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ACQUITS MISS LEBLANC

Jury in Murder Trial Deliberates Only Ninety Minutes.

DEMONSTRATION IN COURT

Judge Refuses to Hold Girl to Testify Before Grand Jury Against Mrs. Glover.

Cambridge, Mass., Dec. 14.—Hattie Leblanc's pathetic plea that she be allowed to go back to her old home in West Arichat, C. B., with her father was granted today when a jury after deliberating an hour and a half decided that she was not guilty of the murder of Clarence F. Glover, at Waltham, on the night of November 20, 1909. The verdict was a popular one—so popular, in fact, that the traditional decorum of a Massachusetts court was swept aside while men and women cheered, shouted and wept for sheer joy. The demonstration continued for fifteen or twenty minutes and the court officials were utterly powerless to stem the tide of enthusiasm. The crowd in the corridors took up the cheers of the throng which packed the court room, and there came answering cheers from a company of more than two thousand men and women who had assembled on the quadrangle in front of the courthouse and in the surrounding streets of East Cambridge.

Immediately after the verdict had been announced and the diminutive, fair-haired French-Canadian girl had been discharged from custody, Assistant District Attorney Wier tried to persuade Judge Daniel W. Bond, the presiding justice at the trial, to hold Miss Leblanc as a witness to give evidence before the grand jury which would warrant the indictment of Mrs. Lillian M. Glover, the widow of the murdered man, who had been accused by counsel for the defence of being the real culprit in the case. Judge Bond declined to grant the request, saying that the evidence presented against Mrs. Glover in the present trial was insufficient to convict and that if a jury in his court should convict on such evidence the judge would set aside the verdict. Last spring Mrs. Glover was acquitted of a charge of being an accessory after the fact.

Statement from District Attorney.

District Attorney Higgins issued a statement after the trial in which he referred to Judge Bond's refusal to hold Miss Leblanc as a witness before the grand jury. The statement also said that the ruling of the judge to exclude from the case all reference to the allegation that Glover said before his death that Hattie had shot him had weakened the government's case against the girl.

Mrs. Glover was not in court when the verdict of the jury was returned. When informed at her Waltham home of the result she received the news coldly.

"Does it surprise you?" she was asked.

"Well, no," she replied, "I can't say that it does. This has been a very funny trial right through. Hattie was accused of the crime, but in reality I was tried for it."

When Miss Leblanc was brought into court this morning she was pale and trembling, and she showed plainly the strain under which she was laboring. After Judge Bond had finished his charge to the jury the prisoner was informed by the clerk of the court that if she desired to make any statement to the jury the opportunity would be given her.

Defendant Declares Innocence.

Nervously the girl rose to her feet, faced the jury box and in a voice so faint that it could be heard only a few feet away said: "I did not do it; I want to go home with my father."

At 9:45 a. m. the jury retired. At 11:15 the bell rang, indicating that the jury was about to return to the courtroom. Miss Leblanc, seated beside the matron of the Cambridge jail, who has been the prisoner's constant attendant since the trial began, shuddered as the jurors filed into the jury box. Then she rested her head on the matron's shoulder and began to weep. The matron was also overcome with emotion and wept.

When the foreman pronounced the words "Not guilty" the little prisoner stood motionless for a brief second. Then, as the crowd in the courtroom burst into cheers she sank into her seat and, again resting her head upon the matron's shoulder, she wept for joy.

Miss Leblanc later received the newspaper men who had attended her trial. She told them that she was delighted at the verdict and had expected a favorable outcome. She said that she was going to remain with friends in Massachusetts for a few days, and then would go back to West Arichat with her father, arriving there in time for the Christmas festivities.

After the newspaper men had left the jail, the members of the jury filed into the Sheriff's office and each of them shook hands with Miss Leblanc, and all congratulated her on her acquittal. She tried to express in her broken English her gratitude to them, but her feelings overcame her and she broke down. Several of the jurymen also wept.

Preparations for the girl's departure were then made, and at 12:55 p. m. she left in a taxicab, accompanied by Mr. Johnson and Larry Smith, the detective who had assisted in collecting evidence for the defence.

