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Chicago's "Great Boodle Trial"

Todd Haugh
Chicago-Kent College of Law, thaugh1@kentlaw.iit.edu

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Chicago's "Great Boodle Trial"

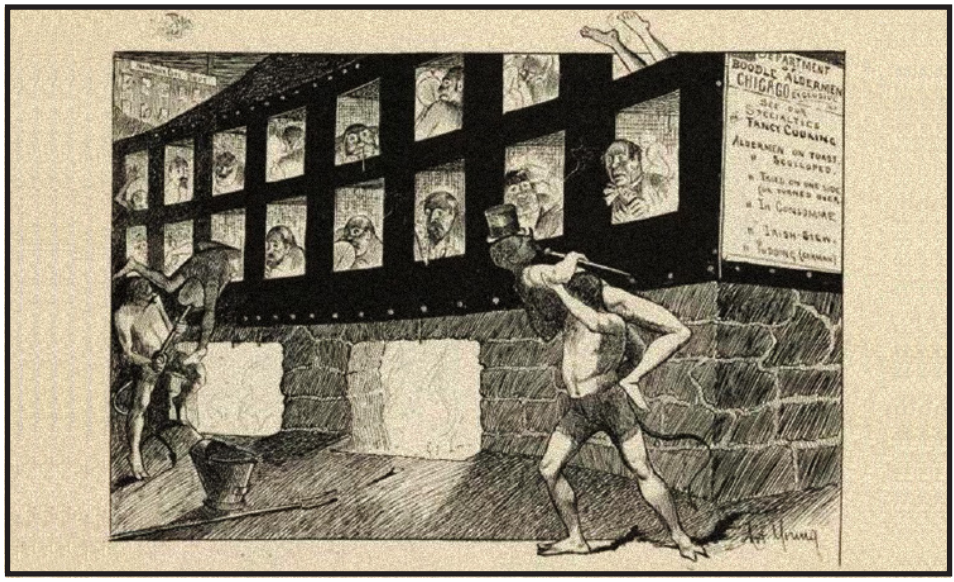
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"The Boodle Aldermen: Each sat in his particular oven," cartoon by Art Young, 1892.

CHICAGO'S "GREAT BOODLE TRIAL"

Todd Haugh

In late-August 1887, as some of Chicago-Kent College of Law's first students were beginning their studies in the chambers of Judge Joseph Bailey, a bottle carrying a handwritten note bobbed across Lake Michigan. Found on the shores of Grand Haven, Michigan, the bottle and its contents were rushed to a reporter for the then-fledgling *Chicago Daily Tribune* newspaper. Thrilled to have scooped the competition, the *Tribune* published the note the next day as an exclusive:

> To my friends in Chicago: A few more hours and I will be safe through the straits and in Canada. Sheriff Matson, please accept my thanks for the bath, but I have concluded it in British waters. Oh Ed, I wish you were here with me! Goodbye till we meet!

The note's author was William J. McGarigle, and he had reason to gloat. A former Cook County Commissioner and warden of the Cook County Hospital, McGarigle had successfully fled police custody after being convicted on corruption charges and sentenced to three years in prison. McGarigle escaped by duping the Sheriff of Cook County, Canute Matson, into allowing him a visit with his wife and kids at

their Lakeview home. After asking to take a bath to "freshen up," McGarigle slipped out a window, made his way to a schooner docked along the south branch of the Chicago River, and sailed out into the lake and through the Straits of Mackinaw to Canadian waters.

Slipping past the patrol boats, knowing he was about to be a free man (Canada had no extradition treaty with the U.S. at the time), McGarigle must have chuckled as he threw the bottle overboard. When found, the note would not only put a thorn in the backside of Matson and the entire sheriff's office, but it would surely put a smile on the face of his friend, Edward McDonald. The "Ed" from the note, McDonald was McGarigle's co-defendant, fellow county commissioner, and now former cellmate. Keeping McDonald in good spirits hadn't been easy as the summer humidity in their cells climbed and a transfer to the Joliet Penitentiary loomed, but McGarigle did his best. The truth was, Ed McDonald's happiness mattered. As a long-time board member and the Cook County Hospital's engineer, he knew every detail of the swindles that landed them and the other county commissioners in jail. But more importantly, he was brother to Michael "Big Mike" or "King Mike" McDonald, boss of the Chicago Democratic Machine and the city's first politician gangster.

