

have no responsibility in the matter.

Surely the Board of Supervisors of Elections and their employees could not be deemed to be the public, for both are as much concerned in avoiding any tampering with the boxes as are the officers and employees of the Police Department.

While as a matter of practice it has been customary, and is now, to have an officer of police in the room while the employees of the Supervisors of Election are present, the regulation or custom springs from a sense of caution and not a mandate of the law.

On the whole therefore this Board is of opinion that Captain McGee's errors were in the telling and not in the performance of his duty. His orders to allow no one to have access to the room where the ballot boxes were stored except upon orders from this Board or the Marshal's office were carried out, and no unauthorized access was allowed thereto. We cannot therefore agree with the Grand Jury that Captain McGee is unreliable or an unworthy custodian of the ballot boxes.

In view, however, of the confusion Captain McGee allowed himself to be led into in his testimony before the Grand Jury, and of his failure to limit his testimony to facts within his personal knowledge, the Board feels that he should be censured.

No duty is more important to officers of police than the duty to be accurate in their statements in all matters affecting the public service, and in all matters under investigation by the department, and Captain McGee's failure in this instance is not in keeping with his long and valuable service in the department, but in view of that service no further action will be taken by the Board. (This opinion to be filed with the testimony taken in this matter.

(See Exhibit No. 3661.)

Saloon, - Raids.

Report, as follows, was received, read and ordered filed,
see Exhibit No. 3699: