

CAPT. WARD DISMISSED

Police Board Finds Him Guilty Of Neglect Of Duty.

LIEUT. COLE HIS SUCCESSOR

Commissioners Make Other Changes And Promise Thorough Investigation Of Other Charges.

Rapid Action By Police Board.

The Police Board found Capt. Bernard J. Ward, of the Northwestern district, guilty of neglect of duty in not reporting the disorderly house of Maggle Hunter and dismissed him from the force.

Lieut. Charles M. Cole was promoted to the rank of captain and assigned to the Southern district.

The board announced that it would take up the charges made against other officers, including Sergeant Plum and that a special effort will be made to "clean up" the Northwestern district.

Capt. John J. Santry, of the Southern district, was transferred to the Northwestern and Lieut. Joseph McGovern was transferred from the Northern to the Central.

It was rumored that Captain Ward will take his case to the Court of Appeals.

Capt. Bernard J. Ward, of the Northwestern district, who had been under trial on several charges before the Police Board for nearly a week, was dismissed from the department yesterday, following a deliberation by the board of 20 minutes.

In as many more minutes immediately after announcing the dismissal of Captain Ward the board, which consists of Col. Sherlock Swann, Messrs. John B. A. Whelple and Peter Tome, announced the appointment of Lieut. Charles M. Cole, of the Central district, as Captain Ward's successor.

While the decision of the board in dismissing Captain Ward was a surprise to some, the serious nature of the charges against the former captain caused others to anticipate Captain Ward's fate.

Not only did the board conclude with the dismissal of Captain Ward and the promotion of Lieutenant Cole, but it announced that it would make a thorough investigation of charges, or rather insinuations, which had been made during the trial regarding the conduct of some of the other members of the department who were placed on the stand, resulting from the examinations by Ward's counsel, Messrs. Thomas G. Hayes and Harry B. Wolf.

A Shake-Up Anticipated.

It is expected that there will be a big shake-up, which may possibly result in the dismissal of other members of the department, if the charges which have been brought out are proved. Such action, it is said, is likely to follow investigations which the board instructed Marshal Farnan to make of insinuations of unbecoming conduct on the part of other members of the department who formerly worked in the Northwestern district and who had disagreements with Captain Ward while under him in the district.

The records of the following men will be investigated:

SERGEANT CHARLES E. HURLEY, who made the complaint against Captain Ward of failing to regard a report of the Hunter house, which resulted in the charges being preferred against Captain Ward. During the trial it was insinuated by the witnesses for the defense that Sergeant Hurley accepted graft from cocaine dealers in the Eastern district while he was there several years ago.

SERGEANT FRANK PLUM, of the Northeastern district, who, it is alleged, from the testimony of some of the witnesses for the defense at the trial, accepted money from women and proprietors of disorderly houses, giving them police protection in return.

PATROLMAN STAFF, of the Northwestern district, who, it was stated by Mr. Miles at the trial, was intoxicated on November 26 when he went to the police station and was not reported to the Police Board by his superiors because of some unknown reason.

PATROLMAN WEBSTER, another important witness against Captain Ward, it being stated that there were flagrant violations of the law on his post.

Patrolman Scrivner, another witness for the prosecution, was exonerated. The defense sought to prove during the trial that Scrivner failed to properly keep disorderly persons off his post.

Changes In The Department.

The board also made the following changes among the lieutenants:

Lieutenant Carter, of the Northwestern district, to the Northern.

Lieutenant McGovern, from the Southern district to the Central.

Lieutenant Dillon, from the Northern to the Northwestern district.

Captain Cole will go to the Southern district and Captain Santry, who is now in charge there, will succeed Captain Ward at the Northwestern district.

A surprise came when the board declared it intended to sift the charge that Mrs. Hunter paid Robert E. Davis money for police protection. Marshal Farnan was instructed by the board to present the name of Davis to the grand jury, with the evidence which was taken at the trial of Captain Ward regarding the Hunter case.

Capt. Ward Appears With Counsel.

It was a few minutes before 10 o'clock when Captain Ward, accompanied by his counsel, Messrs. Hayes and Wolf, appeared at the courtroom of the Police Board. Mr. Miles and Colonel Swann and Commissioners Whelple and Tome, of the board, had closeted themselves behind closed doors and at 10 o'clock they walked into the courtroom and took their seats and announced their readiness to begin the last day of the trial, the session being for the purpose of hearing the arguments of the attorneys for the defense and the board. Mr. Miles announced that he did not desire to make an opening statement, but would reserve the right to answer the argument made by the attorneys for the defense.