McGarigle, Ed McDonald, and Big Mike McDonald form the nucleus of a fantastic story of proudly corrupt politicians, seemingly-righteous reformers, bag men, kidnappers, and suckered citizens, revealed through the testimony of the "Great Boodle Trial" of 1887. The "most sensational corruption scandal of the late nineteenth century," the Boodle Trial offers a glimpse into the crooked machine politics of early Chicago and the equally underhanded tactics of overzealous reformers. Called by some a "corrective antidote" to "[a]n epidemic of fraud," the trial helped galvanize the reform movement in Chicago, proving that even well-connected Chicago politicians could be brought to justice. At the same time, it demonstrated the lengths—some say necessary; others say illegal—reformers would go in the pursuit of their goals. Finally, the trial reminds us of just how entrenched corruption is in Chicago politics. As dramatic as it was at the time, the trial may have been the beginning, not the end, of Chicago's legacy of corruption.

Chicago's Great Boodle Trial, which began on June 4, 1887, was actually two "prolonged and tedious trials." The first trial pitted State's Attorney Julius Grinnell against McGarigle and Ed McDonald; the second was against over a dozen other commissioners and private contractors in an "omnibus" pro-

ceeding. Both cases centered around the same allegations of public corruption. According to prosecutors, a ring of crooked commissioners took control of the Cook County Board sometime in the early 1880s. If a company wanted to do business with the county, it had to pay the ring a "commission" for the privilege. What we today call a "pay to play" scheme, this arrangement allowed dishonest commissioners and business owners to get rich off county contracts secured through bribes and inflated by padded invoices. Ed McDonald helped organize the ring and set up the schemes, while McGarigle, acting as the bag man, collected the bribes and kickbacks—the "boodle." Everything led back to Big Mike McDonald, the man who controlled Chicago's Democratic Party, all county patronage, and the county board.

A sampling of the boodlers and their schemes, recounted in vivid detail through the two trials, shows the power of early Chicago machine politics and the depth of the commissioners' individual greed. There was Harry "Prince Hal" Varnell, a gambler and saloon owner appointed warden of the Cook County Insane Asylum. Varnell promptly set up a private office and home on the grounds of the asylum and outfitted them with "Persian rugs, Brussels carpets, and lace curtains." He ordered expensive foods and paid for the living expenses of his nephews, cousins, and friends, all using taxpayer money. The asylum's drug store and infirmary served as the "clubhouse" for the ring of commissioners.

James "Buck" McCarthy joined the county board in 1884. A high school dropout, former boxer, and meat packer in the Chicago stockyards, McCarthy's main qualification for being a commissioner was his friendship with Big Mike McDonald. McCarthy's protégé was Charles Lynn, who served as a deputy sheriff and commissioner. Lynn admitted to joining the board "solely for the money he could extort," recounting his "scorn" for Chicago industrialists who refused to pay the ring its expected commissions. Charles Frey, another McDonald-controlled commissioner, was warden of the county poor house. He bought silk underwear costing eighty-five dollars, charging it to the county as a bale of muslin.

And then there was McGarigle. Warden of the county's 600-bed hospital for the poor, McGarigle's office was adorned in the finest imported damask drapes. China spittoons flanked his office door. He even had a private horse stable built on hospital grounds for his personal use. In one of the more farcical accounts, it was reported that McGarigle had 24 lightning rods mounted on a hospital tool shed—one "on every chimney, every alcove, every corner, and every crevice." The lightning rods



Several men sitting on benches along a hallway in the Cook County Hospital, 1911, DN-0008937, Chicago Daily News negatives collection, Chicago History Museum.

were installed by Varnell, a business agent of the manufacturer.

As the boodlers siphoned off tax dollars to fund their lavish offices and private dinners, county patients suffered. In the Cook County Hospital's contagious disease ward, "a cramped, fetid, 18- by 40-foot room," patients fought for space on only six beds, often lying side by side on the floor. Unlike the $3.00-a-dozen strawberries and grapes Varnell ordered for his party guests at the clubhouse, patients were served spoiled meat. The nurses and orderlies often showed up to work drunk. Similar conditions were found at the asylum and the poor house. Newspapers reported that "the poor, the lunatics, and the sick have fared none too well, but those who have been hired to take care of them live in luxury."

