

WARD'S CHARGE DENIED

Colonel Swann Says He Was Not Told Of "Let-Up" Request.

DR. ULMAN'S BETTING MOTIVES

Witness Declares They Were High. Mr. Harley Scores "Gambling Among Women" At Police Trial.

Interest was intense yesterday at the Police Board hearing, and the hundreds of spectators who packed the courtroom were not disappointed in their expectations of sensational features when former Police Captain Bernard J. Ward was put on the stand.

Ward, who was dismissed from the force January 1, 1910, by the board of which Col. Sherlock Swann was president, testified that in March or April, 1909, Mr. John B. A. Wheltle, then a member of the Swann board, asked him to "let up" in the case of John E. Gist and Charles L. Patterson, charged with conducting a racing "book."

Ward took the stand at 11 o'clock at the conclusion of the cross-examination of Dr. Solomon Jay Ulman by Mr. Charles F. Harley, of counsel for the board, in regard to alleged "open and notorious pool selling."

Ward said that he told Colonel Swann the day after his alleged interview with Mr. Wheltle of what had taken place and that Colonel Swann told him to "go right ahead and never mind what Mr. Wheltle said."

Colonel Swann's Reported Denial.

At the noon recess Commissioners Wheltle, Tome and Clotworthy went in an automobile to the office of Colonel Swann and informed him of the statement made by the witness. Colonel Clotworthy reported the result of this interview as follows:

"When I told Colonel Swann that Ward had said he had informed him that Mr. Wheltle had requested that the captain 'let up' on the Gist-Patterson case, the Colonel expressed surprise and said:

"He told me nothing of the kind. What do you suppose I would have done in such a case? I should have sent immediately for Mr. Wheltle and asked for an explanation. I would not have served on the board with a man who would have done a thing like that."

"Referring to the part of the testimony," continued Colonel Clotworthy, "in which the witness declared that he had also been approached by Mr. Frank A. Furst with a request somewhat similar, Colonel Swann said:

"Mr. Furst did appear before the board I recall, about the Gist-Patterson case, but he was not at our meeting more than three minutes. If I am not mistaken, he said that he had been asked by an employe to find out the status of the case and that the employe had, in turn, been asked that this information be gotten by a relative of Gist. When Mr. Furst was told that the case was in the hands of the grand jury, he said that that settled it as far as he was concerned."

"Mr. Tome," Colonel Clotworthy concluded, "said that he also recalled the visit of Mr. Furst to the board and corroborated what Colonel Swann said."

Marshal Farnan issued a statement as follows:

"Ward told me that Mr. Wheltle told him to follow up the case and to push it before the grand jury. He further said, 'I am glad he backs me up in that.'"

Says He Bet From Good Motives.

The main facts brought out in the cross-examination of Dr. Ulman were that he had known well many of the men with whom he placed bets. He said that he was actuated by motives of the best in conducting his investigation.

"Did you know that it was a crime to play the part of a private detective without a license?" asked Mr. Harley.

"No sir, I did not."

"Did you know that it was a crime to place bets as well as to receive them?"

"I did not."

Mr. Harley then declared that in his opinion there were forms of gambling practiced in the city which were far more demoralizing than the bookmaking kind.

Women Gamble, He Declares.

"Every afternoon there is gambling," he declared, "among women who should be at home looking after their children. As to the books and bets made in side entrances of hotels all the Sherlock Holmes and Anna Katherine Greens in the world could not eradicate such practices."

Ward Tells Of Complaints.

The testimony of Ward, in brief, was to the effect that after hearing complaints against the place conducted by Gist and Patterson on Pennsylvania avenue, he determined to have the men indicted. To carry out this plan, he said, he detailed a force of men, with the sanction of Marshal Farnan, to get evidence. This evidence, which was collected in the spring of 1909, was in the form of affidavits from five or six witnesses.

"One Sunday afternoon," he said, "after the affidavits had been gotten and the case was before the grand jury, State's Attorney Owens called me to the phone and asked me to come to his home. I went there and he introduced me to Gist's brother, who said that he would give \$10,000 to have the case dismissed. I told him that the matter was in the hands of the State's Attorney and the Police Board."

Mr. Furst's Name Mentioned.

The next day, said the witness, Mr. Furst went to him and told him that he would like to have the case dismissed, if possible, as he had friends who were interested in it. Tuesday, Ward said, he was summoned to the office of Mr. Wheltle, who, he said, made a request that he "let up." The day after, he declared, he told Colonel Swann, then president of the board, that Mr. Wheltle had asked him to "let up," and President Swann told him to "go ahead."

Ward admitted on cross-examination that he had "little love for Mr. Wheltle," and said that it would be foolish for him to pretend that he did. He held Mr. Wheltle to be responsible for his dismissal from the force, which took place January 1, 1910.

"When the case was before the grand jury," suggested Mr. Harley, "it was beyond your control, was it not?"

The witness said it was absolutely.

"And yet Mr. Wheltle, with this knowledge, asked you to 'let up'?"

"Yes."

Mr. William S. Taylor, deputy clerk of the Criminal Court, was next sworn as a witness. Through him Mr. Hayes sought to show by what means the indictments against Gist and Patterson had been recalled and ignored by the grand jury. of

which Mr. William B. Hurst was foreman. These indictments, as admitted, had been placed upon record by the grand jury, which had afterward reconsidered its action.

The Governor, upon Mr. Harley's objection, ruled that Mr. Hayes could not enter into the details as to why this was done, so the papers were filed with the stenographer.

Mr. Howard S. Hodson was next put on the stand. As soon as he had taken the oath Mr. Hayes read an article which was published in THE EVENING SUN of August 15, describing a trip through the "red light" district. His testimony was introduced to bear out the truth of the story. Mr. Hodson told of a visit which he made to the Palace Hotel.

Ordered Beer On Sunday.

"I entered the bar room," he stated, "7 minutes before midnight and was there until about 13 minutes after 12, or on Sunday morning. My first drink I ordered when I entered and my second at 10 or 12 minutes after midnight."

"What did you order?" asked Mr. Hayes.

"Lager beer."

"But did you drink it?" Mr. Hayes wanted to know. "Both Mr. Harley and myself would like to find out."

"I did."

Mr. Hodson, it transpired, timed his visit by his watch, which he set, he said, by THE SUN.

"THE SUN?" asked Mr. Harley, in astonishment.

"The clock on THE SUN Building," was the explanation.

The testimony of Dr. Gresham, who is a member of the Anti-Saloon League, was along the same line as that given by Mr. Hodson, and his visit to the "tenderloin" was on the same night.

Mr. Harley and Mr. J. Bibb Mills, attorney for the Anti-Saloon League, became involved in a heated argument immediately after the day's hearing was over. Mr. Mills protested that his organization was not trying to use its influence against the board.

There will be no session tomorrow. After the hearing adjourns this afternoon it will not reconvene until 9.30 o'clock Monday morning, half an hour earlier than usual.