

# WARD CHARGES MADE UP

## Neglect Of Duty And Receiving Money Are Specified.

### INTIMIDATION ALSO ALLEGED

#### Sergeant Plum's Statements Included, With Those Of Sergeant Hurley, As Basis Of Action.

Charges of neglect of duty, receiving presents of money from a saloonkeeper and actions prejudicial to the interests of the service were preferred against Capt. Bernard J. Ward, former commander of the Northwestern police district, by Marshal Farnan yesterday, acting under orders from the Police Board.

Captain Ward was relieved of duty Tuesday and will now be tried on the charges. The board will meet today to set a date for the trial, and Captain Ward will be given time to prepare a defense. He refuses to discuss the situation and is engaged in selecting a counsel.

The Marshal's formal letter to the Police Board is as follows:

#### Charges In Official Form.

The charges in official form are:

To the Honorable, the Board of Police Commissioners:

Gentlemen—I have to report Capt. Bernard J. Ward, Northwestern district, upon charges as follows:

Neglect of duty.

Official misconduct.

Action prejudicial to the interests of the service.

#### SPECIFICATIONS.

First—Although as captain of the Northwestern police district, and held responsible for the proper police management of the members of the force and conditions therein, and the enforcement of law, he had every reason to know and did know, on or about June 8, 1909, that house, No. 1439 North Carey street, kept by one Maggie Hunter, was conducted as a disorderly house, he failed at that time, or at any time up to November 26, 1909, to make any record of the same, or cause such record to be made in the books of the Northwestern district station house, or to report the existence of such house to the Marshal of Police promptly or at any time prior to November 26, 1909, and failed to prefer charges of keeping such a house against the said Maggie Hunter until Sergeant Hurley and Patrolman James T. Kiggins, by calling upon the said Maggie Hunter, November 26, 1909, and receiving from her a confession of guilt and statement of other matters, developed a state of things forcing him, Captain Ward, to proceed against the said Maggie Hunter on the charge mentioned.

#### Presents Of Money.

Second—In that he, as captain of the Northwestern district, on sundry occasions between December 23, 1907, and March 31, 1909, accepted presents of money from Louis Katz, keeper of a drinking saloon at 1800 Lorman street.

Third—In that he, actuated by motives other than solely for the good of the service, transferred the following named officers from one post to another in the Northwestern district on or about the dates hereunder given, viz:

Sergt. Frank J. Plum from Section 1 to Section 5 on April 2, 1908, immediately following the raid made by Sergeant Plum and others March 28, 1908, on premises of James Cunningham, 513 North Howard street, and the arrest of the said James Cunningham on the charge of maintaining a gaming table.

Sergt. Charles E. Hurley from Section 2 to Section 5, September 30, 1909, following the raid made by the said sergeant September 12, 1909, upon the saloon of Ralph Goldman, 2126 Madison avenue; the arrest of Stephen J. Thomas, 2207 Brunt street, September 26, 1909, charged with selling liquor without license, and others charged with violations of law.

Patrolman William L. Scrivner from Post 1, B division, to Post 33, B. division, on or about June 18, 1908, following the raid, on or about June 10, 1908, on the house of Sardonia Young, colored, 510 Tyson street, charged with keeping a disorderly house, etc.

#### Intimidating Language.

Fourth—In that he, on or about August 29, 1909, in the Northwestern station-house, addressed to Patrolman Frederick C. Emerich language in effect as follows, immediately following activity, August 29, 1909, on the part of said officer to obtain evidence against Joseph A. Delaney, keeper of a saloon at 1701 and 1703 Presbury street:

You have him frightened. There has been less rum sold since you have been there, but I will not get the blame for it. Delaney will go downtown and raise h—.

The said language being intimidating in character and well calculated to discourage the officer in the performance of his sworn duty toward the suppression of violations of law.

Fifth—In that he, on or about April 20, 1908, in the Northwestern district station-house, addressed to Patrolman Edward Stevens language in effect as follows, following the officer's activity against Richard E. Slater, keeper of a saloon at 522 Baker street, upon the charge of violating the liquor law April 5, 1909:

The liquor men downtown are raising the dickens about you.

The said language being intimidating in character and well calculated to discourage the officer in the performance of his sworn duty toward the suppression of violations of law. Respectfully,

THOMAS F. FARNAN, Marshal.

These charges are the result of the secret investigation which the board conducted following a complaint lodged with the Marshal by Sergeant Charles E. Hurley that Captain Ward ignored a report which the Sergeant had turned in to him in which Maggie Hunter alleged that she had paid Robert E. Davis \$75 for police protection, as she supposed.