Not surprisingly, the boodlers' largess eventually garnered notice. In 1886, the county budget faced a staggering one million dollar deficit (approximately 25 million in today's dollars), which was directly tied to the reckless spending of the corrupt commissioners. This rallied the few reform-minded commissioners on the county board, including J. Frank Aldrich, who was also a member of the reform-based Union League Club of Chicago. The Union League Club joined causes with the Citizens' Association, another reform group, whose membership included George Pullman, one of the wealthiest and most powerful industrialists in the country. Pullman and the other reformers brought suit against the county board to enjoin it from entering into more dubious

contracts—the first was to drill an unnecessary artisan well at the poor house—thereby beginning the "reform movement in county affairs."

Despite the laudable goal of ending the "epidemic of fraud" in county politics, the reformers were not exactly above reproach in their tactics. In fact, some of the reformers' methods rivaled those of the boodlers. After filing their civil suit, the reformers funded a private prosecution of the ring of commissioners. Of the $150,000 raised (over three and a half million dollars today), at least $30,000 went to the Mooney and Boland Detective Agency for the purpose of reviewing county invoices and conducting non-stop surveillance of county contractors suspected of paying bribes. When the invoices the detectives had access to didn't show evidence of bribes, the reformers had ones that did stolen from a county safe. The "confiscated" documents helped lead to a raid on the commissioners' clubhouse, which uncovered additional incriminating evidence.

Now all the reformers needed was a witness. A corrupt contractor, a plumber named Nic Schneider, gave the reformers what they were after. Drinking one night at Big Mike McDonald's four-story Clark Street gambling parlor and saloon, "The Store," Schneider loudly toasted to "county contracts," saying, "I am rich and by gracious in two years I shall be as rich as anybody." Joining him in the toast was a county commissioner. Two Mooney and Boland detectives, who had been surveilling Schneider, witnessed the toast. When Schneider left the tavern, the detectives followed. Schneider never made it home that night. Disappearing with him were his business papers, including the false invoices he wrote to pad county contracts and evidence of the commissions he paid to secure county work.

The ring of commissioners learned through their own private detectives that Schneider was being held by the reformers. Based on a bogus warrant issued for Schneider's arrest, the commissioners sent nine policemen to recapture him, but they were turned away after a struggle. Schneider, possibly bound and gagged in a second floor room, could hear the "ruckus" below as the men fought over him. He turned witness for the prosecution soon after and fled out of state, escorted (some might say restrained) by two private detectives.

The reformers may have felt justified using such tactics to secure evidence against the boodlers given their control over the jury system. At the time, the grand jury—the only body that could issue an indictment formally charging a defendant with a serious crime—was selected by the county commissioners. Each commissioner wrote two names of prospective jurors on blank cards, which were then drawn from a hat.

When a new grand jury was chosen, one of the corrupt commissioners simply picked cards that had been dog-eared by the others in the ring. This system, though rudimentary, had been used effectively to shield machine politicians from prosecution for over a decade. In fact, when asked about the possibility of indictment, Buck McCarthy commented, "There are only two powers over the [county] board, one is the Almighty, the other the grand jury, and we get to draw the grand jury."

McCarthy's confidence was misplaced, however. After reformist commissioner Aldrich witnessed the loaded draw, the reformers were able to convince a judge to empanel a special grand jury. The special grand jurors, "honest and true men who refused to be bribed or intimidated," promptly indicted the ring of commissioners and private contractors on 106 counts of public corruption. The reformers had thus broken the "power of puppet master [Big Mike] McDonald and his commissioners to control the selection of grand juries that had protected them from criminal indictments."

After unsuccessfully moving for a change of venue on the grounds that the prosecution had been improperly funded by private citizens, the Boodle Trial was underway. The evidence against McGarigle and Ed McDonald was overwhelming. "Witness after witness was placed on the stand to prove that [they] had systematically robbed the taxpayers of this county for a long time." Plumber Nic Schneider became the prosecution's star. Notwithstanding accusations of perjury by the defendants, Schneider's testimony, supported by his false invoices, showed that Ed McDonald was connected with four firms that overcharged the county for goods and labor and that McGarigle collected and disbursed the bribes and stolen money. Both defendants testified in their own defense, but offered contradictory testimony "of the flimsiest character."

