

FOUR ACCUSE SERG. PLUM

Witnesses In Ward Trial Say They Paid Him Money.

OFFICERS CLASH BEFORE BOARD

Mr. Willis Says He Did Not Know Of Ward's Ability As Captain, But Believed Him Good Policeman.

The Day's Developments.

Four witnesses accused Sergeant Frank J. Plum, of the Northeastern district and formerly of the Northwestern, of having received money from them regularly for "protection."

Sergeant Plum declared that such accusations were merely a "frame-up."

Former President of the Police Board George R. Willis said that he had received many complaints from Captain Ward's subordinates; that he did not know of Ward's ability as a captain, but had regarded him as a good policeman.

Lieutenant Carter declared Captain Ward had done everything he could to "clean up" the district and obtain evidence in all cases where it came to his knowledge that the law was being violated.

Other officers testified in behalf of the accused Captain.

Declaring that money had been demanded of them, three keepers of disorderly houses and one former proprietor of a gambling establishment at the hearing of Captain Ward before the Police Commissioners yesterday said that they had repeatedly paid sums of money for promised immunity from arrest to Sergeant Frank E. Plum, of the Northeastern district, one of the principal witnesses against the Captain. Two of the witnesses were colored women.

At the adjournment of the hearing, which will be resumed today, the board went into secret session and, it is understood, considered the charges against Sergeant Plum. It was rumored that he will be suspended from duty until the charges can be investigated and that charges will be preferred against other policemen in the Northwestern district who have been mentioned as receiving "protection money."

Another feature of the day's hearing was created when Mr. George R. Willis, president of the last Police Board, refused to indorse Captain Ward as a good district commander, but admitted that he was a good policeman. An unsuccessful effort was also made by the defense to get Mr. Willis to discredit Sergeant Plum's behavior as a citizen and a policeman. Although Mr. Willis was looked upon as a witness for Captain Ward, he proved disappointing one to the defense.

"Frame up," Says Plum.
The charges against Sergeant Plum came at the end of the session, and the last witness was a man who said he knew the Sergeant received money from the gambling house. Later Sergeant Plum said that the charges constitute a "frame-up" against him, and that he can easily prove his innocence. One witness had not mentioned anything about giving up money until a week ago, when, as she said on the stand, she told the stenographer in the office of Mr. Harry B. Wolf, one of Ward's counsel.

At the close of the hearing Sergeant Plum, who had listened to the testimony against him with a stolid countenance, approached Captain Ward and, with blazing eyes, said:

"If I had two more weeks I could have gotten just such witnesses and just such affidavits."

"Talk to the board, not to me," Captain Ward retorted; "I want to call the board's attention to the Sergeant," he added, addressing the three members.

Four of the witnesses who testified against Sergeant Plum in defense of Captain Ward acknowledged the character of the houses they ran. Three of them were colored. Another witness was a saloonkeeper, while another acknowledged he formerly kept a gambling table on his place.

Sergeant Plum, in possession of the records of two of the women who testified, making oath to the fact that he had accepted money from them, was in constant consultation with Attorney Alonzo L. Miles, the attorney for the Police Board.

Women Give Testimony.

The allegations that Sergeant Plum had demanded money in exchange for protection were made by Marie Colder, 818 McCulloh street, who after considerable hesitancy admitted that her name was Shellyabarger; Sidonia Young, colored, 510 Tyson street, and Emma Harmon, who lived on Jasper street. Charles H. Newman, now a haberdasher's clerk, but who formerly kept a cigar store and gambling rooms at 604 North Eutaw street, said that he paid \$3 weekly to retain the Sergeant's friendship.

Sidonia Young, the first to testify that she paid the Sergeant money, declared that she gave him \$3 every week and that Patrolman Scrivner was given \$2. She was examined by Mr. Hayes.

Mr. Miles asked who had ordered her out of the Tyson street house and she replied that Captain Schleigh had done it through Sergeant Plum, who, she said, told her to move.

Q.—Who finally arrested you on Tyson street?

