

PLANNING WARD TRIAL

Defense To Call About 30 Witnesses.

Prosecution Only 15.

THE BOARD'S COUNSEL IS BUSY

Testimony To Be Limited To Statements Bearing On The Issues—

Counter Charges Probable.

The course which he will advise the Police Board to take in the trial of Capt. Bernard J. Ward, of the Northwestern Police District, who is charged with official misconduct, was indicated yesterday by Mr. Alonzo L. Miles, counsel to the board.

"What I have tried to prepare for in my examination of the witnesses in my office," said Mr. Miles, "what I will advise the board to do and what I believe it will do is to have a speedy trial of the charges against Captain Ward and speedily render a verdict—all this to be, of course, dependent upon absolute fairness.

"So far as I can now judge, the presentation of the evidence tending to sustain the charges against Captain Ward, which will begin Monday morning, will require only until that afternoon, and I should imagine that the case should end with the verdict by Tuesday or Wednesday.

"I do not propose at this time to state what my information would indicate, nor do I hazard any guess as to what the outcome might be.

To Stick To Charges.

"With regard to the statements as coming from counsel for Captain Ward in which it is stated that 'startling disclosures will be made,' that 'the searchlight will be turned on,' and that the conduct of lawyers 'hanging around the Northwestern Station House' will be made public; I have only this to say: The Police Board will try Captain Ward upon charges preferred against him, copies of which have been furnished his counsel. I do not think, and certainly I shall not advise, that the board allow the giving of any testimony which is not germane to these charges.

"Unless the statements concerning these certain lawyers have some bearing upon the case of Captain Ward, the proper tribunal to judge any charges against the lawyers, if there be any, is the Supreme Bench. The Police Board has no jurisdiction over the magistrates who sit at the police stations, nor can the board provide the rules by which these police courts must be run.

"Neither, in my opinion, will testimony be admissible which makes countercharges against any officer of the department unless those charges also have a bearing upon the case. If there are any charges, the proper time for the trial of them, should they be preferred, will be subsequent to Captain Ward's trial.

"There is no disposition on the part of myself—and I know it is not that of the board—to exclude any testimony which will be germane to the charges, neither will it be permitted that the charges be involved by the introduction of extraneous matter which would confuse the issues of the case.

"I have been examining in my offices yesterday and the day before a number of witnesses who have been called to ascertain what knowledge they have of this case. I have in every instance told the policeman that we desire him to tell all that he knew concerning the charges, whether such information was for or against Captain Ward. In case of it being unfavorable I assured him that the Police Board would protect him if he made an honest statement of any information which he might hesitate to give against a superior officer."

Talk Of Disclosures.

This statement of Mr. Miles bears particular interest because of the declaration which Mr. Harry B. Wolf, of counsel for Captain Ward, has several times made, that when the trial of Captain Ward was begun disclosures would be made which would affect the reputation of the police force.

It was learned on reliable information that the present plan of Captain Ward's counsel is to limit the proposed disclosures of alleged bad conditions to the Northwestern district. With the one exception probably of Sergeant Plum, whom Captain Ward, it is said, will charge with official misconduct, the charges which the Captain will make against members of the department will be confined to the Northwestern district. It was also learned that those charges will consist in the main of allegations of conspiracy against a superior officers, protecting saloons and perhaps a few of more serious nature.

May Accuse Sergeant Plum.

Sergeant Plum, it is understood, will perhaps be charged with protecting or attempting to protect the house of Sidonia Young, colored, where a well-known man was caught in a raid, who, it is alleged, afterward spent \$700 in an attempt to get out of the scrape with his reputation undamaged. Sergeant Plum denies this and says that it would simply be an attempt on the part of Captain Ward to discredit his testimony concerning the alleged statements made to him by Louis Katz, a saloonkeeper, that he was giving Captain Ward money for protection.

It is also reported that Sergeant Hurley, who by obtaining a statement from Mrs. Maggie Hunter, 1439 North Carey street, that she paid \$75 for protection to Robert E. Davis, started the present upheaval, will be confronted with charges. These, it is said, will consist in part of the allegation that he protected a saloon run by a friend who employed the Sergeant's brother-in-law.

Sergeant Hurley also denies this and declares that Captain Ward would only charge this to discredit all the testimony which the Sergeant may give and also to show a reason for the transfer of Sergeant Hurley from one post to another. This change is made a part of the charges against Captain Ward, the Marshal alleging at the instance of the Police Board that this change was not for the good of the service, but followed the Sergeant's activity against a saloon on Madison avenue.