The crime of which Hattie Leblanc was accused was the murder of Clarence F. Glover, a laundryman, of Waltham, Mass., in whose home she was employed. Glover was shot on the night of November 20, 1909. After being wounded he crawled to a private hospital and said that Miss Leblanc had shot him.

The girl could not be found for three days, and then, when the police were told to make another search of the Glover home, she was found asleep under a bed in the guest room. She had been practically without food all that time and had spent most of the days in sleep, she said.

At the police station, when questioned as to the shooting, she insisted that she had not fired the shot that killed Glover, and said that when she had left the laundry after Glover had assaulted her she heard the sound of the explosion. This statement could not be shaken by any amount of questioning, and it was on circumstantial evidence alone that the prosecution based its charge of murder against her.

Soon after Glover's death there was a contest on the part of a number of Glover's brothers over the laundryman's will, and while the hearing was held in the Probate Court it was virtually a trial of Mrs. Glover for the responsibility of her husband's death. The will case is still pending in the courts. Last spring Mrs. Glover was acquitted of being an accessory after the fact.

FRAUD IN STORE SCHEME ALLEGED

New Haven, Conn., Dec. 14.—George S. Hutchinson, alias Hatch, was arrested here this afternoon charged with defrauding the public. It was said he was at one time a member of the Chamber of Commerce in Boston. His scheme is described as a plan to start a chain of twenty-five-cent stores, and it is alleged offers were made that all who contributed $1,250 were to receive positions as managers in the various stores. He had, it was said, received a number of $10 subscriptions.

GLAVIS DIDN'T SET FOREST FIRE.

Golden Gate, Wash., Dec. 14.—Louis R. Glavis, principal witness in the Pinchot-Ballinger hearing, was acquitted to-day on the charge of having started a forest fire near White Salmon. The jury was out twenty minutes.

FEAR PRINCE IS A FAKIR

Najeb Fahmi Sold Spurious Jewelry.

[By Telegraph to The Tribune.]

Middletown, N. Y., Dec. 14.—Najeb Fahmi, said to be an Egyptian prince and carrying with him recommendations from prominent churchmen, including the Rev. C. H. Parkhurst, of New York, is travelling through Orange County giving lectures in churches and trying to raise money ostensibly to pay for a medical course in the University of Pennsylvania. As a side line Prince Najeb Fahmi sells jewelry when not lecturing, and in his capacity of salesman he has lost some of his reputation.

Last Sunday night Prince Najeb spoke to a large congregation in the Presbyterian church at Goshen, talking entertainingly of the East. Monday the prince busied himself selling jewelry and, it is said, disposed of about $30 worth. One of his customers became suspicious as to the value of the jewlry, for the prince had told him that a pin he offered for $1 50 was worth $12, explaining that he did not have to pay duty on his wares. The suspicious customer took the pin to a jeweller and was told that it was worth less than 10 cents.

The prince left the place the next morning, and the good church people are sadly wrought up over the matter, fearing that they have entertained an impostor. However, others believe that Prince Najeb might himself have been taken in on the jewelry and suspend judgment on him until they learn more about him.

The Rev. Dr. Charles H. Parkhurst said at his home in this city yesterday: "I gave the man an open letter some time ago because I thought him all right. I don't know anything about his antecedents, but in my personal dealings with Najeb Fahmi I found him honest. My wife bought something from him about a year ago."

JURY DUTY FOR WOMEN

Every Member of Olympia (Wash.) Panel Had an Excuse.

Olympia, Wash., Dec. 14.—Washington women who received the right to vote at the recent election probably didn't figure on having to do jury duty. Sitting in the jury box without removing their hats, five prominent Olympia women listened all the afternoon and until late last night to testimony and arguments of lawyers in the case of a milkman who claimed that a blast set off by a firm of contractors caused his team to run away and do damage to the extent of $10 05.

Six women were called, but Mrs. E. B. Graves, president of the Humane Society, sent a physician's certificate that she was ill. The court excused her, and by stipulation the other five were selected to try the case. The jurors were Miss Jean McLeod, stenographer of Governor M. E. Hay; Miss Bernice Sapp, Supreme Court senographer; Mrs. J. W. Mowell, wife of a prominent physician; Mrs. Frank Blakeslee, wife of the Democratic candidate for the Legislature last November, and the Rev. Geneva Lake, one of the few ordained female ministers in Washington.