This charge was dropped by the board after the investigation for the reason, it was stated, that no evidence was found to show that Captain Ward had received any money and also that the Captain told the board that he had investigated a report concerning the \$75 about six months ago and on that account had paid no attention to Sergeant Hurley's report.

Other developments of the case resulted in the charges. Evidences given by patrolmen of the Northwestern police district caused the board, it is stated, to think that Captain Ward had many opportunities to report the name of the woman for indictment before he did. This is said to be the basis for the charge of neglect of duty.

#### Allegations As To Louis Katz.

Testimony given originally by Sergeant Plum, formerly of the Northwestern, but now of the Northeastern district, resulted in the charge of receiving presents of money from Louis Katz, a former saloonkeeper. The Sergeant, when called before the board, took with him a notebook, which he showed the Commissioners. In it were memoranda which he says he jotted down after talking with Katz, the notes being verbatim reports, he stated, of Katz's statements.

These statements alleged to have been made by Katz were to the effect that Katz had been paying Captain Ward \$20 a month for immunity from raiding. Patrolmen Webster and Lynch corroborated the statements made by Sergeant Plum and allege that they have heard Katz make the same statements a number of times. Patrolman Webster was called before the board, but was not questioned closely on this point. His testimony will be amplified, it is stated, at the trial.

Katz denies that he ever made the statement and charges that Sergeant Plum is endeavoring to have Captain Ward removed from the Northwestern district.

On Tuesday the Police Board was not inclined to press this charge and the statement was made that the testimony had been too garbled, but statements reiterating their certainty as to the allegations made by Katz were made public by the patrolman, and yesterday afternoon the charge of official misconduct was inserted in the charges, and now efforts will be made by the Marshal to have the testimony of the patrolman corroborated.

The charges of removing Sergeants Plum and Hurley and Patrolman Scrivner from their usual posts of duty and changing them to other places following their activity against saloons and disorderly houses were anticipated by those who followed the case.

#### What Patrolman Stevens Said.

The two charges of intimidation are based upon testimony given by Patrolmen Stevens and Emerich before the board when it was holding the secret sessions. The men had been summoned to testify as to being changed from post to post and complained to the board of what they said was an attempt at intimidation on the part of Captain Ward.

Patrolman Stevens told the board that he had procured evidence against Mr. Slater by arresting a negro whom he saw coming out of Slater's place on Sunday morning with whisky in his pocket. The

case was heard at the Northwestern Police Station, and the magistrate deemed the evidence sufficient to send the case to the grand jury.

Stevens told the board that the case had been dismissed by the grand jury and that he was dissatisfied with the way it had been treated. All the men in the district, he said, had been "joshing" him about not getting any liquor violations, and he had worked hard to discover violations and had finally secured the case against Slater.

He told Captain Ward, Stevens is said to have testified, that he was dissatisfied and told him also, he stated, that he was going down to State's Attorney Owens and have him see if the case could not be reconsidered. Stevens went to see Mr. Owens and the case was reconsidered, but the patrolman found later, he stated to the board, that the grand jury had again dismissed it.

Stevens told the board that it was shortly after his activity in this case that Captain Ward called him into his office and used the language named in the charges. This was taken by the board's stenographer.

When asked by the board what intimation he received from the captain's talk, the patrolman is said to have answered that he thought it was a hint that he would have to "wink his eye" at liquor violations on his post after that and not "bother" the saloonkeepers, but allow them to keep open on Sunday if they liked.

Stevens was not changed from his post for his activity, and said that he was still trying to get evidence against the saloonkeepers on his post. The board believes, however, that the statement was calculated to make Stevens be less active.

#### Slater Denies It.

Slater refused yesterday to say on what charge Stevens had procured evidence against him. He said:

"I never saw Captain Ward but once, and I have never been asked to give him any money nor have I ever given him any. I never complained to anybody downtown, nor to the wholesale liquor dealers about anybody getting evidence against me. I wouldn't know where to go downtown if I wanted to complain. I don't know anybody to complain to. I don't know why I should be mixed up in this case at all."

"Did you ever complain of Patrolman Stevens' activity against you?"

"No, he got a case against me, but that's all been settled, there's no use talking about that now."

#### Emerich And The Delaney Saloon.

In the case of Patrolman Emerich, the alleged remark about Delaney "going downtown and raising h—" was made, the patrolman alleged, before the saloonkeeper had been raided. The patrolman told the board that he had for several months been attempting to get evidence against Delaney for violations of the liquor law and that Delaney had known it.

The patrolman said that Captain Ward heard of his activity and on the same day that he called other patrolmen in his office for the same purpose he took him into the private office and delivered his "lecture."