A.—Officer Scrivner and Sergeant Busch. I was fined \$500 and went to jail for 16 months. On the night of the raid Officer Scrivner had gotten only \$1.50 and I believe he raided me because he did not get the other 50 cents. He ran after the officers when he saw a white man come into my house.

Emma Harmon, who testified that she formerly kept a disorderly house on Jasper street, said she had been arrested three times. She had already accused Sergeant Plum of taking money from her for police protection, but she acknowledged that he raided her place and charged her on one occasion with running a disorderly house and with robbing a man. Later, upon cross-examination, she stated she had been arrested nearly a dozen times.

Mr. Hayes—Did you ever pay money to Sergeant Plum?

A.—Yes; about \$100.
Q.—What for?
A.—For protection.
Q.—Do you remember when you gave the money?

A.—In 1907 or 1908.

Says "Another Party" Paid.

Marie Volder, the white woman, said that she had been renting rooms with the week. In answer to a question by Mr. Hayes she said she knew Sergeant Plum, and that he had been on the post on which her house is located.

"Did you ever pay Sergeant Plum any money?" Mr. Hayes asked.

"Yes, sir; but I couldn't state the dates," she answered. "At one time I gave him \$5 with my own hand, after I had been in the house two months."

The woman then told Mr. Hayes that she did not pay the money herself, but had given it to "another party" to pay. She said the other person went under two names—James Williams and Henry Newell; that she thought he was single and lived on Park avenue, and that he was supposed to be in the commission business. Answering further questions, she said:

"I gave at different times different amounts. The first I paid was \$16; the second \$5 and the third \$5. That was the amount I usually gave the Sergeant, and I continued to give it to him until he left my neighborhood."

"Do you recall having men stationed on the pavement in front of your house?" Mr. Hayes asked.

"Yes; it was after Plum had demanded money from him," she replied. "And he fought me in the dining room of my house. He shook his fist in my face because I didn't pay him, because I didn't have it. After I paid him the men were removed."

In answer to another question she said the men were Patrolmen Staff and Mitchell and that they were on watch in front of her house over a week. She said the men were removed the same evening that she paid.

Mr. Whittle then asked her who was the first person she told about giving up money and when she told it. She said a week ago. Mr. Whittle pressed her to answer her first question.

"I told Mr. Wolf," she said.

"To be perfectly accurate, Mrs. Volder, didn't you tell my stenographer?" Mr. Wolf said.

"That's right, it was some young gentleman in your office. You came in later," she said.

Newman, the next witness, said that when he first opened he had told Sergeant Plum that he wanted to be friendly and when business picked up he would give him

some money. Three dollars a week, he said, was set aside. He said that he did not do it so much for protection, "but to keep the Sergeant's friendship."

Mr. Willis Takes The Stand.

Mr. Willis was the first witness placed on the stand by the defense. He was asked about the character of Sergeant Plum, one of the board's witnesses, who declared on Tuesday in his testimony that he had been told by Louis Katz, a saloonkeeper, that he had given money to Captain Ward for police protection. Mr. Wolf asked Mr. Willis if Plum had ever been brought before him during his incumbency as president of the Board of Police Commissioners during 1904 and 1908. Mr. Willis stated he had no recollection of Sergeant Plum being before him, but in reply to another question by Mr. Wolf he stated that he recalled that a complaint had been made against Sergeant Plum.

Mr. Willis said he thought Captain Ward was a good policeman, but he said he did not know how he was as a captain. Mr. Willis was not sworn, this formality being waived by Mr. Wolf, who said there was no need of questioning the veracity of the witness.

Mr. Wolf did the questioning:
Q.—When you were a Police Commissioner did you receive any complaints against Sergeant Plum? Was he ever before the Board?

A.—The records will show that.
Q.—Did you ever receive a complaint from a man named Hebbitts regarding Sergeant Plum and Hebbitts's wife?

A.—Yes; I have some recollection of a man, I do not recall his name, coming to me about Sergeant Plum under such circumstances, but the matter did not come up before the board.