With the exception of Mrs. Graves, the court refused to excuse any of the women called, although each offered an excuse varying from not being a taxpayer or a resident of Olympia to the simple "just because" of a woman.

After being out an hour, the women returned a verdict in favor of the plaintiff, awarding the full amount of damages asked.

This is said to be the first time in the United States that a female jury, drawn from a venire of women only, has been selected to try a case. Judge Giles, of the Justice Court, who presided, declared that the jury of women is far superior in every way to any jury that ever before sat in his court.

WATER RIGHTS IN COURT

Claim, if Sustained, Will Increase Vastly Canal's Cost.

Albany, Dec. 14.—An action which will have an important bearing on the final cost of the barge canal project, was argued in the Court of Appeals to-day. It was an appeal by the state from a judgment rendered by the State Court of Claims for $356,000 in favor of the Fulton Light, Heat and Power Company for property and water rights taken for the barge canal at Fulton.

The state is contesting the contention of the Court of Claims that the company's title extended to the bed of the Oswego River, instead of the bank of the river, and that it was entitled to an award for water rights. The Attorney General argued that irrespective of the ownership of the bed of the river the state was entitled to use the bed and water for the improvement of navigation without compensation by virtue of the paramount right to control navigation.

Mr. O'Malley declared that if the court holds that certain privileges had ripened into vested rights the cost of construction of the barge canal would be enormously increased.

EXPRESS WORKERS ANGRY

Talk of Second Strike Because of Delay of Overtime Pay.

Talk of a second strike was heard yesterday among the drivers and helpers of the Adams Express Company, who had been told that the payment of overtime would not start on December 16, but would be put off until the pay day on January 16. The men had looked forward to being paid overtime on December 16, so they could have some extra money to tide them over the Christmas holidays.

Charles W. Forster, general organizer of the International Brotherhood of Teamsters, said the men confidently expected overtime on the coming pay day.

After putting himself in touch with the officials of the Adams Express Company, a representative of all the express companies issued the following statement:

"There is no desire on the part of the company not to live up to its agreement, but the men will have to be patient. When the committee of the men met our committee after the strike they understood that there would be delay in making up the overtime schedules, as there are four different kinds of overtime rates, and it is taking a lot of bookkeeping in preparing the schedules. No matter how impatient the men are, it will not hurry matters, as the clerical force is working at top speed and the overtime will be paid as soon as the schedules can be prepared."

Mayor Gaynor sent the following letter yesterday to Vice-President Callaghan of the New York Taxicab Company in reference to the recent taxicab strike:

"Dear Sir: I beg to inclose to you a list of chauffeurs who were arrested by the police and either held for trial or found guilty of violence during the cab drivers' strike. Will you be good enough to communicate this list to all of the cab companies? Very truly yours,

"WILLIAM J. GAYNOR, Mayor."

A list of the names was inclosed in the letter.

PUBLIC ADDRESSES ON TRANSIT.

The Society for Ethical Culture is to give to the public an opportunity of listening to some addresses on the present subway situation in the City of New York by those who ought to know about it. At a meeting to be held in the assembly room of the new meeting house, 64th street and Central Park West, on December 17 at 8:15 p. m., the following men will speak: William A. McAdoo, president of the Hudson & Manhattan Railroad; E. H. Outerbridge, chairman of the Chamber of Commerce Committee on Transit; Frank J. Sprague, past president of the American Institute of Electrical Engineers, and E. M. Bassett, of the Public Service Commission.

HITS AT ESTIMATE BOARD

Would Dictate City's Policy of Education, Says Winthrop.

COLLEAGUES BACK HIM UP

President of Education Board Adds That Any Inquiry Will Be Welcomed.

The methods of the Board of Estimate and Apportionment were sharply criticised by Egerton L. Winthrop, president of the Board of Education, in his annual report read to the Education Board at its meeting yesterday. He held that the Estimate Board had shown an unerring tendency to infringe upon the rights and powers of the Board of Education. The attack upon the Board of Estimate was upheld by all the members of the Education Board present, many of whom seemed to think that Mr. Winthrop had let the Board of Estimate off easy.