Mr. Hayes quietly left his chair and, in rising, spoke a few kindly words to the Commissioners and then started on a bitter arraignment of the accusers of Captain Ward. He did not mince his words in condemning the attitude of Sergeant Plum and Patrolmen Webster and Boardman and the other four witnesses against Captain Ward for the Police Board. Mr. Hayes declared that the four men, all of whom he stated had been before the board on charges preferred by Captain Ward, had formed a conspiracy against the captain and that in his mind there was not a scintilla of evidence which would permit the board to do other than to acquit the former captain of police.

Mr. Wolf in his argument was also very emphatic about the accusers of Captain Ward and declared that Captain Ward was innocent of the charges against him and that his name was being vilified by enemies who were after the captain.

Mr. Hayes Begins Argument.

Mr. Hayes said in part:

"There is every presumption in favor of Captain Ward in this trial. If Mr. Miles considers there is a scintilla of evidence against the captain I am in absolute disagreement with him as a lawyer and a man. Right, justice and, above all, the law of the land must prove him innocent, for he is that. The charges against him are baseless and constitute a conspiracy.

"Take the accusers of this man—who are they? Their testimony is weak and should be impaired from circumstances which have made them known to you members of this board. I say there is a deliberate conspiracy on the part of four of Captain Ward's accusers—Sergeant Plum and Patrolmen Webster, Boardman, and Casey—who have hatched out a false, flagrant plan against Captain Ward. I believe that Hurley is honest and I place him in another class, but I am afraid of the other four men. There is not a single line in all their testimony which shows an honest effort.

"The board has heard the testimony of Captain Ward when he was on the stand on Friday. He is frank and honest about all the conditions in the district. He has faithfully performed his duty and to rid him from the department would be a crime.

"The charges about Captain Ward receiving money from Louis Katz, the sa-

loonkeeper, are baseless, for you have the testimony of both Katz and Ward in which they deny such a transaction. Granting that Katz lied, you are not going to punish Captain Ward when Katz comes here and denies it.

The Removal Of Plum.

"Take the case of Captain Ward moving Plum. I may say right here there is no reason to dwell on it. Mr. Willis, formerly of the board, has testified against him, declaring that on one occasion during his incumbency as a member of the Police Board a man named Hibblitts came to him and complained of Plum's attentions to his wife.

"Regarding the Hurley removal we wish to say that Captain Ward did that because he felt that Hurley was a better man for the post he removed him to than any other sergeant in the district. Captain Ward has the greatest respect for Hurley and believes him an excellent officer. Considering these circumstances, the board should not for a moment entertain any idea that Captain Ward had any other motive in moving Sergeant Hurley than in putting him on a post where there was considerable rottenness which he wanted broken up.

"I don't think the board can question the wisdom of the removal of Scrivner, because residents on his post were constantly in communication with Captain Ward about women parading on the streets in his ballwick. He did not do his duty in properly patrolling his post and that is why he was removed.

Captain Ward's Language.

"Coming now to the alleged language used by Ward to Emerich and Stevens. I want to say that Captain Ward never had any other idea in talking to these men than that he wanted them to do their duty and break up violations of the Sunday law. He went so far with them that he warned them if they did not break up the violations he would remove them from their posts, or take them down before the Police Board. I will draw your attention to the fact that this language, as set forth in the charges, does not convey what the charge sets forth."

Relative to the statement made by Stevens, who declared while testifying that Captain Ward told him that "the liquor men downtown were raising — about the way he was cleaning up the saloons," Mr. Hayes said that the tone of the conversation might be interpreted in many ways, and that the Captain's talk was by way of encouragement.

Passing on, Mr. Hayes said Officers Boardman seemed spiteful all through his testimony, declaring that even when he was brought before the board on some charge he was fined by the board because false testimony was given against him by Captain Ward. He pointed out about the talk Boardman had in regard to the Ranft, Sands and other cases.

"Boardman said he took names at Ranft's place on Sunday and that Captain Ward ignored them," continued Mr. Hayes. "As a matter of fact, did not the Captain testify yesterday that he took the names to the grand jury, which refused to consider them?"

The Cunningham Case.

"Let us now go to the Cunningham case, in which Sergeant Plum declared that **Captain** Ward ordered the change of charges against Cunningham and several men caught in the place when it was raided. Plum is really the man who had the charges changed against the men. It was not **Captain** Ward who did this. Lieutenant Carter said on the stand that he refused to change the charge after he had been requested to do so by Sergeant Plum."

