

## BRIDEWELL CELLS MAY BE EMPTIED.

Over 1,200 Might Be Set Free  
Because Police Court Law  
Is Held Broken.

CANNOT BE JUSTICE TOO.

City Magistrates Who Join Du-  
ties of Two Places Held  
to Violate Statute.

LIMIT FOR 'PHONE TUNNEL.

The law which has placed in the bridewell the 1,200 prisoners who are now serving sentences there, may turn these 1,200 lawbreakers out on the ground that they have been illegally convicted. This claim was raised by a number of members of the City Council yesterday. As a result Corporation Counsel Walker is seeking solution of the problem:

Can a police magistrate be a justice of the peace?

The State laws say he cannot. The city code says he can. Lawyers assert that the municipal code must give way before the laws of the State. This further question is involved:

Can a police magistrate maintain a private office as justice of the peace and there judge private law cases brought before him?

Alderman Litzinger says he cannot. After a long study of the matter he asserts that this practice, which now prevails, is a direct violation of the law.

**May Upset Police Court System.**

The problem has been brought to a crisis by reason of the fact that Mayor Harrison must appoint a successor to the late Justice M. R. M. Wallace, as magistrate at the Thirty-fifth Street Police Station. Unless the matter is disentangled it is held that Chicago's police court system, if attacked on legal technicalities, may be found without rightful power to adjudicate cases. On this line it is held that should the State courts uphold such a contention, all prisoners sentenced might be held to have been tried before illegal officials.

Article 1, Chapter 79 of the Revised Statutes of Illinois direct that: "No justice of the peace shall hold the office of police magistrate."

Section 1542 of the revised code of Chicago, dealing with the qualification of police magistrates, asserts that "The justices so designated shall be justices of the peace in the City of Chicago."

"The police magistrates are all justices of the peace," said Alderman Litzinger. "They all maintain private offices and, their police court business finished, they take up private cases as justices of the peace. This is illegal. It should be stopped. These men have no right to care for any other than the city's business."

Corporation Counsel Walker will not discuss the matter.

It is understood that a number of magistrates have searched the laws and will enter claims that they have found technical loopholes to excuse their present course. Justices of the Peace Bradwell and Wolf are named as candidates for the late Magistrate Wallace's place.

**Subway for 'Phones Only.**

Amendments to the Chicago Telephone and Telegraph company's ordinance specifying that the tunnel it is now constructing under the down-town streets shall be used for no other purpose than for telephone wires, unless the City of Chicago assents, will go to the Council. This was determined on at a meeting of the Council's Special Investigating committee during the afternoon. President A. G. Wheeler of the company was present.

"We want that tunnel solely to operate our telephones," said he. "Our present ordinance allows us to use it for no other purpose. But if further specification is insisted upon I suppose we would have no objection to such an amendment."

"The city should be assured full control," said Alderman Jackson. "This tunnel is a wonderful bit of construction, from which the city's engineers should profit. But if future years should cause the company to install an express transfer system between the railway stations of the city a pneumatic parcel delivery, distribution of heat through pipes or anything of that kind, the city should have the power then to assent or refuse any such plan. The tunnel will never be an obstacle to subways, but the city should have the right to dictate rates of compensation at any time any change in its use is determined on."

**Moves Central Police to City Hall.**

Chief O'Neill will place the Central Detail Police Station in the City Hall and thus save \$2,500 yearly rental for the present quarters at Fifth avenue and Washington street. This command will now use the quarters formerly held by the Assistant Chief of Police. The vacant rooms on the fourth floor of the City Hall, formerly occupied by the Identification bureau, will be turned into sleeping quarters for the night reserve men. Agitation for the construction of a building, centrally located and to be used wholly by the Police department, was revived during the day. Lack of funds renders the plan impossible this year.