"I take this opportunity," said Mr. Winthrop in his report, "of calling attention to the fact that the Board of Estimate and Apportionment, the duties of which are prescribed in Section 226 of the Charter, has for some years shown an increasing tendency to infringe upon the rights and powers of the Board of Education, and thus dictate the educational policy of the city." The report goes on:

The first step was the refusal to grant funds to this board to enable it to furnish light for school buildings, although gas and electricity is as important a "supply" as coal, and the plain provision of the charter is that the Board of Education shall furnish all necessary supplies.

The next step was taken two years ago, when the appropriation for "rents" was taken away from this department, notwithstanding the charter provision that "the special school fund shall contain and embrace all moneys raised for educational purposes not contained in the general school fund" and that "the Board of Education shall have the power to administer and shall administer all moneys appropriated or available for educational purposes in the city of New York." Another section of the charter gives the Board of Education power to lease property required for the purpose of furnishing school accommodations, yet no funds are given to it for the payment of rentals!

More Usurpation Charged.

The Board of Estimate and Apportionment, which in previous years had recommended the manner in which the general school fund should be apportioned, has this year gone still further, and, contrary to the provision of Section 1690, has apportioned said fund, conditioning the extra allowance therefore (in excess of the three mill tax) upon the acceptance of the Board of Education of the segregation indicated in the budget for 1911.

Again, the powers of the Board of Estimate and Apportionment as respects the Special School Fund are distinctly limited by the Charter to indicating in the budget in raising the Special School Fund the respective amounts thereof, which shall be available for use in the several boroughs. In spite of this, since 1909 the Board of Estimate and Apportionment has undertaken to fix the salary of every officer and employe of the Board of Education. I am of the opinion that in so doing that the board has exceeded its powers.

Another instance is to be found in the resolution of the Board of Estimate and Apportionment requiring the submission to it of plans for new school buildings, etc., whereas the Charter, Section 1073, provides that the action of the Board of Education upon all plans shall be final.

The more I consider the problems which the Board of Education is called upon to solve, the more I am convinced that this board should determine its own policy and administer its own affairs. There can, in my judgment, be no settled educational policy, and no proper development of the public school system, if charges have to be made at short intervals as the result of action by another body, the membership of which is completely changed from time to time.

Would Welcome Inquiry.

In view of the numerous statements that have been made regarding an investigation of this department, so far as I can speak for the Board of Education, I say without hesitation that we have not the slightest objection to, and will welcome any investigation which may be instituted by the Board of Estimate and Apportionment, the Board of Aldermen or the Legislature. Any assistance which this board or its officials can render in any such investigation will, I am confident, be cheerfully given, and I sincerely hope that it may result in the benefit of the school system.

John Greene, the vice-president, seemed in favor of all that had been said in the report, but expressed himself as believing that the Board of Estimate had got off easy, as did Patrick F. McGowan, who introduced a resolution approving of the report. So many wanted to speak at once that the president had to rap for order.

PRISONER HAD TO DISROBE

Gives Up Stolen Suit and Dons Baxter Street Bargain.

A problem confronted Judge Malone, in General Sessions, yesterday when Giuseppi Palmi, of No. 204 West 41st street, demanded the return of a suit of clothes stolen from his home by Nicolo Strada. Strada pleaded guilty to the larceny, and had been sentenced to Elmira Reformatory when Palmi made his demand.

"Give this man his suit of clothes," said Judge Malone to the clerk of the court.

"I haven't got it, your honor," replied the clerk.

"That fellow has it on him there at the bar," interjected Palmi, pointing to Strada.

"Mr. Delehanty, can you suggest some way out of this?" asked the judge.

"Yes, sir," promptly responded the Assistant District Attorney.

Delehanty forthwith handed a process server a $5 bill. Sizing up the prisoner, the process server left the courtroom, returning in ten minutes with a coat and trousers and $1 51 in change. The coat was too large and the trousers somewhat tight, but Strada squeezed into them in an anteroom.

"They talk about the high cost of living," remarked Delehanty. "Where did you get that suit?"