Lieutenant Casey, when on the stand Friday, testified that **Captain** Ward had ordered him to change the charge against the men and not Plum. This declaration was the feature of the afternoon session Friday.

Mr. Hayes then continued:

"**Captain** Ward has been accused of failing to take proper action in replying to a letter regarding the Hunter house, sent him by Marshal Farnan to investigate the place. I want to say **Captain** Ward is confident that he sent a reply to that letter to Marshal Farnan. Why, **Captain** Ward, as has been his custom, went so far as to check the letter he received from Marshal Farnan when he replied to it. It is true Marshal Farnan states he has no reply, but it might have been that **Captain** Ward dropped the letter in a street car, or on the street, and it may have become lost in some such manner and did not reach headquarters.

Evidence In Hunter Case.

"Again, Mr. Miles has tried to prove that the Hunter house has been known as a disorderly place for some time, and despite this fact all the patrolmen on the post where the woman lives were unable to get any evidence against the house, notwithstanding their constant vigilance. Of course, if the men failed to get evidence at the house, if anything was going on there, the blame falls on **Captain** Ward.



CAPT. CHARLES M. COLE

who is at the helm of the district, although he gave peremptory orders to the men under him about the place.

"When he could get no evidence about the place he naturally did not want any report, for it is like child's play for an officer to make a report out about something of which there is nothing. His men were constantly on the job, and they were told over and over again to get evidence if possible against the house. **Captain** Ward could have done nothing more. When **Captain** Ward finally got the report about the house he lost no time in sending it down to the Marshal's office in less than 24 hours. You cannot convict **Captain** Ward of negligence unless there is something proved in the way of a bad motive.

"Then, again, there has been a great deal of talk about Bob Davis. I know Bob Davis and I like him—he's a good fellow. The board cannot prove that there have been any improper relations between the two; that Ward got any of the \$75. And about the picture which **Captain** Ward has of Mr. Davis, that is no matter of any weight in this case. Because he has a questionable picture does not warrant the **Police** Department to look upon him as an inefficient or a corrupt officer. This board is sitting in an honest endeavor to find out whether **Captain** Ward is guilty or not, and I want to say that there is no evidence to prove him guilty of any of the charges against him."

Mr. Wolf Is Emphatic.

Mr. Wolf, who had listened attentively to the argument of Mr. Hayes, then arose and in his usual emphatic manner made a strong argument in defense of **Captain** Ward. He said, in part:

"The overwhelming evidence in this case is lack of proof against **Captain** Ward. There is absolutely no proof that **Captain** Ward got a cent of the money paid by the Hunter woman.

"Plum himself," shouted Mr. Wolf dramatically, "has testified that he told Lieutenant Casey that **Captain** Ward had told him to change the charge following the Cunningham raid, and now that bullet-headed Casey says that **Captain** Ward told him to change the charge. Ward made every effort to get evidence against the Hunter house, and he should be acquitted."

Mr. Miles then took the floor and declared that he did not intend to go into any long argument regarding the case, stating that he intended to leave the entire matter to the board to decide. He outlined the charges against **Captain** Ward and the evidence which he said he believed showed the **Captain** to have neglected his duty.

The board then went into secret session.

Board Gives Decision.

About 20 minutes later the members reappeared. Colonel Swann, as the spokesman, said in a quiet but clear voice:

"**Captain** Ward, the board finds you guilty of the first specification; not guilty of the second charge; not guilty of the third; guilty of the second and third and fourth counts, and you are dismissed from the department."

The substance of the decision is that

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CAPT. WARD DISMISSED

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Captain Ward had failed to report the Hunter house; was not guilty of taking money from Katz; not guilty of moving Plum on the Cunningham raid; guilty of moving Hurley after raids; guilty of moving Officer Scrivner after raiding Sidonia Young's place; guilty of using intemperate language against Officer Emerich, and guilty of using intemperate language toward Stevens.

Captain Ward was sitting beside his attorneys. Like a thunderbolt from a clear sky the news shook the sturdy form of the **Captain**, who has seen long service in the department.

The rapidity of reaching the decision caused many to think when the members emerged from their office that they were going to dismiss the charges, but the serious aspect of the faces of the three men showed different to the close observer. **Captain** Ward left the room with Attorneys Wolf and Hayes a few moments after the decision had been announced.

On the steps outside of the Courthouse he was asked if he would make a statement.

"All I can say," he said, "is that I have been dismissed from the department."

After announcing the decision of the case against **Captain** Ward the board then went again into secret session. It was a short time later that it announced its intention of making a thorough investigation.

