

# SAYS HE SENT ROSALSKY BOMB FOR REVENGE

## WILCOX FIGHTS SUBWAY INJUNCTION

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**FINAL EDITION.**

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### SERVICE BOARD ENJOINED; PLANS TO FIGHT ORDER AND SIGN THE SUBWAY DEAL

### Willcox and His Associates Will Ask Court to Set Aside Order of Justice Hendrick Tying Up Action Until Thursday.

An injunction restraining the Public Service Commission from entering into operating contracts for the new subways with the New York Municipal Railways Company—which is another name for the B. R. T.—and the Interborough Rapid Transit Company was served on Chairman Willcox at 3.15 o'clock this afternoon. The injunction, which was issued by Justice Hendrick, is returnable before Justice Vernon M. Davis on next Thursday, February 6th, and restrains the Commission from signing the contracts before that time.

John J. Hopper, a Harlem contractor and faithful follower of William Randolph Hearst, appears as a taxpayer seeking the injunction. The papers were prepared under the direction of Clarence J. Sharn, Mr. Hearst's man of legal affairs.

**STEPS TAKEN TO VACATE THE SUBWAY INJUNCTION.**

The first step of the majority members of the Public Service Commission after the service of the injunction was to call in the legal staff and figure on plans for having the restraining order set aside.

It was figured that if the injunction could be dissolved before Feb. 5 the contracts, which will be ready in due form can be signed before another injunction or order of restraint can be procured.

The legal aspects of the situation were examined by Commissioners Willcox and Williams, who are lawyers, and George S. Coleman, chief counsel, and Leroy T. Harkness and Oliver Semple, associate counsel to the commission. They had the assistance of the lawyers for the B. R. T. and the Interborough.

It was the impression of the lawyers that an action to set aside the injunction would be under the law which permits any public board against which a court order is issued in ex parte proceedings to apply to the judge issuing such an order to set it aside; furthermore, the commission's lawyers claim, if it can be shown that the injunction was issued on insufficient grounds or that a prima facie supporting case has not been made out, an application to have the order set aside can be made to any judge.

The impending arrival of Edward E. McCall as chairman of the Public Service Commission tends to complicate matters. Should Mr. McCall take office to-morrow he may not favor the tactics of Chairman Willcox and his will be the deciding vote on any action proposed. Mr. McCall has stated that he wants time in which to examine the contracts should it fall to him to sign them.

George D. Yeomans, counsel to the B. R. T., called at the Public Service Commission late this afternoon and conferred with the legal staff of the commission and with Commissioners Willcox and Williams. At 4.30 o'clock Mr. Yeomans hurried from the building.

"Do you think there is a possibility that the injunction may be vacated?" he was asked.

"I don't think there will be any trouble about having it vacated," he replied. "It should not have been granted."

"Do you intend to try to have it set aside this evening?"

"I am going out now to consult about it," replied Mr. Yeomans.

**BROOKLYN JUDGE MAY VACATE INJUNCTION.**

There was a report that Mr. Yeomans had practically arranged to have a Brooklyn Supreme Court Judge sign an order setting aside Justice Hendrick's injunction. It was also reported that Justice Hendrick had sent for the papers in the case with the intention of looking them over and that he might withdraw his own injunction on the ground that sufficient evidence to warrant it had not been offered.

The Commission met at 4.30 o'clock this afternoon pursuant to adjournment at 3.30 o'clock when the injunction was served and adjourned until 11 o'clock to-morrow morning. This adjournment renders impossible any definite action on the subways before that hour even though the injunction

### "MOVIE" DEATHS UP TO ALDERMEN, FOLKS TELLS THEM

Author of New Ordinance Flays Opponents Who Hold It Up a Week.

PASS IT, MAYOR URGES. Tammany Leader Dowling Sets Obstruction Tactics at Work in Board.

In defiance of public opinion and in opposition to the Mayor's wish expressed in a message to the Board of Aldermen to-day the Tammany members, aided by some Republican Aldermen, failed to take action on the Folks moving picture ordinance. A combination vote had consideration over for one week.

Alderman Dowling, leader of the Democratic side, made the motion to lay the ordinance over and threatened to have the long ordinance read, line for line, if the Folks adherents insisted upon action to-day. This reading would not have been finished until midnight.

Alderman Folks moved for consideration of the ordinance at once. "I object," shouted Dowling. "We have not read the ordinance."

"Insist on a vote for immediate consideration," exclaimed Folks. Chairman Kline said: "Under the rules for acting on any report, it must be over for a week unless a majority vote for immediate considerations prevails."

Alderman Folks then took advantage of his right to speak to the motion, and in doing so lashed the "vested interests in this city." That tragedy might have been prevented.

"I regret to say it, but the fact is that this board for two years has failed to adopt an ordinance. Those who failed to act are responsible and they will continue to be held responsible. Vested interests in this board are responsible for those dead and injured."