"In Baxter street," replied his aid. "It was in the window marked 'Nobby, marked down from $15.'"

ILL FROM COLD, A SUICIDE

Salesman Despondent Because He Couldn't Get Well.

Despondent because he could not cure a severe cold which he contracted a week ago, Joseph Newbauer, a clerk, employed by the United Cigar Stores Company, committed suicide last night by cutting his throat and turning on the gas at his home, No. 275 West 117th street.

In the forenoon yesterday Newbauer's wife went to visit friends in Jersey City. On her way home she stopped at the cigar store at Broadway and Fulton street, where her husband worked. She was told that he had left an hour earlier than usual.

Before Mrs. Newbauer reached her home several tenants in the house had smelled gas. It was traced to the Newbauer apartment. A patrolman was called in and the door was forced open. In the bathroom they found Newbauer with his throat cut and the gas jet turned on full. Mrs. Newbauer, who arrived home soon afterward, declared she was unable to explain her husband's act. She said, however, that since he got a bad cold a week ago he had not been the same.

On the dresser the police found a note which was signed by Newbauer. It read: "We are insured. Every cent I have honestly saved and earned."

TO FORM BOY SCOUT COUNCIL.

Te executive committee of the National Council of the Boy Scouts of America has appointed a sub-committee to organize a New York council of the body which will be exclusive of Brooklyn and Queens. A meeting of the committee will be held in the Automobile Club of America to-morrow.

FARMER'S FRIEND TRAPPED

Caught Waiting for Delivery of $3,500 to "Bet on Ponies."

John Peterson, of nowhere in particular, obtained a temporary dwelling place when he was arrested at the Grand Central Station yesterday morning by Lieutenant David Wilbur, of the Central Office Detective Bureau, on the charge of trying to separate Henry Allan, a farmer, of Hammond, N. Y., from a $3,500 bank roll. Magistrate Herrman, in the Yorkville court, held him in $2,000 bail for examination this morning.

Allan was sitting in the lobby of the Grand Union Hotel on December 5, according to his story, when a man who called himself John Walsh asked after the folks in Hammond, naming them over one by one. It was a long time since he had been in the old town, said Walsh, and he wanted to know how all his friends were getting on. Allan recalled that he had overflowed with information, and had finally followed his new found friend up Broadway to look over a $5,000 automobile which he was going to purchase.

Then, Allan went on, Mr. Peterson came into the story. Walsh didn't recall him at first, Allan remembered, but he finally turned out to be a Buffalo cashier, who said that he had cashed a $68,000 check for Walsh some years ago. Allan was sufficiently impressed. He confessed he was easily persuaded to put up all he had with him at the time on a "sure thing with the ponies" and promised to bring the rest of his share to the city in a few days. He said he put up $60. He went home after $3,500.

But the good folk of Hammond couldn't recollect this Walsh. Allan began to get a little worried over his $60, he said, and confided the story to Constable Smith. Smith informed the Police Department here. Lieutenant Wilbur arrayed himself as a farmer and accompanied Allan to this city when he came to pay his $3,500. He found Peterson waiting in the station and arrested him.

PARTY HEADS EMBARRASSED

Investigation of Board of Elections Worries Them.

The heads of the Republican and Democratic organizations in New York and Kings counties are placed in an embarrassing position by the investigation of the Board of Elections, which was begun yesterday by men from the office of the Commissioner of Accounts. Under the law they must recommend to the Mayor a man for appointment as Commissioner five days before the first day of January every four years. The terms of all the present commissioners expire on January 1.

If the leaders do not recommend the men at present holding the places it may be construed as a reflection on them. On the other hand, if the present men are recommended for reappointment by the leaders and the Commissioner of Accounts should discover any irregularities in the actions of any of them, the leaders will have laid themselves open to a charge of recommending men who have not been faithful in their duties.

The Republican organization in Kings County has already decided to recommend John E. Smith for reappointment, but has not sent the formal recommendation to the Mayor. Other organizations have reached no decision. The matter will probably be discussed at the meeting of the executive committee of the Republican County Committee to-day. Tammany Hall will take up the matter at a meeting on Saturday night.