Q.—What action did you take?
A.—I spoke to Captain Ward about the matter and ordered the transfer of Plum from his post to another. The thing was not brought before the board because I did not want a public scandal. I thought it was probable that Plum might be innocent and felt it would be better to remove him than to cause any further trouble.

Q.—Did you change Captain Ward, sending him to the Northwestern district because conditions were bad there?
A.—No; I have been a follower of the United States military laws in regard to the change of commandants. I believe it a good thing to change men.

It was apparently Mr. Wolf's effort to show that Captain Ward was a good commander of the Central, but that he changed him because he felt that he was needed to clean up the conditions in the Northwestern district.

Ward Not The Best, He Says.

Q.—Did you consider Captain Ward the best man to break up violations in the Northwestern district?

A.—No, there are captains who were quite as available to clean up the Northwestern district as Captain Ward.

Q.—What was the condition of the Central when Captain Ward left?
A.—In bad condition. I, personally, made numerous efforts to investigate information I had gathered regarding the openness of the district. I received many complaints about the violations.

Q.—Did you tell Captain Ward about the complaints?
A.—Yes, I turned them over to him to investigate.

Q.—Did he succeed in breaking up the alleged violations?
A.—He told me he would go after them. None were of any success.

Q.—You mean none of the complaints were investigated?
A.—No, I suppose Captain Ward made investigations, but only in some instances did he succeed in breaking up the violations.

Q.—Was Captain Ward a good captain or not?
A.—I do not know his ability, even now. Regarding his ability as a captain I am no authority, but I believe he was a good policeman.

Q.—Did you ever receive any complaints about him?
A.—Yes, in many instances I received complaints from Captain Ward's subordinates. Of course, you understand that the Police Department is full of jealousy.

"What's that?" Mr. Hayes suddenly asked.

A.—I say that there is much jealousy in the Police Department.

Heard Many Complaints.

"What Captain Ward was commander of the Central district you say there were many complaints," Mr. Miles said.

A.—Yes.
Mr. Whittle—Did you receive complaints from subordinates about captains in other districts?

A.—In some districts we never heard any complaints.

Q.—Did you realize the conditions in the Northwestern as well as the Central district?
A.—Yes, I had received complaints about both.

Q.—When you made the transfers what instructions did you give?
A.—I told Captain Henry to clean up the Central district, for I realized it was bad; I also told Captain Ward to clean up the Northwestern. You see in the Central conditions were sporadic. I would receive complaints and when the police made investigations the conditions would improve, but would break out again in a short time. It continued that way all through my term.

Mr. Willis, while a witness for the defense, proved a bad one for Captain Ward. He stated that he realized that conditions existed where there were open violations, but he could not get evidence because the persons he suspected seemed to know in advance that they were to be visited by the police.

Lieutenant Carter Questioned.

Lieutenant Carter was the next witness for Captain Ward and stated that he had been in the Northwestern district for 26 years. As he was about to continue his statement Sergeants Hurley and Plum and Patrolmen Scrivner, Bourman and Phillips were admitted to the trial room, and Mr. Wolf asked on what grounds they were admitted.

Mr. Whittle said the board desired that they be present to hear the statements of witnesses. Colonel Swann was out of the room at the time and Mr. Whittle spoke for the board. Mr. Wolf reluctantly consented to their presence and the testimony of the witness proceeded.

Lieutenant Carter was asked by Mr. Wolf to state the conditions under which he went to the Northwestern from the Eastern.

"My instructions were to go to the Northwestern," he said, "and assist Captain Ward in cleaning up. I felt I was being used as a tool, but I went, nevertheless. Slot machines, gambling and liquor violations were going on openly. In regard to

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the men, **Captain Ward** often spoke to me about them. I found that in some sections it was impossible for him to enforce the law on account of the condition of the men. I myself told the men that the Marshal had determined to clean up. **Captain Ward** told me to impress this on the men. He often said to the men, 'If I get violations of the law on your beats I will take you before the board.' He consulted me about changes when the men became reckless."

