

# WARD QUOTES PUMPHREY

## Says Detective Told Him Whelittle Could Not Trust Marshal.

### THE COMMISSIONER DENIES IT

#### More Evidence Introduced About Cocaine Traffic And "Tipping-Off" System.

##### A Lively Day At Trial.

Former **Captain of Police Ward** declared that former Detective **Captain Pumphrey** told him President **Whelittle**, of the **Police Board**, said he could not trust **Marshal Farnau** and **Deputy Marshal Manning**.

**Mr. Whelittle** indignantly denied this, and challenged **Pumphrey** to go on the stand and assert it.

More evidence was brought out about the alleged sale of cocaine and of "tipping off," as charged in some of the testimony.

**Mr. Whelittle**, in a statement, said **Governor Crothers** had offered to drop the investigation if **Farnau** and **Manning** were removed.

The next session will be at 10 o'clock Monday morning.

At the trial of the **Police Board** before **Governor Crothers**, in the Superior Court room, yesterday afternoon, former **Police Captain Ward** declared under oath that ex-**Captain** of Detectives **Pumphrey** stated **President Whelittle** urged him to investigate saloon violations, because he could not trust **Marshal Farnau** and **Deputy Marshal Manning**.

Not only did **Captain Ward** testify that **Pumphrey** made this statement to him in the presence of **Governor Crothers**, **Attorney-General Straus**, **Justice Tyson** and ex-Mayor **Hayes**, but **Ward** said **Pumphrey** declared **Manning** had given tips about contemplated raids to "**Frank**" **Kelly** and the late "**Bob**" **Davis** while **Pumphrey** was in his office at police headquarters.

Angered at the statement of **Ward**, **Mr. Whelittle** arose and challenged **Captain Pumphrey** to come into the courtroom and make the allegation, declaring that if he did he would go before the grand jury and ask that **Pumphrey** be indicted for perjury.

##### Tells Of Other Assertions.

**Ward** said **Pumphrey** made these statements last December. He told of other assertions when **Pumphrey** made similar assertions about **Manning**, and spoke of the visit he said **Mr. Whelittle** made to his office while he was **Captain** of Detectives.

Not only did **Mr. Whelittle** take exception to the declaration of **Ward** as to the statement alleged to have been made by **Pumphrey**, but he angrily demanded of the **Governor** an answer to the question as to why he did not tell him of the statement when he was at **Annapolis** in December.

"I was there December 28 and you did not say anything about it, and you were ready to compromise this matter with me," declared **Mr. Whelittle**.

##### Mr. Whelittle Angry.

**Mr. Whelittle** was indignant and the crowded courtroom was on edge. Elsewhere in **THE SUN** today will be found an interview with **Mr. Whelittle**, in which he declares that this "compromise" he mentioned was that **Governor Crothers** was willing to discontinue the fight against him if he would retire **Marshal Farnau** and **Deputy Marshal Manning**.

There was other startling testimony given at the trial by **Patrolman** (formerly detective) **Thomas O'Donnell**, who told of violations of the law in the sale of cocaine, of protection given vendors of the drug and of information he had received that police-men were being paid a salary by **Dr. William H. Dull** to protect his agents from arrest.

##### Dick Demands Hearing.

**Patrolman Dick**, when asked by **Mr. Harley** if he had not been reduced from detective to patrolman, demanded that he be allowed to tell why. He stated that the board accepted testimony of **Captain Pumphrey** against that of other citizens, who, under oath, testified that he was innocent of the charges that **Pumphrey** had preferred against him and **O'Donnell**.

It was one of the most exciting days of the trial. The courtroom was crowded, and the statements of **O'Donnell** and **Dick** proved to be revelations to many of those present.

##### Ward Star Witness.

**Ward**, who was the star witness of the day, was called at the afternoon session. He was asked by **Mr. Straus** to say what he had heard **Captain Pumphrey** say regarding tips having been given out. **Mr. Harley** objected to the testimony, declaring that it was hearsay and not admissible, particularly because **Captain Pumphrey** was in the city and that if he had made any statements it was the duty of the prosecution to bring him into court to testify.

After several tilts between the counsel **Ward** was allowed to continue, **Governor Crothers** ruling that he had heard the statement and under this condition there was no reason why it should not be admitted.

##### Refers To Pumphrey Again.

Before going into the question of tipping, **Mr. Straus** asked **Ward** if **Pumphrey** had said anything about an interview with **Mr. Whelittle**:

**Ward** answered: "Well, **Captain Pumphrey** stated in the presence of the **Governor** on two occasions, and once in the presence of **Mr. Hayes**, **Justice Tyson** and myself, that **Mr. Whelittle** came over to his office and told him he could trust him and he wanted him to get out and raid some places which were violating the liquor laws. **Pumphrey** said he replied:

"You have a **Marshal of Police**, you have a **Deputy Marshal**, you have **captains**, **round sergeants** and **sergeants**—why can't they do it?"

"**Captain Pumphrey** said **Mr. Whelittle** stated: "I can't trust the **Marshal** or the **Deputy Marshal** and that is the reason I want you to do it."

