that I was treated, then I shall refuse to be bound by any obligation to see to what I did testify, to be imposed by the state's attorney. I will go to the contempt of court if necessary. First I'll call the biggest mass meeting of Chicago teachers ever convened. I will tell them publicly the things I have told the grand jury. Then I will tell these persons continue to betray the trust of the school children of Chicago. It won't be the fault of the teachers."

Months of Untiring Inqui

Thus came to public attention one who was not afraid to tell the wicked truth of what had happened in Chicago's schools, its teachers and children—"The Story of the Silverpot"—and many other things which took many months of untiring investigation on the part of the special grand jury to uncover and unmask.

The most important effect of the spectacular clash between the two representatives and the prosecutor deputy—who denied any intent to minimize the importance of the evidence offered—was the entry into the case as a special prosecutor of Isaac Greenacre.

That gray-haired veteran of a Chicago bar who for many years has been the counsel for the C. Teachers' Federation was invited to accept appointment as a special assistant state's attorney by the public defender, who declared it to be his intention thus to give a guarantee to the public and to the teachers that the investigation of the school scandal would be full, fair and complete to the last degree.

29

Of the chain of incidents which occurred throughout Mr. Greenacre's several months of service and which led to his sudden resignation as one of the staff of advisers to the grand jury, I shall speak later. For the present I wish to be understood as saying that were it not for I. T. Greenacre the inquiry might have failed at many critical moments. His was a singular service to the grand jury, to the court and the the cause of public justice generally.

But we are concerned now with that "Story of the Silver Teapot" and those who filled it! The public has not forgotten it as it was unfolded to the grand jury at the time of which I have been speaking.

Salary Drives of 1920.

In 1920 there had been much agitation among that potentially powerful organization within the school system—the Engineers-Custodians' union—to obtain increases in salary—or rather income, for the school custodians are paid on the basis of so much a month a square foot of ground occupied by their respective school buildings.

That agitation and the "lobbying" among members of the board of education which it entailed was successful—so successful that the teachers were repeatedly urged to "take a leaf from our book and grease the ways."

Properly to "grease the ways" the teachers learned it was necessary to enlist the enthusiasm and energies of some such powerful personage as the engineers had enlisted in the genial guise of Albert H. Severinghaus, vice-president of the board of education and chairman of the committee on buildings and grounds. That this had been done was testified to at the "testimonial dinner" in February or March, 1921, at which was presented the silver teapot.

Story of Presentation Dinner.

Not one, but several salary increases had gone through the "greasy way" and the 300 odd school engineers whose increases of income had been made retroactive to September, 1920, were more or less cheerful "contributors" to the fund from which was purchased the silver tea-service for "our friend Al" presented at the now famous dinner. But let "one who was there" describe it as it was pictured in the press and to the grand jury many months after the Davis-Severinghaus regime had first come in for inquiry:

"There were speeches by members of the board of education in which the

interest of an administration 'that represents the plain people' in such citizens as the school engineers was glowingly praised. There were speeches by officials of the engineers' union in which the thanks of the 300 were tactfully told to Mr. Severinghaus and his associates of the school board finance committee for those 'retroactive' increases.

"Then the silver service was presented to Severinghaus in fulsome fashion by an official of the union who 'hoped he would continue to enjoy what was in the teapot'—and there was general glee from those who knew.

"Slowly Mr. Severinghaus arose and eagerly he lifted the lid of the teapot—then a broad, beatific smile spread across his countenance."

Estimates of \$75,000 to \$125,000.

The silver teapot had been presented and the lid went back on its contents—a lid that was not lifted again until certain contributors to "the school engineers' slush fund" followed Margaret Haley before the grand jury and corroborated her account of the collection, variously estimated as aggregating anywhere between \$75,000 and \$125,000.

It was then that Charles D. Driscoll, president and James J. Spain, chairman of the "legislative committee," were called before the jury to deny charges that they and their associates had collected from each member of their organization the "retroactive" portion of the substantial increase obtained for them by "Our Friend Al"—amounting to three months' increase.

They were sworn to tell the truth and asked for the names of the men to whom such "slush fund," if any, had gone; they were asked if a prominent public official other than Severinghaus who by virtue of his office was in a position to protect and punish such practices in the school system had been a beneficiary of the things that went into "the teapot."

They were asked if the chief of police of Chicago had furnished two "front-office" men to sit by while the "slush fund"—if any—was collected and to guard the men of their organization when they "went to carry the mail" to those whose influence and pull had brought about the "legislative action" in which the engineers were interested in Chicago and at Springfield.

Fear Incriminating Themselves.

All these things they were asked—and many more—and they refused to answer on the ground that they "might

incriminate themselves."

The repeated refusal of both Driscoll and Spain were brought to the attention of the court in the form of citations for contempt. The same questions were repeated to the men in open court and brought the same reply: "I refuse to answer on the ground that anything I might say will tend to incriminate me."

They were sentenced to the county jail for what this court construed to be contempt, and in consequence denied stays of sentence pending appeal. Orders granting them "immunity" from prosecution for bribery that might have been justified by the testimony they were asked to give were entered, but these men of family, leaders of an organization whose members had every claim to respectability and responsibility as citizens, still refused to answer

on the ground that they would incriminate themselves by testifying to anything connected with "The Silver Teapot."

Why? And what was the influence so powerful as to prevent one of the men from following his own inherent desire to avoid disgrace by telling the truth about this and the other thing he had learned of the crime against the school children?

It is difficult for me to say at this time and in so many words without divulging the things that only the grand jurors and the public prosecutor Cook county know of the working of that "influence." However, there remains much to be told of things that are not grand jury "secrets" and shall tell them in the hope that an intelligent public will read between the lines.

The Business of Boodling.

ARTICLE XI.

Out from under the lash of Lundinism—an eight-year regime that recognized illicit enterprises as "patronage" and "The Business of Boodling" as an infant industry to be nursed along and protected against "persecution"—have only recently come the thousands of Chicago business men who realize that any return to a civic condition that grew from the greed of grafting politicians would be intolerable.

Driven to dishonesty by the demands of corruptionists who held public office only these thousands of commercial interests that were made to pay for the "privilege" of bidding for public business can calculate the damage to legitimate industries done by those who were "at the feed-box."

It is an astounding state of affairs that ended last May—astounding even to one on the "inside" of a special grand jury investigation which revealed to what lengths the alliance between loot and license had gone.

Old established businesses which dealt in coal, construction materials, printing for public offices, stationery, furniture, fire department apparatus, paving, insurance on public projects and buildings, street lighting equipment and school supplies had a "Hobson's choice" presented to them if they intended to remain in business. They had either to be starved out of business

by the camouflaged "competitive bidding" by which crooked contractors who had "seen somebody" got the "fat" contracts or "see somebody" themselves.

The result of this condition, revealed in the first instance by the school-graduate phase of the special grand jury inquiry of more than a year, was to stagnate legitimate lines of business in some cases and to enforce compliance with the conditions of a crooked "game" on others.

Particularly was this true of the parceling out of contracts for millions of dollars' worth of school supplies and construction contracts annually. Firms and individuals with businesses built on integrity and experience, found themselves "competing" with the dozens of "dummy" concerns organized by the friends and relatives of members of the board of education headed by Edwin Davis, as president, and Albert H. Severinghaus as first mate—or vice-president.

Concerns in Davis' Office.

It was developed during the school scandal inquiry precedent to the return of numerous indictments against David Severinghaus, et al., that in the downtown office occupied by the president of the board of education were at least three and possibly more of the contracting and supply "concerns" which did tremendous business with the manag-