On June 18, 1887, the jury found both men guilty. Later that summer, the "other dominoes fell" during the omnibus trial. When the verdicts were read, "the ball game at White Stocking Park was interrupted while the people cheered." The penalties for most defendants were substantial, ranging from thousands of dollars in fines to three years in the penitentiary for McGarigle and Ed McDonald. However, a few received smaller fines after agreeing to help the prosecution and paying restitution. Buck McCarthy, who was fined just $1,000 amid allegations that he had influence over one of the jurors, told reporters that he was "disappointed and disgusted" with the verdict. (McCarthy went on to be elected to the Chicago City Council.)

Of course, McGarigle's flight to Canada meant he was never fully brought to justice. After living in Banff, British Columbia for two

years where he bought into a livery business and invested in a hotel, he cut a deal and returned to Chicago. He eventually ran a tavern in the Clark Street vice district controlled by Big Mike McDonald. Ed McDonald didn't fare as well. While awaiting transfer to the penitentiary, his nine-year-old son died after falling from a fire escape at the Cook County Hospital while playing with friends. The fall was caused by loose boards that hospital workers had failed to secure or seal off. Afterward, Ed McDonald "lapsed into a deep depression." He served his time in Joliet but was effectively finished in Chicago politics.



THE BOODLERS CONVICTED

TWO PROMINENT CHICAGO POLITICIANS TO GO TO JAIL.

CHICAGO, June 18.—William J. McGarigle, Warden of the Cook County Hospital, and Edward S. McDonald, engineer of the same institution, and brother of "Mike" McDonald, the notorious gambler, were convicted to-day in

And what of Big Mike McDonald, the boss of the boodlers and the architect of their schemes? He was never charged or tried as part of the Boodle Trial; the grand jury didn't even vote on whether to indict him. Assistant States Attorney John Bensley explained it this way: "In Mike McDonald's case, an indictment could not be framed to hold. When a man lays all his plans coolly and deliberately with the express purpose, apparently, of preventing any tracing of crookedness to his door it is an extremely difficult thing to get him with legal evidence." Big Mike explained it a little differently, though the sentiment was the same. Joking to reporters, he said, "[A]fter it's all over I show 'em a pretty clean pair of heels and I'll do it this time or I'm very much mistaken." He added, "Most everybody's a boodler nowadays, you know."

Big Mike McDonald remained on top of the Democratic Party for more than a decade longer, controlling an empire of gambling parlors, saloons, and prostitution houses, while directing city and county patronage. The Boodle Trial did not slow his operations. The same year of the trial, he was reported to have ordered city aldermen under his control to ap-

"The Boodlers Convicted," New York Times *headline, June 19, 1887.* **Facing:** *Photo of Michael "Big Mike" McDonald and another man, 1907, DN-0005146, Chicago Daily News negatives collection, Chicago History Museum.*

prove a $200,000 contract for applying "preserving fluid" to City Hall. The fluid, which was "guaranteed to keep the stately building intact for a hundred years," washed away in the rain two days later. The World's Fair that took place in Chicago in 1893 put more millions into Big Mike McDonald's pockets as city contracts swelled and armies of tourists gambled and drank at The Store. It was at this time that McDonald supposedly coined the phrase, "There's a sucker born every minute." Big Mike retired to his Ashland Boulevard mansion in the early 1900s, content to let the next generation of boodlers and gangsters try its hand in Chicago.



The legacy of the Great Boodle Trial and the reform efforts it epitomized is decidedly mixed. In some ways, it was a significant victory for early Chicago reformers. The Boodle Trial was a very public demonstration that the city's machine politicians—at least most of them—were not above the law. All told, nine commissioners and county contractors who faced trial were convicted and sentenced to two years or more in jail; four others were convicted and fined the maximum allowed under statute. Up to that time, no politician had received such harsh punishment for "boodling." The commissioners' convictions, even for those receiving only fines, also meant they would be automatically removed from the county board. By "turn[ing] the rascals out of the County Board and brand[ing] them forever as convicted public swindlers," the trial ended most of the commissioners' political careers, and more importantly, Big Mike McDonald's control over county contracts. The *Tribune* called the trial "the most successful assault on public crooks to that date."