Sometime soon after that, Emerich told the board, he was removed from the post that included Delaney's place and was put on the post next to it, which includes several miles back by the Liberty road.

Delaney said yesterday when asked concerning his connection with the charges:

"I don't need any protection for my place and I never asked Ward to give me any. I never saw him more than once or twice that I know of. I saw him in the Courthouse and spoke to him there. I never paid him a cent nor did he ever ask me to do so. I consider Patrolman Emerich a good patrolman, and as far as I know he never did me any harm. I never talked to him more than to say good morning."

"My hotel license was taken away from me last May because the Liquor Board said that there was no need of a hotel in this neighborhood. Since then I have been closing at the proper time. I don't know why Ward should have to speak to Emerich about my place."

"Where would you go downtown if you wanted to complain?" he was asked.

"I don't know of any place downtown where a man could kick about things of that sort, but I had no kick coming," Delaney answered.

#### Conditions Called Unsatisfactory.

The incorporation of the charges concerning changes and alleged intimidation has centered the attention of the board upon the conditions in the Northwestern district, and it is probable that some action will be taken to thoroughly investigate all changes that have been made there. It is stated that Colonel Swann will shortly visit the district and make a thorough inspection of it with a view of ascertaining what the conditions are. He will probably do this unannounced.

The board, it is understood, has learned that conditions among the men now at the Northwestern are not conducive to good discipline. Of the score of men who appeared before the board nearly all of them had heard of the remarks made by Captain Ward to two patrolmen, and the men have said that they also were intimidated to some extent, and were not anxious to get evidence against saloonkeepers, not knowing whether or not it would meet the approval of Captain Ward.

Sergeants and men alike in the district have been on the "edge" for months, the board has learned, because of this situation and the commissioners now believe, it is understood, that the crisis with regard to Captain Ward has been brewing a long time.

#### Formulating The Charges.

The charges were formulated without difficulty. The board had no regular session in the morning, but Commissioner Tome stopped in to consult with General Swann and remained more than an hour, going over the allegations as they had tentatively been outlined, and suggesting some changes.

Stenographers had worked until late in the night transcribing the testimony, but at noon the Commissioners were still at sea. Commissioner Whittle was called into consultation soon after noon, and, while Mr. Tome had to leave, the other two remained in session until nearly 3 o'clock.

Secretary Kinsey's room was locked and

[Continued on Page 11.]

# WARD CHARGES MADE UP

[Continued from Page 14.]

the Commissioners proceeded to decide upon what the charges would be. It had been tentatively determined Tuesday that the Katz charges were too garbled to stand, but following the reiterated statements of Sergeant Plum and Patrolmen Webster and Lynch the Commissioners finally decided to include the charge in the specifications.

## Paper Sent To Captain Ward.

When the charges were finally completed and signed by Marshal Farnan they were sent to the home of Captain Ward, on Gullford avenue, by one of the Marshal's police messengers and delivered into the Captain's hands. He refused to give any statement whatever concerning the trial.

"My statement will be made," he said, "when I go on the witness stand, and not before." Though not yet able to say when he will stand trial, he says it will be as soon as he settles upon counsel.

Colonel Swann would make no comment after the charges had been made up. The developments have been a severe strain upon him, and he has suffered a great deal of mental anxiety.

"The board is now in the position of judges," he said, "and will so deal with it. On that account we will make no comment."

## On Night Tour Of Inspection.

Colonel Swann, the Marshal and Deputy Marshal Manning started out last night on a round of inspection. They went through the streets in districts where disorderly houses are said to exist and watched the work of the patrolmen.

They went first to the Western district and afterward to the Northwestern, where they questioned Lieutenant Kalbfleisch concerning the condition of the district.

Colonel Swann and Marshal Farnan were much interested in the report which Henry Brolanski, who describes himself as a reformed gambler, made before the Senate Committee on Judiciary at Washington in the interests of an antigambling bill.

Brolanski in describing the situation in the different cities stated that there was one poolroom and 30 handbooks in Baltimore.

After a consultation with Colonel Swann the Marshal said:

"We will pay Mr. Brolanski well if he will come to Baltimore and assist the department in securing evidence against the poolroom and 30 handbooks. There is not a poolroom in this city so far as I know, and I have tried hard enough to get them. My plain clothes men are constantly on the lookout for them, and we have gone over the ground pretty thoroughly. I believe that there are some handbooks, but it is extremely difficult to get evidence. Most of the bets are 'whisper bets' and not easily detected. But if Brolanski will come to Baltimore there is money waiting for him in this department if he can produce the goods."