It is understood also that the Captain, through his attorney, will accuse certain of his patrolmen of conspiracy against him.

Justice Tyson's Court.

Another of the so-called "disclosures" said to be scheduled is understood to concern the Northwestern Police Court. Police Magistrate Alva H. Tyson and Captain Ward are not friends. Justice Tyson used to serve under the Captain when the Justice as a patrolman was studying law at nights while working in the Central district. It is said that the friendship was not strong then and that it has not been fostered in the Northwestern.

Criticisms of Justice Tyson are said to be in process of formulation, but the nature of them is said to be of a character which may come under the ruling of the board that nothing foreign may be introduced. Justice Tyson's friends say they have expected Captain Ward to attempt to involve Justice Tyson and that he will be dragged into the case unnecessarily. The mention of the police court will probably come when the charge preferred by the board against Captain Ward of transferring Patrolman Scrivener after the patrolman had raided the house of Sidonia Young is heard.

Justice Tyson has stated that the man revealed his identity to him, but that the charge against him was tried and dismissed on its merits and that because of the prominence and previous respectability of the man he deemed it only just that his identity remain a secret. Judge Stockbridge, of the Supreme Bench, was apprised of the character of the man by Justice Tyson when Sidonia Young's case was tried in court.

Witnesses To Be Called.

It was learned that the defense will call about 30 witnesses, none of whom will be as to character alone, Captain Ward's counsel having decided that his record in the department will be sufficient.

It is the intention of Mr. Miles to call about 15 witnesses. This is a smaller number than was called before the board at the preliminary investigation, but the disparity is explained by the fact that on Tuesday and Wednesday of this week Mr. Miles examined each day at his office in the Calvert Building about 18 or 20 patrolmen and sergeants, the majority of them of the Northwestern district. He also interviewed several civilians who are connected with the case.

It has been learned that as the result of the interviews Mr. Miles has determined to limit the witnesses to about 15. This number, it is said, will not include any more civilians than were called by the board, but will include several patrolmen

who have so far not figured in the case, but who have been found by Mr. Miles to have had knowledge which will throw some light on some one or more of the charges against the Captain.

It has been learned with some degree of accuracy that in connection with the first charge against Captain Ward, that of failing to report the house of Mrs. Maggie Hunter, at 1439 North Carey street, as a disorderly place, the Police Board will call Mrs. Hunter, Edward Stoneman, Patrolmen Dunn and Kiggins, Sergeant Hurley and several other patrolmen, by whom the board's counsel will attempt to prove that Captain Ward had known the reputation of the house and could have reported the woman's name for indictment had he so desired. Except in the statements of Sergeant Hurley and Patrolman Kiggins, it is said that there will be no mention of the alleged payment of \$75 to Robert E. Davis, the board having ignored that phase of the situation.

Receiving Presents.

The second charge, that of receiving presents of money from Louis Katz, a saloonkeeper, will, it is understood, be presented by the Police Board through Sergeant Plum, Patrolmen Lynch, Webster and Casey, all of whom, it is stated, have sworn to the board that they heard Katz declare that he had paid Captain Ward various sums for protection.

No new witnesses have been found, it is understood, to support this charge. Charles McDermott, a former bartender for Katz, was called by the Police Board and also examined by Mr. Miles, it is said, but it is understood that he will not be called for the board's side. McDermott denies having any knowledge of the payment of money, although the patrolmen have sworn that he had knowledge of the payment and had heard Katz make the alleged statements.

The question on this charge will be largely one of veracity. The board will be asked to distinguish the truth as between the positive declarations of the policemen and the denial of Katz, as he has already made it before the board. It is understood, however, that it is the intention of Captain Ward's counsel to attempt to discredit, if possible, any testimony given by Katz, who was raided seven times in the two years Captain Ward was in the Northwestern district.

On the other charges of removing patrolmen from their posts without cause other than their activity against saloons and also of attempted intimidation of patrolmen who displayed activity against other saloons, it is said that the board's counsel will rely upon the statements of the patrolmen and the records of their activity, together with any patrolmen who may have heard the alleged intimidating language used by Captain Ward, as is charged, against two of his men, Stevens and Emrich.

Captain Ward, it is said, will allege that these charges were for the good of the service, and in substantiation of this will allege that the men were not doing their duty.