The Democratic organization in Kings County is anxious for the reappointment of James Kane, the leader of the 3d District. But the Mayor is said to have declared that under no circumstances would he consent to a district leader's serving on the Board of Elections.

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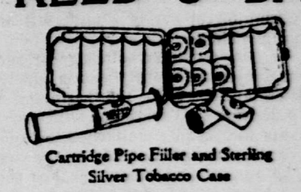

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MORE SLEDDING IN PARKS

Number of Coasting Places May Be Increased, Bradstreet Says.

Park Commissioner Stover and Howard Bradstreet, the Supervisor of Recreation, believe that if children were attracted to the playgrounds to do their coasting instead of sledding there would be fewer accidents.

Snow from the sidewalks around Hamilton Fish, De Witt Clinton and East River parks has been thrown over the fences to form an embankment from which the youngsters can coast. It has increased greatly the attendance in the last few days.

There are the usual number of coasting places in Central Park this year, but never before were so many coasters in evidence. This is true also of Riverside Drive Park, the upper part of which has been appropriated almost entirely by children with bob-sleds in the last two days.

Mr. Bradstreet said yesterday that to draw the coasters to the playgrounds and parks good sliding would have to be provided, and the effort to make such provision in the parks named had been so well rewarded that it might be extended to many other grounds during the winter.

SAYS ANIMALS ARE CRAMPED

Stover to Renew Request for Money to Enlarge Central Park Cages.

There will be wailing and gnashing of teeth in the Central Park menagerie if the Board of Estimate does not act favorably this time on a request from Park Commissioner Stover that $14,000 be appropriated to provide for a much needed enlargement of many of the animal houses or cages. The request was made by Mr. Stover last year, but no money was forthcoming. In the meantime the Society for the Prevention of Cruelty to Animals decided that it was criminal to keep the wolves and the hyena in such small cages.

It is for the same $14,000 that Park Commissioner Stover intends to ask again. According to the plans prepared by the Park Department, the enlargement would cost that much.

Some of the keepers are in favor of taking a number of the animals down to the Board of Estimate as an exhibit, to show that they have not prospered under the limited roofs. The hyena and the wolves, respectively, are in cages that are about four feet square. The camel is said to be growing another hump because of the cramped condition of his house.

Some officials of the Society for the Prevention of Cruelty to Animals have said recently that they would protest again about the inadequate space in most of the cages.

GARVEN TO HELP ITALY

Retained in Charlton Extradition Fight, It Is Understood.

Pierre Garven, Prosecutor of the Pleas of Hudson County, N. J., will represent the Italian government in the legal struggle over the extradition of Porter Charlton, who killed his wife in a villa on the bank of Lake Como. Mr. Garven was summoned to the office of the Italian Consul in Manhattan and was retained to fight to the last ditch for the extradition.

The warrant surrendering Charlton to the Italian authorities has been issued by the Secretary of State, but it has been stayed by the proceedings instituted in the federal District Court at Trenton by Charlton's counsel, who expect by legal technicalities to defeat his removal to Italy for trial for his crime.

Mr. Garven declined to discuss last evening the object of the conference with the Italian Consul, but it was reported from a trustworthy source that he has been retained as the legal representative of Italy.

Prosecutor Garven conducted the case for the state in the proceeding before County Judge Blair, at Jersey City, and thwarted the counsel for Charlton in introducing a defence, as he contended that it was not a trial of the cause, that the court was sitting as a committing magistrate and all that it was necessary to show was a prima facie case, a contention that was sustained by Judge Blair. It was the excellent fight made by the Prosecutor in this proceeding that influenced the Italian government to retain him.

ADMITS ADULTERATING DRUGS

Old and Large Firm Pleads Guilty to Charge and Pays Fine.

J. L. Hopkins & Co., one of the oldest and largest drug firms in the country, pleaded guilty in the United States Circuit Court yesterday to a charge of adulterating drugs. Judge Hough imposed a fine of $400, which was immediately paid.

The indictment charged the adulteration of belladonna root with powdered olive pits, powdered gentian root with an unknown fibre, and powdered cloves with stems. In imposing the fine, Judge Hough said that some of the excuses offered by the firm for the adulteration were pretty far-fetched.

FENCERS' CLUB'S NEW HOME.

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