Mr. Miles here objected and said it was the duty of all captains to do this, and he would concede that **Captain Ward** did this. Mr. **Hayes** then took the floor and said that **Captain Ward's** actions up to the date of the charges were claimed to be above reproach. Colonel **Swann** said that he wanted the fullest investigation and did not desire concessions on any point. Lieutenant **Carter** was then told to continue.

A.—Yes.
Q.—Do you know if there is any gambling now in the district?

A.—I don't know of any, except in two or three clubs. The man on the beat is instructed to go through the one on Franklin street, known as the Academy Club.

Q.—Was it ever raided by order of **Captain Ward**?

A.—Yes.
Q.—Outside of this club, is there any gambling?

A.—No.
Q.—Where was the gambling before **Captain Ward** came to the district?

A.—On Franklin street, Howard, near Paca street; Druid Hill avenue and Eutaw street. On these streets things were wide open.

Q.—Who patrolled that post at that time?

A.—Sergeant **Plum** and Sergeant **Carey**. I cannot recall any others.

Q.—Did these open places exist when **Plum** and **Carey** were there?

A.—Yes.
"Nothing Doing Now," He Says.

Q.—What is the condition now?

A.—Nothing doing. And I may add it was due to the orders of **Captain Ward** to his men. He has used every effort through plain-clothes men from his own and others' districts to suppress this.

Q.—What were the conditions prior to June in the section above **Patterson** avenue?

A.—It was in bad condition. The **Captain** had threatened the lieutenants, the round sergeants, the sergeants and patrolmen to break up the violations. I told him he would not get results until changes were ordered, and they were not gotten until after **Ward's** case resulted in changes being made by the board. Things were then cleaned up and are now in good condition.

Mr. **Whittle** asked:
"You mean to say that conditions did not improve until the board made changes on June 5?"

A.—Yes, all good work done in this district was by men detailed by the Marshal from outside previous to June 5. Let me further say that no man of strong determination could have done more than **Captain Ward**. Since the changes all the section above **Patterson** avenue has been improved.

"Why was the part of the district south of **Patterson** avenue cleaned up and that north of the street not cleaned up?" asked Mr. **Wolf**.

A.—The changes made may show this.
North Of **Patterson** Avenue.

Q.—Up until June what had **Captain Ward** done about that part of the district north of **Patterson** avenue?

A.—He gave particularly rigid instructions about that.

Mention was then made about saloons in that section which were violating the law. Lieutenant **Carter** stated that they were made to do business lawfully by the men who were placed there after June.

Q.—What did **Captain Ward** do in regard to the **Goldman** place?

A.—I believe he made a personal inspection.

Q.—What did **Captain Ward** do to shield or protect **Goldman**?

A.—Nothing.
Q.—Don't you remember **Patrolman Meeks** having been put on that post and threatened if he did not get evidence.

A.—Yes. And after that **Captain Ward** investigated it himself. In regard to **Slater's** place, on **Baker** street, **Captain Ward** complimented **Patrolman Stevens** on the work done and evidently encouraged him to continue.

Q.—What did **Captain Ward** do about the suppression of disorderly houses?

A.—Orders were given three times over the desk to report at once questionable houses and any witnesses found in them.

Blotter In Evidence.

The blotter on which was entered the charge against **James Cunningham** of maintaining a gambling device at 513 North **Howard** street was then produced by Mr. **Wolf**, and Lieutenant **Carter** was then asked to explain what a blotter is, to read the charges against **Cunningham** and the men caught in the raid and to explain the circumstances surrounding the entering of the charge on the book.

Particular stress was laid on the red line drawn through the charge of keeping a gambling table and the apparent substitution beneath of a charge of disturbing the peace. The Lieutenant denied that he had changed the charge on the book.

In answer to questions by Mr. **Wolf**, Lieutenant **Carter** said that the charges against **Cunningham** and the others were preferred by Sergeant **Plum**, who came to the station with **Patrolmen Arnold** and **Scrivner** after the wagon had arrived with the prisoners. He said that **Plum** had laid the charge of maintaining a gambling table against **Cunningham** and a charge of gambling on Sunday against the others.

"Now tell the board if you made the change in the charge, as indicated by the red line drawn through the original charge," Mr. **Wolf** said.