**Mr. Straus**: "Did **Captain Pumphrey** say he complied with **Mr. Whelittle's** request?"

A—He said he complied with it, and sent his men out and got the reports from the men the following day and turned them over to the **Police Commissioners**.

**Mr. Straus**: "Tell the **Governor** from your knowledge"—

##### Challenges Pumphrey.

At this juncture **Mr. Whelittle** rose from his feet. He banged his fist on the table and shouted:

"If **Captain Pumphrey** goes on the stand and swears to that I will go to the grand jury and have him indicted for perjury. That statement is a deliberate lie—it's an outrage.

"Why didn't **Captain Pumphrey** say that when I dismissed him—at the time he argued with me three hours in the **Board room**?"

There was excitement in the courtroom and the throng that had lingered surged forward expectantly.

**Mr. Harley** arose and urged **Mr. Whelittle** to restrain himself, but the latter, who had sat down, got up and exclaimed, looking toward the **Governor**:

"Did you tell me this in December when I was to see you—when I was down to see you on the 28th of December; did you say anything then to me of this sort? No, you were ready to compromise with me then and you never mentioned this matter to me."

**Governor Crothers**, who felt the tenseness of the situation, began pounding on his desk with the gavel.

"Order! order!" he said; "we must have order, gentlemen."

##### Mr. Hayes Objects.

**Mr. Hayes**, who had sat and heard **Mr. Whelittle**, then took the floor.

"I do not think this a proper way to proceed with this trial," he said in a loud voice. But **Mr. Whelittle** again left his chair, and, directing himself to **Governor Crothers**, exclaimed:

"It is hard to sit here and hear such stuff."

**Mr. Hayes** demurred of **Governor Crothers** that **Mr. Whelittle** discontinue, and exclaimed, looking toward him:

"If you want to put him (meaning the **Governor**) on the stand and make him tes-

tify, he is willing to go, but he is not going to be interrogated in this manner."

**Mr. Harley** had risen at this stage, and when **Mr. Hayes** finished, he said, moderating his tone:

"If it pleases your Excellency and **Mr. Hayes**, the **Governor** has promised to go on the stand and we propose to hold him to that promise. The heavens may fall, but if they don't we are going to demand that the **Governor** go on the stand."

"He'll do that, all right," rejoined **Mr. Hayes**.

**Mr. Harley** said: "This is the most damnable proceeding I ever heard of."

**Mr. Whelittle Leaves.**  
After quiet had been restored **President Whelittle** walked from the courtroom. **Mr. Harley** followed, but soon returned, and then former **Captain Ward** was further questioned.

"Did **Pumphrey** ever tell you anything about tipping?" asked **Mr. Straus**.

"I heard him tell **Governor Crothers** that frequently when he went to **Manning's** office on a Saturday afternoon he heard him call up **Frank Kelly** and tell him places that were to be raided the next day.

Q.—Whom did he say he heard call up **Kelly**?

A.—**Deputy Marshal Manning**.

Q.—Did **Pumphrey** say **Manning** called up anyone else?

A.—Yes, he said **Manning** called up "**Bob**" **Davis**.

**Ward** continued under examination: "I heard **Pumphrey** make two statements to the **Governor**, one to **Mr. Hayes** in his (**Ward's**) presence last December. **Pumphrey** told us he had heard **Manning** telephone not only to **Kelly** but to **Davis**."

"Did **Pumphrey** say anything about being sent for by **Kelly**?" asked **Mr. Straus**.

"Yes, **Pumphrey** said **Kelly** had sent for him, and said he (**Kelly**) had seen **Commissioner Whelittle**."

**Objects To Evidence.**  
At this point **Mr. Harley** resumed strenuous objections to the line of testimony being given, arguing that hearsay evidence would not be admitted in any court, and he put the case up to ex-Mayor **Hayes**. He contended that the board should receive fair play and that **Davis** was dead and **Pumphrey** was still alive.

"If **Pumphrey** made this statement," said **Mr. Harley**, "Why don't you bring him here, so that he can tell us about it. It is the rankest hearsay evidence, for it does not give us opportunity to have **Pumphrey** here for cross-examination after being sworn."

The **Governor** admitted the evidence, overruling **Mr. Harley**.

**Mr. Straus Questions.**  
**Mr. Straus** then asked the witness:

"You mean to assert that **Pumphrey** said this was going on at the central office and that it was a customary occurrence. Should this be permitted? Certainly we should hear this evidence, if it tends to show that persons in authority at headquarters have been in league with violators of the law. The headquarters of the city are supposed to have men in office in whom the people have confidence and trust."

**Ward** then continued to tell of the interviews which **Pumphrey** is alleged to have given regarding tips being given out by **Deputy Marshal Manning**.

**Tells Of A Raid.**  
What else did **Pumphrey** say in his interviews with you and others?" asked **Mr. Straus**.

"He said **Colonel Swann** came to his office at headquarters one day and instructed him to go out to 13 North Eutaw street and break up a pool room. **Pumphrey** said he told **Colonel Swann** that it would be his funeral and that he would lose his head. **Colonel Swann** told him he must go and that the place must be broken up.

