

Station-house of the Southwestern District and the access had thereto by the employees of the Board of Supervisors of Elections.

At the conclusion of its investigation the Grand Jury addressed a letter, under date of November 17, 1911, to Hon. Henry Duffy wherein, among other things it said that the testimony of the witnesses taken by it and filed with the States Attorney, "shows Captain McGee of the Southwestern Station to be unreliable and an unworthy custodian of the ballot boxes."

The conclusion so reached by the Grand Jury against Captain McGee could hardly have been couched in language more severe, as it did not involve a mere criticism of Captain McGee's conduct in the matter under investigation, but recorded the solemn conviction and judgment of the Grand Jury, drawn from the testimony then upon it, that Captain McGee was an unreliable officer and an unworthy custodian of the ballot boxes.

Such a charge against a member of the department, involving his official conduct, and coming from such a responsible source demanded the gravest attention and investigation by the Board of Police Commissioners.

As no presentment or indictment was found or returned against Captain McGee there was and is no tribunal to which he could appeal to review the charges so made, except the Board of Police Commissioners.

The Board therefore deemed it to be its duty both under the law and the rules of the department, not only to inquire into the grave charges so made, but likewise to be its duty to give Captain McGee an opportunity to be heard.

A petition was thereupon presented to Hon. Henry Duffy and an order passed therein providing that a copy of the testimony of Captain McGee given before the Grand Jury should be furnished the Board.

This testimony the Board has read and carefully considered.

It is not necessary for the purposes of this opinion to either review or criticise the testimony in detail. It is sufficient to state that it abundantly appears that Captain McGee told the jury several times that he had no personal knowledge of what transpired in the room where the ballot boxes were stored upon the two occasions of the visits of the employees of the Board of Supervisors