

HAYES, CONVICTED, SAYS HE IS VICTIM

Bank Teller Found Guilty on Twenty-four Counts.

"FOR THE SINS OF ANOTHER"

Declares He Will Appeal and insists He is Innocent of Charges of Embezzlement and Misapplication—Says Attorney Kept Him from Stand—Maximum Penalty 240 Years.

Thomas G. Hayes, former receiving teller of the American National Bank, was yesterday found guilty, as indicted, on twenty-four counts, charging embezzlement of \$5,282.82 and misapplication of the bank's funds.

The jury which heard the trial in Criminal Court No. 1 before Justice Gould remained out thirty-five minutes. No recommendation to mercy was contained in the verdict.

Dr. W. W. Stewart, who furnished the bond on which Hayes was at liberty during the pendency of the case, refused to furnish the new \$5,000 bond required by the court, and the prisoner was remanded to jail to await sentence.

Meeting with Wife Affecting. The scene between the young man and his wife when the news of the jury's verdict was told to her was affecting. She was not in the courtroom when the report of the jury was announced, but met her husband in the "cage" downstairs, to which he was taken while a hurried effort was made to obtain bond.

"My case will be appealed, and I have every confidence that I will be cleared of the charges against me. If I go down here to the penitentiary, it will be for the sins of another. I am just as able now to hold up my head and look every man in the face as I have ever been. I know I am honest, and a verdict of a jury cannot affect that knowledge."

"I was anxious to take the stand in my own behalf, but Mr. Davis, my attorney, did not want me to. Of course, I will not go against his judgment in a matter like that."

Maximum Penalty 240 Years. The maximum penalty the law could give to Hayes is ten years on each count, or 240 years in the penitentiary. The minimum would be a sentence on one count, for which confinement is prescribed for not less than five years or more than ten years.

No defense was offered by Henry E. Davis, chief of counsel for Hayes. He rested his case on the contention that the government had not proved its case beyond a reasonable doubt, which were allowed to go to the jury.

Mr. Davis' motion, made on Monday, to quash certain counts in the indictment was sustained by the court, and thirteen counts were stricken out. The court also decided that the government must elect to the counts charging embezzlement, abstraction, and misapplication, which one of the three it would maintain. Out of the twenty-four counts remaining for the jury's consideration, United States Attorney Baker and Assistant United States Attorney Adkins selected embezzlement charges in some cases and misapplication charges in others.

Attorney Illustrates Argument. The opening statement to the jury for the prosecution was made by Mr. Adkins. A large blackboard was placed near the jury box, and Mr. Adkins, with chalk, went through mathematical computations to prove to the jury that Hayes embezzled money given to him as receiving teller by depositors, and misdirected the deposits from the channels through which they were ordinarily made.

Mr. Adkins unfolded to the jury the belief of the government that Hayes systematically "robbed Peter to pay Paul," or took from the deposit of one patron of the bank the money with which to pay back what he had already taken from a previous depositor. The argument of the government to the jury was concluded by Mr. Baker.

Mr. Davis, in his argument, praised the technicalities of the law, which, he said, was a safeguard to every pleader at the bar of justice. He impressed on the jury the burden placed by the law on the prosecution to prove its case, and said it was not sufficient to hale a man into court, create an atmosphere of guilt about him, and convict him on the strength of that atmosphere.

History of the Case. The operations for which Hayes was arrested were committed in the summer of 1907. On December 12 of that year the officials of the bank, who had become suspicious, called the receiving teller into the directors' room and asked him for an explanation of a discrepancy discovered between the amount of money actually contained in a package on his desk and the amount marked on the cover. Inside the package were other smaller packages, the total of which should have equaled the notation on the outside cover. Hayes counted the money and announced the sum to be what he had marked it. Officials of the bank then recounted the bills and proved the discrepancy. Hayes' arrest followed.

When you have lost or found anything, telephone an advertisement to The Washington Herald, and bill will be sent you at 1 cent a word.

RULED OVER ISLAND.



CHARLES E. MAGOON, Former governor of Cuba.

HENRY GRISWOLD COMMITS SUICIDE

Continued from Page One.

has an office in Nichols avenue, was called, and on viewing the body said the man had been dead about half an hour.

The police at the Anacostia station were notified, and an officer was placed on guard at the house. Owing to the location of the wound and the weapon used, the Anacostia authorities became suspicious and notified Inspector Boardman. Detectives Berman and Cox were sent to the residence to make an investigation. They awaited the arrival of the coroner and viewed the body with him, and it was disclosed that Mr. Griswold had committed suicide by placing the gun upon a trunk, and while holding the muzzle to his chest, pulled the trigger with his right hand. The gun was broken. The police believe this was caused by Griswold leaning heavily against the barrel.

Mrs. Griswold Prostrated. Mrs. Griswold is prostrated.

Mrs. Griswold suffered a paralytic stroke about a year ago, and for some time following he was unable to use his arms.

According to Lieut. Anderson, of the Anacostia station, and other friends, Mr. Griswold was highly esteemed. By his energetic business methods and diligent efforts to advance the welfare of Anacostia, he had built up all of that section now known as Griswold's subdivision, and had used his influence as trustee of the Dr. Christie estate and president of the Anacostia Traction Company to make the town prosperous.

He was sixty-two years old. He located in Anacostia about thirty years ago. Two sisters are living in his native town, Weatherford, Conn. One brother is said to reside in New York.

For several years he had lived at Mount Vernon, where he had a large fortune. Mrs. Griswold was a native of Prince Georges County, Maryland, and was born in 1847.

Mr. Griswold was a communicant of the Episcopal church, and a member of the Dr. Molay Commandery, Knights Templars, and a charter member of Naval Chapter, F. & A. M.

Helped Organize a Bank. In addition to his Anacostia holdings, Mr. Griswold was one of the organizers of the National Capital Bank. He is said to have held interests in real estate in this city.

For the last five years he had contented himself with managing his real estate, and had acquired a hobby for fancy chickens. It is expected the funeral services will be held to-morrow. The body will probably be cremated.

DIES WHILE ON TRAIN.

L. D. Huntington, of New York, Was Homebound Bound.

L. D. Huntington, of New Rochelle, N. Y., a retired member of the New York Stock Exchange, died yesterday morning on an Atlantic Coast Line train as it was approaching Washington.

The remains were brought to Washington, and L. D. Huntington, Jr., a son of the dead man, is expected here this morning to take charge of them.

Mr. Huntington was seventy-four years old. He was accompanied by his daughter, Miss E. C. Huntington, and a trained nurse, and had started home from Charleston, S. C., where he had gone some time ago on account of falling ill.

GIRL GRADUATES BANQUET.

Class of '09, Northampton, Mass., Holds Annual Event.

"Sweet girl graduates" to the number of fifty, and a few preparatory school boys, of the class of '06, Northampton, Mass., School, held a banquet in the Elmsboro Hotel last evening.

Sightseeing in Washington as the finishing touch to their scholastic careers, the young men and women anticipated commencement with many ambitious speeches at the banquet. Vice Principal A. H. Evans was toastmaster. "The class of 1909" was the toast to which response was made by Harold B. Staab. "Our first impressions of high school life—our later ones," by Ethel Butler; "Dramatics," by James M. Nolan; "Loyalty," by Helen Reddy; "Just hot air," by Samuel Livingston; "Our trip to Washington," by Elizabeth Pearson; "Classmates," by Anna Fitzgerald; and "Reminiscences," by Arlene Atkins.

Rear Admiral W. W. Kimball will command the military escort, which will be made up of the Marine Band, four companies of marines, and two companies of bluejackets. The oasket, draped in the American flag, will be carried on a caisson body.

At Arlington, the regular military service for the dead will be performed. As the oasket is lowered into the grave three volleys will be fired by the escort, and the service will terminate with the sounding of taps by the Marine Band.

Practically every prominent naval officer in the city will attend, and it is expected many officers of the army will also pay final respects to the distinguished naval officer.

Funeral of Mrs. Snowden. In addition to the regular banking hours, the offices of Union Trust Co., 1420 and 1418, remain open until 8 p. m. on the 31st, 30th and 29th of each month, for the convenience of customers. Interest paid on all accounts, subject to check.

Edward J. Sullivan, President; James G. Ryan, Vice President; George E. Hamilton, Cashier; Edward E. Fleming, Assistant Vice President; Edward E. Old, Treasurer; Edward J. Sullivan, Secretary; Harry O. Wilson, Assistant Treasurer; W. Frank D. Heron, Auditor.

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TRIBUTE TO CUBANS IS PAID BY MAGOON

Former Governor Says They Can Rule Selves.

GUEST OF NEBRASKA SOCIETY

Reception at the Normandie in Honor of Recent Head of Island Government Largely Attended by Natives of His State—His Part in Cuban History is Given Praise.

BANK PRESIDENT YIELDS TO DEATH

John E. Herrell Succumbs to Heart Failure.

HE WAS A SELF-MADE MAN

Executive Head of National Capital Bank Closely Identified with Financial Interests of Washington for Forty Years—Life's Career Runs from Bricklayer to Financier.

John E. Herrell, president of the National Capital Bank, and one of the largest real estate owners in Washington, died suddenly last night at his home, corner of Tenth street and Pennsylvania avenue southeast. Mr. Herrell had been ill for about a month, and the immediate cause of death was heart failure, due to his age and weakness.