More broadly, the trial and the scandal leading up to it galvanized Chicago's reform-minded citizens, kick-starting the city's reform movement. To successfully investigate and prosecute the ring of commissioners, two reformist groups—the Union League Club and the Citizens' Association—joined forces. The alliance brought activist industrialists, politicians, and judges together, and allowed for great sums of money to be raised to combat corruption. The Boodle Trial was just the first success of the reformers. After the trial ended, reformers pressured the state legislature to review how jurors were selected in Cook County, leading to

a revamped jury system in which county commissioners no longer selected grand juries. This allowed prosecutors to bring public corruption cases under a fair system. With the help of a press corps intent on publishing more exposés like those leading up to the Boodle Trial, reformers went on to successfully investigate and prosecute bail-bond fraud and ghost payrolling. Some of these reform movements continue today.

Yet, to achieve their goals, the reformers became separated from the corrupt commissioners by only a matter of degree. While calling for the prosecution of Big Mike McDonald—"the managing and directing thief whose influence has cast such a blighting shadow over public affairs in this county"—reformers kidnapped witnesses, stole documents from a county safe, and privately funded the criminal indictments of their adversaries. The reformers' "ends justifies the means" rationalization, which they undoubtedly employed, rings as hollow as McGarigle's defense that the prevailing system was at fault for his crimes—that he just went along with the boodling because everyone else did. While there are safeguards in place today to guard against the use of such "impure methods," many contend the prosecutions of recent Chicago politicians have been motivated less by enacting genuine reform and more by furthering political gain. One current Cook County Commissioner, William Beavers, awaiting trial for allegedly failing to pay taxes on money he took from his campaign fund (and used to pay gambling losses, among other things), has accused prosecutors of indicting him as retribution for refusing to wear a wire against John Daley, a former commissioner who is brother to Richard Daley, Chicago's longest-running mayor.

The best measure of the Boodle Trial's impact is, of course, whether it changed the culture of corruption in Chicago politics. On that score, the trial has had little lasting impact. The headlines of today's *Tribune* read much as they did 125 years ago. Month after month, colorful Chicago politicians fight indictment (some from their county board seats) for schemes that would get an approving nod from Big Mike McDonald. Beavers is the most recent, and possibly the most odd (after being indicted, he called the United States Attorney prosecuting him a "rooster with no nuts"), but he is by no means alone. On its way to earning the distinction of being the most corrupt city in the country, Chicago has seen five of its governors imprisoned, over 30 aldermen indicted and convicted, and countless other public officials investigated. At the top of that list is former Governor Rod Blagojevich, who is currently serving a 14-year prison term for attempting to auction off President Barack Obama's vacant United States Senate seat for

personal gain. Wiretaps of Blagojevich recorded him saying, "I've got this thing and it's f—ing golden, and . . . I'm just not giving it up for f—in' nothing."

It could be argued that these prosecutions even taking place, some against officials at the highest levels of government, proves that the Boodle Trial has had a lasting impact—the trial showed generations of reformers that political corruption could be combated in Chicago in a meaningful way. Others will more cynically say that for every crooked politician prosecuted, another will take his place, and that the most well-connected crooks—the crafty bosses like Big Mike McDonald—always find a way to operate above the law. While the truth is likely somewhere in between, the Great Boodle Trial reminds us most of all that as long as there is boodle, there will be men trying to take it. As McGarigle remarked a few months before his conviction, "I don't care if the same system prevailed in heaven, there would be boodlers. The temptation is too great. . . . Men are but human[.]" ◆

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Todd Haugh *graduated with honors from Brown University and received his law degree* cum laude *from the University of Illinois College of Law. Before coming to Chicago-Kent, he served as a Supreme Court Fellow at the Supreme Court of the United States and practiced white collar criminal defense at Winston & Strawn LLP and Stetler, Duffy & Rotert, Ltd. Professor Haugh's research interests include white collar crime and sentencing.*