"**Pumphrey** said that with several men he went to the place and found two men there. A wire was cut and the desk was broken open and the men were warned to get out of business."

"In whose presence did **Pumphrey** make this statement?" asked **Mr. Straus**.

"In the presence of the **Governor**, **Mr. Straus**, **Mr. Hayes**, **Justice Tyson** and myself."

**Mr. Harley** did not cross-examine **Ward**, who then left the stand and became seated in one of the front rows until after the afternoon session.

**Dr. Dull's "Friends."**  
Following former **Captain Ward** on the stand came **Patrolman O'Donnell**, who practically corroborated the testimony given by **Patrolman Dick Thursday**. He said, upon being questioned by **Mr. Hayes** that he had received information that **Dr. Dull** was a close friend of **Marshal Farnau** and that the **Marshal** had introduced several **police** captains to him.

"From information I received I was led to believe **Dr. Dull** thought he would be allowed to sell cocaine in the districts in charge of the captains **Marshal Farnau** introduced him to.

"Was In Bad."  
"I was told this by my brother, **Edward O'Donnell**, who said I was in danger of getting my 'head chopped off' for working up the cocaine evidence. I realized that I was in bad because of this reason, and I later found it out to my sorrow."

**Mr. Hayes** asked if he had heard anything about policemen protecting **Dull**. **O'Donnell** replied that he had heard that they were on **Dr. Dull's** payroll, and that they were giving **Dull's** agents protection while they sold cocaine.

He also declared he had been told the policemen were being paid not only to allow **Dull's** agents to sell the drug but also to keep out and arrest those who sold cocaine for anybody else.

What He Says They Got.  
"How much more did you hear these men were getting?" asked **Mr. Hayes**.

"I heard the sergeants were getting \$10 a week and the policemen \$3 a week."

"Did you hear anything definite about persons 'having it in' for you?" asked **Mr. Hayes**.

"Yes, I have witnesses that (**Bob**) **Davis** said at a ball game at **Oriole Park** that, after the **Dull** case, **Dick** and I would 'get it.'"

"Did you hear this yourself?" asked **Mr. Hayes**.

"No, it's a good thing that I did not."

**Given "Cold Shoulder."**  
Upon further questioning **O'Donnell** said he had been given the "cold shoulder," meaning reduced, and treated shrewdly.

"By whom?" asked **Mr. Hayes**.

"I don't know, but I was reduced and sent out on the farm (the Northern district). They call it **Marshal Farnau's** farm, where they put those who are 'in bad.' You know, in every big town there is a pasture for old and decrepit horses. That's where they put me. As far out of the way as they could. I was pastured out. **Lieutenant Casey** told me the **Marshal** had called him up and told him to put me as far out in the annex as he could."

**The "Cocaine Trust."**  
He was then brought back to the specification of cocaine. He stated that before **Dr. Dull** was arrested barkeepers in the neighborhood of **Chestnut street** complained of the extensiveness of the cocaine traffic, which they said hurt their business.

"The fiends could not do without it," he said. "They were buying it instead of liquor."

**O'Donnell** told of the "cocaine trust," with **Dr. Dull** as the head. He said the sale of cocaine had been broken up all over the city and that **Dull** had everything his own way in the neighborhood of **Chestnut street**.

**Tells Of Friendship.**  
At the night session **Mr. Hayes** asked **O'Donnell** what relationship existed between **police** officials and "**Frank**" **Kelly**, the late "**Bob**" **Davis** and **Dr. Dull**. **Mr. Harley** objected strenuously to the admission of the testimony, but was overruled by **Governor Crothers**.

**O'Donnell** stated that he frequently saw **Dull** and **Davis** together and that they had been intimate friends. He further declared that both were friendly with **Kelly**.

**O'Donnell** further said that he was certain **Dull** received **police** protection. When asked why he thought this, he replied that **Dull** and **Davis** had been good friends.

**Marshal Farnau** denied ever having been at any resort with **Davis**. He brands **O'Donnell's** statement as a deliberate falsehood.

**Dougherty's "Promotion."**  
**Mr. Harley** asked concerning former Detective **Dougherty's** "promotion," to which **O'Donnell** had testified.

"Is it not true that **Dougherty** now receives \$20 a week instead of \$25 which he formerly received? Do you call that a promotion?" **Mr. Harley** asked.

"I do," replied the witness. "He was reduced to patrolman and then given a soft place. Why, sir, I would consider it a promotion if I were given a pavement to walk on. Out where I am I get covered with mud every day."

"Who told you in 1908 that you were doomed?" asked.

"A number of people, among them **sergeant Barranger**," the witness replied. "Several days before I was reduced **Captain Pumphrey** told me **Dick** and I had to go to make room for **Mr. Whelittle's** cousin."

At this point the **Governor** adjourned the session. It will be continued Monday morning at 10 o'clock.