Mr. Herrell was nearly seventy-nine years old, and for a year or two had been in a failing state of health. He was, however, able to attend to his duties at the bank and numerous other business concerns until about a month ago. His death was unexpected, even by the members of his immediate household.

Funeral services have not yet been arranged, though it is probable they will be held in Trinity Methodist Episcopal Church, of which he was long a member.

Active in Business Life. John E. Herrell had been intimately associated with the business affairs of Washington since 1859. In early days he was a bricklayer, later an employee of the United States government, later still a contractor and builder. By this means he acquired years ago several fine houses in East Washington, and it has been said of him that he was chief owner of the property on Capitol Hill. At all events, his holdings there and in other parts of the city were large, and he was reputed to be one of the wealthiest men in Washington. It is also true that his fortune was acquired by his own efforts through hard work and careful investment.

Mr. Herrell, besides his connection with the National Capital Bank, was president of the East Washington Savings Bank, director of the American Security and Trust Company, and treasurer of the Eastern Building and Loan Association.

Virginia His Native State. Mr. Herrell was born in Loudoun County, Va., July 26, 1830. At the age of twenty he went to Baltimore, where he labored for a time as a bricklayer. Seeing a better opening in Washington, he came here in 1853 and went into business as a master bricklayer and contractor.

At the opening of the civil war he entered the Washington Navy Yard as superintendent of bricklaying for the government, and remained there several years. In 1872 he engaged in the manufacture of brick, and took some contracts for building in East Washington.

In 1880 he was elected president of the National Capital Bank, which position he held until his death. He was one of the organizers of the Columbia National Bank and of the American Security and Trust Company, and he has been a director of the latter since its organization. For many years he was president of the People's Fire Insurance Company, resigning that position a year or so ago because of advancing years and infirm health. Mr. Herrell was a member of Harmony Lodge, I. O. O. F., for forty years.

Married a Georgetown Girl. In 1851 Mr. Herrell married Henrietta Mahoney, of Georgetown. They were the parents of seven children, all of whom are dead. Mrs. Herrell died in 1903. He is survived by one brother.

Mr. Herrell's wide knowledge of real estate values in the District made his judgment particularly valuable in the role of an expert. He served as appraiser in more condemnation cases probably than any other man in Washington. He was favorably considered for appointment on the condemnation commission which will be called upon to pass upon the value of five squares to be condemned by the government in Fifteenth street between Pennsylvania avenue and the Mall.

Maine's Liquor Law Involved. August 6, Me., March 30.—The house today voted to repeal the so-called Sturgis law, passed in 1906, for the strict enforcement of the prohibitory liquor laws. This will not change that law unless the senate, which last Thursday took contrary action by voting 2 to 3, practically on party lines, not to repeal the law, recedes from its position.

ROPED RECEIVES SUPPORT. Porto Rican Judge Is Indorsed by Island Fruit Growers.

San Juan, P. R., March 30.—The Horticultural Society, composed of fruit growers who represent property worth more than \$100,000, has called to United States District Judge R. S. Roder, who is now visiting Washington, and communicated to it before Congress and try to secure an increased duty on foreign pineapples. The action taken by the society signifies the indorsement of Judge Roder, despite the recent attack upon him by the house of delegates, which has asked for his removal from the bench.

POLICE SEEK CHAUFFEUR. Alarm Out for Driver Said to Have Run Down Boy.

New York, March 30.—A general alarm was sent out to-day from police headquarters for William Darragh, chauffeur for Charles E. Force, of Charles E. Force & Co., investment brokers, in the belief that it was Mr. Force's car, with Darragh driving, which ran down and killed Richard Trimbull, the young son of Judge R. T. Trimbull, of Covington, Ky., in Morningland avenue on Saturday last. Darragh left his home on Sunday morning with a suit case and has not been seen since at his home or by his employees.

FORSTER RIDES INTO TROUBLE.

Tennessee's Check for Taxicab Hire Returned, "N. G."

Frederick M. Forster, who claims to be a lawyer with a large bank account in Lebanon, Tenn., was arrested last evening charged with false pretenses. Well dressed and wearing a silk hat, the Southern barrister hired a taxicab, and after riding about the city to the extent of \$46 worth, he gave a check for the amount on a Washington bank. The check was returned to the company stamped "N. G."

An investigation was made and a quantity of cut glassware which Forster had purchased was collected and brought to headquarters by the detectives. It is understood that Forster bought a quantity of this ware in Washington, each time giving a check for the amount on a Lebanon bank. Pending an investigation, he will be held at the First precinct.

SONS OF MINNESOTA HONOR UNIVERSITY

Secretary Carpenter Among Speakers at Banquet.