"No," the Lieutenant replied.
Says **Plum** Wanted Charge Changed

Mr. **Wolf** asked:
"Did anybody ask you to change the charges against these men, and if so, who?"

"Sergeant **Plum**," he answered.
"What did he say?" Mr. **Wolf** asked.

"Sergeant **Plum** asked me if I would change the charge against them to that of disturbing the peace," Lieutenant **Carter** replied. "He said he didn't have a strong case against them on the other charge. I asked him how they had disturbed the peace and he said that they had not made much noise, but all would plead guilty to that charge. I said 'Did you hear them from the street?' and he said 'No.' I then refused to change the charge."

Q.—Was **Captain Ward** there?

A.—No.
Q.—Did **Sergeant Plum** say the **Captain** wanted the charge changed?

A.—No.

The Lieutenant then said that when he came on duty again that Sunday night he noticed that a charge of disturbing the peace had been entered against **James Cunningham** under the charge that he had written.

Commissioner **Whittle** then asked why the Lieutenant had asked **Sergeant Plum** if he had heard any noise from the street, and what he would have done if the Sergeant had said he had heard noises.

"**Plum** said he didn't know the men were in the house until he entered the rooms and found them," Lieutenant **Carter** replied. "If there had been a case of disturbing the peace I would have entered the charge in addition to the one of gambling on Sunday."

Lieutenant **Casey's** Transfer.

Mr. **Whittle** then demanded the date of Lieutenant **Casey's** transfer, which Secretary **Kinsey** said was on March 20, 1909, and that **Casey** had gone to the Northern district. Answering Mr. **Wolf's** question, Lieutenant **Carter** said:

"It was about six weeks before that time that the **Captain** called me in and asked me about the changing of the charge. I said that I knew nothing about it. I related the circumstances as far as I knew them and told him I had refused to make the change. If I'm not mistaken, he said: 'You'd better be careful; there may be some trouble.' He made some suggestions after the conversation, but I could not tell exactly what he said."

Mr. **Whittle** then asked if that was the first time the **Captain** had asked for an explanation.

The Lieutenant replied that on the Sunday night following the raid **Captain Ward** had said, "I see you changed the charge," and asked who did it.

"I told him I didn't change it and did not know by whose authority it was done, or something to that effect," the Lieutenant said.

Mr. **Wolf** then asked the witness if he knew **Dan Mattison**, and the Lieutenant replied that he did.

"What does he do?" Mr. **Wolf** asked.

"He's a saloonkeeper or a bartender," **Carter** answered.

"And he's a brother-in-law of **Sergeant Hurley**, too, isn't he?" Mr. **Wolf** inquired.

Replying to a question concerning **Mattison's** whereabouts, Lieutenant **Carter** said that the man had been locked up at the Northwestern the night before on a charge of false representation, but **Sergeant Hur-**

ley spoke up and informed the board that **Mattison** had been dismissed in the morning. Continuing the examination, Mr. **Wolf** said:

"Do you remember **Mattison** stopping you on the street and saying something about getting **Ward** out of the district?"

A.—He once told me, in front of **Roth's** place, that if they could get rid of **Ward** they would do more business and could take care of their friends."

Had Heard Of \$75.

Lieutenant **Carter**, replying to questions concerning the **Hunter** case, said that he had heard about the \$75 being paid for protection three or four months before the statement had been handed in by **Sergeant Hurley**; that he had gone to the **Captain** and the latter had said he had heard the report before.

Mr. **Miles** then took up the examination and asked the Lieutenant about his transfer from the Eastern to the Northwestern district. He said that when he went to the Eastern shortly after either **Captain Moxley** or **Captain McGee** had been transferred and **Captain League** returned to the district he had found conditions there bad, but that in about a year, through **Captain League's** efforts, the district had been cleaned up. He said that when he was transferred back to the Northwestern he found bad conditions there, but no worse than the Eastern.

Q.—You found that the saloons were wide open on Sunday?

A.—The majority of them.

Q.—Do you know what steps were taken other than the orders given over the desk?