Lieutenant Cole Promoted.

A short time later the board summoned Lieutenant Cole. When he arrived at the Commissioners' office he was taken into the conference room and was told that he would be made a successor to **Captain** Ward, to take effect on Monday.

"Your service to the department and your fitness have caused us to select you as a **captain of police**," said Colonel Swann. "You have an excellent record, and we expect you to continue to do good work. You have our best wishes."

Board Issues Statement.

The following statement was given out on behalf of the board by Secretary Josiah A. Kinsey:

"In the course of the **trial** just ended insinuations were made reflecting on the conduct of Sergeant Hurley. This matter will be investigated.

"In the hearing there also came out charges against Sergeant Plum, which will also be investigated.

"Certain allegations were also made with respect to Patrolman Scrivner, of the Northwestern district. The board does not consider the statements made against this officer would justify any action against him.

"It was also brought out that when the **trial** of Sidonia Young was had in court Patrolman Scrivner was not present, although he had taken part in the raid. It appears that prior of the raid on the house of Sidonia Young Scrivner had applied for and been granted a leave of absence. The **trial** of Sidonia Young took place six days after the raid, which was made on or about June 10. It does not appear that either the **captain** or any of the superior officers of Scrivner took any steps to have Officer Scrivner present at the **trial** or advised him to postpone his vacation. It also appears that in the raid on Sidonia Young's house the initiative was taken by Scrivner, who discovered the conditions at the time of the raid and he might have raided the house himself without assistance, but instead sought out his sergeant and upon the latter's direction secured the service of another officer, Patrolman Arnold, and the three officers made the raid.

To Investigate Stapf's Case.

"From statements made at the hearing suspicion arose that Patrolman Stapf had been intoxicated while on duty recently and taken into the station house and the matter never reported. This will be investigated.

"One of the witnesses on the stand stated that Patrolman Webster had called upon him and demanded \$5. The board considers the information it has insufficient to proceed against Webster.

"With reference to the statement made as to the payment of \$75 by Maggie Hunter to Robert Davis, the Marshal is instructed to send the case to the grand jury; to give the grand jury all information now in possession of the **Police** Department, together with all additional information they may gather.

"The board instructs in all cases where bail is taken for persons accused at a station house the name of the person going bail for the accused shall be entered upon the books of the station and included in the reports to the **police** headquarters. It has also been ordered that the names of persons appearing as counsel for those accused shall be similarly recorded and reported.

"The board has also ordered that there be instituted promptly a system by which proper records shall be kept of all communications received at the station house and communications sent therefrom."

Rumor Of An Appeal.

There was a rumor about the Courthouse after the decision of the dismissal of **Captain** Ward that the deposed official would take the case before the Court of Appeals at Annapolis. It will be remembered that **Captain** Ward was dismissed from the department in 1899.

Captain Ward was born in Baltimore and is 52 years old. He was appointed a patrolman on June 20, 1883. To the Southern district he went for patrol duty, which district was also the scene of Marshal Farnan's initial work, and two years after being appointed was promoted to the rank of sergeant. On April 25, 1885, he went to the Southwestern district as a sergeant and within the next few years was transferred to the Western and thence to the Central district.

On April 25, 1894, he forsook the uniform force and joined the plain clothes force, and did efficient work, being commended several times for good service. For three years he worked as sleuth, and on July 15, 1897, was appointed **captain** and assigned to the Southern district. For four years he remained a **captain**, and then Police Commissioners Upshur, Fowler and Morris dropped him from the force, declaring his appointment had been illegal because he was appointed through a letter from one member of the board and also because he had been made from a detective, this, it being declared, being illegal. He took his case to the Court of Appeals and was reinstated.

The New Captain.

Capt. Charles M. Cole during the raids upon policy shops made his record, and there is probably not a man in the department whose record for arresting violators of gambling laws is better than his. When a sergeant and round sergeant Cole devised all sorts of real sleuthlike methods to trap professional gamblers and policy writers. He is domestic in his tastes, and besides being well informed as to the laws of the State he has considerable executive ability.

The new **Captain** was born March 26, 1861, and was appointed to the force March 16, 1891. Six years elapsed before he was promoted to sergeant. Two years later he was made a round sergeant and 10 months afterward he was promoted to a lieutenant. On December 24, 1908, **Captain** Cole was placed as acting **captain** in the Southern district, where he did good work in breaking up Sunday violations during his stay there. When the appointments were made of captains to succeed Captains Schleigh and Schultz, Lieutenant Cole was not appointed, but was returned to the Central district.