GRADUATES PRAISE COLLEGE

Representatives Miller and Stevens Also Respond to Toasts at Gathering of Sons and Daughters of the University of Minnesota, the Glories of Which Are Sung.

Minnesota, hall to thee—

Hail to thee, our college dear! Thy light shall ever be A beacon bright and clear.

Sons and daughters of the University of Minnesota sang and dined and toasted their alma mater last night at the Arlington Hotel at the annual banquet of the Washington Alumni Association.

It was a distinguished gathering, and included members of the House and government officials. The glories of the university were rehearsed by speakers who graduated many years ago.

The White House was represented by Frederick Carpenter, private secretary to President Taft, and although Mr. Carpenter was not down to respond to a toast, he made a few brief remarks touching on the work accomplished by the university, its objects, and what it has achieved.

Representative Clarence H. Miller, class of '86, responded to the toast, "Sons of Minnesota in public life." Representative Frank M. Nye, who is not a graduate of the university, spoke on "Higher education in the United States." Representative Stevens, and Prof. William W. Folwell, first president of the university, and now professor of political economy, also responded briefly to toasts.

Says All "Make Good." "The University of Minnesota sends its sons and daughters into all parts of the world, and the history of nations is made partially by them," said Representative Miller.

"It matters not where you go, whether it be the city of Cape Town (to which our former President is on his way) or to the shores of some distant land in the opposite direction, in either place are graduates of the great University of Minnesota. Wherever they go they 'make good.'"

Tells One on Cannon. "When I first came to Washington my heart swelled as I gazed from the train and beheld the grand dome of the Capitol in the distance. At last I felt like a statesman. To get to my hotel I took a taxicab. We passed a beautifully lighted place."

"Do you see that?" asked the driver, "that is Cannon's buffet, the best in town."

"The Speaker?" I inquired. "Yes," he answered, "that is where 700 morphine tablets in her possession, which she admitted the traffic between here and Baltimore, in which quantities of narcotics passed hands, had been in progress for nine months, no mention was made of an accomplice in Washington. In default of \$1,000 bond, Miss Owens and the negro from whom she was in the habit of purchasing the packages of morphine in Baltimore, are being held for trial. William G. Lauer, the drugist, who has also been implicated, waived preliminary hearing, and his case will likewise go to the grand jury."

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It was learned that Miss Owens had been employed as a stenographer in the office of C. A. Snow, patent attorney, in the Warbur Building, Ninth and F streets. C. E. Doyle, manager of the firm, says Miss Owens was a trusted and efficient employe. She did not report for work yesterday morning.

"This is the first time since she entered our office in September that we have not been informed of her absence. She had only been absent once, and that on account of illness," said the manager.

Mrs. Coppensmith, with whom the young woman boarded, said she had heard nothing up to last night from Miss Owens. "Her absence from home is nothing unusual," said Mrs. Coppensmith. "I fear there is some mistake about the arrest."

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They followed Miss Owens from the station as far as Lexington street and Park avenue and saw the package change hands.

So far nothing has been done in the matter, but when Castro lands in Trinidad, wherever he is going, American agents will watch him closely.

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TO-DAY \$1.00 ROLLS, 19c For the Hair. The Mistress—What's the matter, Hor-tense? The New Maid—I dunno, ma'am. Some-thing seems wrong with your hair, ma'am. I done it up just as it was be-fore, ma'am, an' it looks all right, ma'am, an' it feels all right, but there's two rats an' a dust left over—Cleveland Plain Dealer.

Hats, Rats, and Other Things. If you are to wear a fashionable hat your hair has to be manipulated. The problem can be solved here to-day. Best of guaranteed Hair Rolls, 24-inch size, and net covered, for which \$1.00 is the New York price, are to be only 19c. Prices for other adjuncts gradually rise to \$16.50 for 30-inch switches of naturally wavy hair, for which \$25 is the New York price.

HOTELS AND RESTAURANTS A WORD TO TOURISTS. You can solve the dining question by taking your meals at WALLIS', 12th st., near G.

GIRL DRUG PURVEYOR. Evidently satisfied that no drug traffic exists in this city, the police authorities have failed to follow up the discovery made by the Baltimore authorities when Miss Mabel Owens, of 1847 Ninth street, was arrested in that city Monday.

Police of Baltimore Accuse Washington Woman. Sleuths of Monumental City Accuse a Local Stenographer of Trafficking Morphine on Nightly Trips from and to the Capital—Druggist Also Held—Watched Long for Her.

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Always the Same. Tharp's Berkeley Rye. 512 F Street N. W. Phone Main 1141. Special Private Delivery.

CAPRI. Either red or white—a wine of the finest quality. Imported from Italy. Both \$8 dozen, 75c bottle, 40c half bottle.

Christian Xander's. 909 7th St. No branch houses.