A.—I know that **Captain Ward** gave instructions from time to time; that he detailed men on a number of cases, and that he got men from other districts to raid places. I know that he went out himself and planned and helped raid places.

He said further that some of the raids had not been successful, as the places "had been tipped off and there was nothing doing." He said that the condition of the district now is "splendid."

Mr. **Miles** asked him how he knew that conditions were good, and the Lieutenant replied that he knew it from personal inspection and from the reports of reliable sergeants and patrolmen. He was asked if he had ever made an inspection of the district in the previous year to the bringing of the charges against the **Captain**. He replied that whenever the **Captain** was off duty he went through the district and is familiar with all the work and conditions there.

"Do you know whether **Sergeant Plum** had any conversation with the **Captain** before he asked you to change the charges?" Mr. **Miles** asked.

"I do not know; the **Captain's** name was not mentioned to me," the Lieutenant replied.

Two Letters About **Hunter** House.

Asked if the **Captain** had ever told him about complaints against the **Hunter** house, he said that two letters had come under his notice, and that probably three or four months ago he had heard the **Captain** speak of them.

Q.—Did you hear what was said at the time **Sergeant Hurley** presented the statement to the **Captain**?

A.—I was busy writing at the time. I heard **Hurley** say "I've got a statement here from the woman," and I saw him hand it over the desk. I heard him speak of the \$75 given to "**Bob**" **Davis** for protection, and I heard the **Captain** say: "You can keep it; I heard about it six months ago from **Tyson** downtown. You go and get some evidence against the house."

Q.—Did you ever have a conversation with **Plum** in regard to **Katz**?

A.—I might have. The place had been talked about a great deal.

Colonel **Swann** then asked if **Sergeant Plum** had ever said that **Katz** told him that he had given **Captain Ward** money.

"No, sir; if he had I'd have had the case before you gentlemen," the Lieutenant answered.

"You say the district was wide open. Do you know of any gambling places that have come in since?" Mr. **Whittle** asked.

Lieutenant **Carter** replied that there had been one, but that had been closed up, the **Captain** having personally conducted the raid. He also said that there are none of the regular gambling houses that had been in the district doing business now, and that the attention of the police was now principally centered in breaking up games in saloons. Mr. **Wolf** read off the names of several places raided, and the Lieutenant corroborated the attorney's statements.

At The Afternoon Session.

After the noon recess the first witness called was **Patrolman Miller**, of the Northwestern district. He said that in the latter part of May he had been called into the **Captain's** office at the Northwestern and shown an anonymous letter. The latter, he said, was from a woman who said her husband frequented the house on **Carey** street.

"The **Captain** told me to get evidence of the house," said **Patrolman Miller**, "and I tried to procure it from the neighbors and by watching from the yard of a nearby school house."

Mr. **Miles** asked the officer if he knew the occupants of the **Hunter** house.

"I do," said **Miller**.

Q.—How did you know their names?

A.—I talked with the persons on the street and found out their names.

Q.—You know **Officer Dunn**. Why did you not take up the matter with him?

Miller replied that he did not talk with **Dunn**, because he thought the **Captain** had given the other officer orders. He said that his post was changed two weeks after the investigation.

Found No Evidence, He Says.

Sergeant Pfennig, formerly of the Northwestern district, said he worked on the post on which the **Hunter** house is located, but had never found sufficient evidence to take the woman's name to the grand jury.

Mr. **Joseph McPherson**, who keeps a lunch-room at **Pennsylvania** avenue and **Cumberland** street, said it was from him the coat and hat used by **Patrolman Durkin** in tracking a couple that left the **Hunter** house one night was borrowed.

Edward Hargrave, committee clerk in the First Branch City Council, who was mentioned by **Maggie Hunter** as the man who called her on the telephone and told her to pay the \$75 that **Sergeant Hurley** mentioned in his complaint, declared yesterday that he would demand that he be placed on the stand. **Hargrave** and **Robert Davis** were in the Courthouse all day, in the corridor leading to the board room, and said they expected to be called to the stand.