

## TRUMPED UP, SAYS GIST

**Declares Ward Was Forced To "Get Him" By Men Down Town.**

**NO AID BY MR. FURST, HE SAYS**

**Case Was Twice Dismissed By The Grand Jury, Which Was Censured By Judge Wright.**

Mr. John E. Gist, who, with the late Charles L. Patterson, was charged with receiving bets on horse racing, said that the charges brought against him of running a gambling poolroom were "trumped up" by **Captain Ward**, who was then in charge of the Northwestern district, and that there was nothing else for the grand jury to do but refuse to indict.

"**Ward** was forced to get me by a man down town," said Mr. Gist. "After he decided to do as he had been ordered and to sacrifice me and some of his friends to satisfy other friends he tried with all his might to get me in one way and then another. **Ward** was expected to get me out of my position with the Street Cleaning Department. At first he tried to get me up for selling on Sunday, and had **police** men standing around my cigar store, at 1406 Pennsylvania avenue, all day Sunday. Then he tried to charge me with having card playing and gambling in my place.

**Hit On Racetrack Idea, He Says.**

"But he could not get any evidence for such a case, and so he finally hit on the idea of having my place raided as a race-track gambling poolroom. A poolroom is a place with telegraph wires, racing returns and all that sort of thing, and it was ridiculous to charge me with running such a place, when then and now my work for the city required so much of my time day and night that I could hardly keep my cigar store running. Finally, however, **Ward** worked out his scheme. I took out a few bets to Pimlico for my friends, just as anyone would do for a friend who could not get out to the races himself and who wanted to bet a little. Of course, the betting out there is wide open; everyone know it. Nearly everyone bets there a little, and no one would refuse to take out a little money and place it on horses for his friends. I did not think there was anything wrong in doing that, and, of course, there was nothing to it. **Ward** tried to make up a 'poolroom' case of it, but it fell flat.

**"Hardly Knew Mr. Furst."**

"There was no need for a friend of mine to see Mr. Furst, or the **Police** Board, or the grand jury. I hardly knew Mr. Furst. I have known him for about four or five years just as other people say they know him. I met him somewhere about five years ago, but he does not remember me. I have passed him on the street and have recognized him, but I saw he did not recognize me, and as he did not seem to know me I did not speak to him. If any of my friends appealed to Mr. Furst to help me in my case, I never heard of it, and there was no need for them to do anything of the sort. I am sure none of them ever asked Mr. Furst's help, and if they did so I am sure Mr. Furst would not have remembered ever knowing me."

Mr. Gist was asked if his brother, Mr. George H. Gist, was intimate with Mr. Furst.

"I do not think my brother knows Mr. Furst," he answered, "as he has no connection with Mr. Furst's companies."

Mr. Charles L. Patterson, who was included in the charges brought against Mr. Gist, died last March. He was a cigar-maker employed by Mr. Gist. Mr. Gist said that he was sure Mr. Patterson never even knew Mr. Furst, and Mr. Patterson's mother also declared that her son had never mentioned Mr. Furst's name.

Mr. George H. Gist said he could not recall ever having spoken to Mr. Furst about his brother's case. "As for being a friend of Mr. Furst," he said, "all the good people of Baltimore are his friends."

**Twice Dismissed By Grand Jury.**

Since it was twice dismissed by the grand jury for the January term, 1909, the Gist-Patterson case had not attracted public attention until memories of it were revived by **Captain Ward** in his testimony before the Governor. Mr. William B. Hurst, who was foreman of the grand jury which had the case before it, refused yesterday to discuss it.

"I consider that the work of the grand jury of which I was foreman was closed when we handed our report to the Court," he said, "and I decline to reopen any of the cases we considered."

When it originated, early in 1909, the case attracted much attention. At that time John T. Gist was Assistant Superintendent of Street Cleaning and had a cigar store on Pennsylvania avenue. He and Charles L. Patterson were charged with receiving numerous bets on horse races at the Pimlico and Oakland racetrack meetings. Two dismissals of the case, once after an indictment had been found, were sensational features in connection with it.

**Judge Wright Censured Jurors.**

The reconsideration and dismissal of the case by the grand jury after indictment caused Judge Wright, then presiding in the Criminal Court, to tell the jurors that they had no right to do as they had done. It happened that at the time the indictment was sent back to the grand jury at its request the case was about to be tried. Under a misapprehension of what the grand jury contemplated doing, Judge Wright said, he had signed the order for the return of the indictment. He told the jurors plainly and emphatically that the indictment had passed out of their jurisdiction when it was handed to the Court, and they had no right to call it back for the purpose of dismissing it. Whether the case should be reconsidered, the Judge added, rested with the grand jury.

There the case remained until it was again heard and dismissed by the grand jury April 16, 1909. For two days prior to this second dismissal the jury had again heard witnesses in the case. They included **Captain Ward**, Justice Tyson and a number of policemen. It was said at the time that there was a split in the

jury over the case, and the second dismissal was taken as proving that the jurors, who wanted the charge aired in court because of the storm of adverse criticism that arose over its first dismissal, were outvoted by their opponents.

It was also said at the time that there was no evidence against Gist and Patterson to support the charge. There was no accusation that an attempt had been made to influence members of the grand jury.

**Who Composed The Jury.**

Besides Mr. Hurst the members of the grand jury of which he was foreman were, with their residences then:

James B. Hurst, assistant foreman, 1304 Linden avenue.

William H. Ashley, 415 Saunders street.

William W. Chipchase, 2421 Maryland avenue.

J. Marion Creamer, 1322 Harlem avenue.

J. Edward Custy, 32 North Fulton avenue.

George J. Falter, 942 North Gilmor street.

Calvin N. Gabriel, 2413 St. Paul street.

C. Leonard Harg, 2212 Garrison Boulevard.

William D. Gill, 1208 North Charles street.

Daniel A. Klein, 2311 North Calvert street.

Robert A. Krieger, 602 West Baltimore street.

Louis Lantz, 826 East North avenue.

J. Theodore Oster, 1612 Mount Royal avenue.

Charles C. Plitt, 2312 Fairmount avenue.

Newton C. Search, 1613 West Lafayette avenue.

Charles H. Scock, 216 Warren avenue.

Eben Sutton, 515 Park avenue.

David Wiesenfeld, Bolton and Robert streets.

Harry M. Woodside, 2606 Maryland avenue.

Charles H. Webb, 1413 John street.

Charles E. Kuñkel, 1426 West Fayette street.

William S. Elmer, 818 West North avenue.