

DR. DULL IS INDICTED

May Term Grand Jury Will Report Today And Be Discharged.

NO CHARGE AGAINST CAPTAINS

Mr. Cassard Says Neither **Ward** Nor Pumphrey Committed Indictable Offense—May Score Weyler.

With the indictment yesterday of Dr. William H. Dull, the Gay street druggist, on a charge of committing perjury during its investigation of the cocaine traffic the grand jury for the May term practically completed its work.

Today the inquest will make its report and be finally discharged. On Tuesday, the first day of the September term (Monday being a legal holiday), those who have been selected for that term will appear for service.

Some surprise was caused by the fact that the grand jury indicted Headquarters Detective Charles H. Weaver and Patrolman Joseph F. Dougherty on a charge of attempting to obtain money from Parke P. McCubbin in a cocaine case and failed to make any charge against former **Captain of Detectives Pumphrey** and former **Police Captain Ward**, to whom Mr. McCubbin testified before the Governor he paid \$50 each a month.

No Evidence, He Says.

Mr. Howard Cassard, foreman of the grand jury, which heard the same witnesses as the Governor, said there was no evidence that either **Captain Pumphrey** or **Captain Ward** committed an indictable offense.

"The acceptance of money by them for **police** protection is not a criminal act," Mr. Cassard asserted. "It would be an act of insubordination, for the **Police** Board to deal with. It was not shown, however, that **Captain Pumphrey** ever got the money which Mr. McCubbin says he paid. In **Captain Ward's** case it was said that the money was handed to him, but he never demanded any."

Mr. McCubbin testified that Detective Weaver and Patrolman Dougherty, who was also a detective, demanded \$50 from him to fix certain charges which they said they had against him. With reference to **Captain Pumphrey** he said the money was given to a man named Lew Moses, and he did not know that it was received by the **Captain**.

May Criticize Weyler.

That the penitentiary committee of the grand jury, of which Mr. Martin C. Frincke is chairman, will criticize some of the methods of Warden Weyler in its report was rumored in the Courthouse. Warden Weyler's management of the penitentiary has always been praised in the reports of retiring committees on that institution. While commending the sanitary condition of the prison, it is said, the committee will criticize the Warden's treatment of the prisoners in his care and the food furnished.

Such a report is regarded as all the more surprising from the fact that while the penitentiary was being investigated by the grand jury it was generally understood that nearly all the witnesses indorsed Warden Weyler's management and his treatment of the prisoners. Witnesses who spoke in the Warden's favor said he was fair and impartial.

The indictment against Dr. Dull had been so long delayed that it was thought by some that it would never be found. He was presented some weeks ago, and the indictment had been expected since then. Deputy State's Attorney O'Dunne took the document to the grand jury room and it was soon returned marked "True bill."

Dr. Dull is also charged with perjuring himself by testifying that his average daily receipts from the sale of cocaine did not exceed \$10, and that his largest receipts at any one time were not more than \$15. He is also charged with committing perjury when he swore that 25 ounces of cocaine were the greatest amount of the drug bought by him at any one time.

Without specifying to whom he paid money for protection or the alleged extent of his business in the drug, the indictment asserts that he well knew when testifying that he had paid money for **police** protection and that his sales and purchases of cocaine were greatly in excess of the quantities he named.

Witnesses testified before the Governor that Dr. Dull's daily sales of cocaine amounted to \$800 or more. There is also

evidence that he bought as much as 1,000 ounces of the drug at one time.

The penalty for perjury is imprisonment for not more than 10 years in the penitentiary or jail.