"The people demand a safe ordinance but the interests here defy both the people and the Mayor. A vote against this ordinance may be a vote for a death sentence and may be brought home to those members who oppose this motion."

"The line has come to lay aside personal interests and give the public the protection to which it is entitled. It is

(Continued on Second Page.)

### BEACH'S ACTIONS AFTER ATTACK ON WIFE ARE TOLD

Accused New Yorker Showed No Hostility to Mrs. Beach, Doctor Says at Trial.

SHE ACCUSED NEGRO. Other Witnesses Testify to Hearing Screams in House—Prisoner Sits With Wife.

AIKEN, S. C., Feb. 4.—Mr. and Mrs. Frederick O. Beach sat together to-day in the Aiken County Court House and heard the prosecuting attorney attempt to prove to a jury of countrymen that the New York society man had made a murderous attack upon his wife with a penknife in Aiken last winter.

Beach and his wife did not show any deep concern in the proceedings and at times gaily chatted with each other and friends, who sat near them. Eleven witnesses were called by the State, and a slow start was made in their examination. Prosecutor Gunter directed his efforts to attacking the story told by Beach, and substantiated by his wife, to the effect that Mrs. Beach had been attacked by a negro when she left the house to give her dogs an airing.

Dr. Hastings Wyman and his son, Dr. Marian Wyman, who examined Mrs. Beach's wound soon after she was cut, expressed the opinion that the stab was inflicted from behind. The theory of the prosecution is that Beach attacked his wife while she was running away from him.

**NEW YORK SOCIETY LEADERS AT THE TRIAL.** Mr. and Mrs. Beach entered the courtroom at 9 o'clock. Then they had to be assisted through a crowd of spectators that packed the corridors and the hearing room which is small, morbidly curious had been waiting for admittance since 7 o'clock.

Mrs. Beach was becomingly gowned in a brown coat suit and a toque to match. She showed no signs of nervousness and Beach was apparently perfectly at ease. He helped his wife and Miss Marion Hollins of New York, one of the witnesses for the defense who accompanied the Beachs, to chairs and then conferred with his attorney, Mrs. James B. Y. Taylor, Mrs. Beach's sister, sat with the defendant and his party, and nearby were Mrs. Colvin Iselin, Mrs. Joseph Harrington, Mr. and Mrs. Harry Hollins Jr., Edward Smith and J. M. Lyons, all prominent society people.

The case was opened at 10 o'clock and the jury quickly sequestered. Seven of the men accepted were farmers, one a country merchant and the others cotton mill operatives. The court designated the first man chosen to act as foreman.

**MRS. BEACH LISTENS INTENTLY TO INDICTMENT.** While the indictment was being read Mrs. Beach kept her eyes intently upon Prosecutor Gunter. Her face did not change expression when he reached the word "did assault with murderous intent." Beach rested his chin on his hand and gazed straight before him. He was not formally arraigned, thus being spared the humiliation of standing in the prisoner's dock.

Prosecutor Gunter opened his side by having the stenographer read the testimony of Miss Lillian Wyman, who is ill. The testimony was taken yesterday.

Miss Wyman was examined in the presence of Prosecutor Gunter and Col. Henderson, counsel for the defense. She testified that on the night of Feb. 25 she was in her bed in the front room of her home, which is directly across the street from the assault scene, when she heard two screams. She went to the open window and tried to locate the source of the cries.

Seeing no one, she returned to bed and a few minutes later she heard two more screams. This time she saw a man come down the street from the direction of the Beach home. When she shouted to him to stop that noise or she would call the police, she said the man broke into a run.

"You had better run, and run fast."

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**PANAMA CANAL CRUISES.** The Panama Canal Commission has issued information that the regular cruise of the U. S. S. Albatross will start on Feb. 10, 1913. The U. S. S. Albatross will be accompanied by the U. S. S. Fish Hawk.

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### Steamer Ashore on Long Island Beach, Where Waves Drove Her in Snow Storm

(Specially Photographed for The Evening World by a Staff Photographer.)



### AGED WOMAN BURNED TO DEATH, HER DAUGHTER HURT TRYING TO SAVE HER.

Flame from Gas Stove Sets Fire to Her Dress and It Is Beaten Out Too Late.

Mrs. Anna McGrain, twenty-seven years old, living on the second floor of No. 44 East Eighty-seventh street, was burned to death this afternoon when flames from a gas stove, over which she was cooking, caught her dress.

Mrs. McGrain was feeble and she could not beat out the flames. Her screams summoned her daughter, Mrs. Murphy, with whom she lives, and the young woman tried in vain to extinguish them. Finally she threw carpets and rugs over her mother and managed to smother the flames.

The screams of Mrs. McGrain aroused other tenants in the place and an ambulance from the Reception Hospital was sent for. But when it responded, Dr. Scudder, the ambulance surgeon, found Mrs. McGrain dead and her daughter seriously burned about the arms and hands. The Rev. Father McKeon, a chaplain of the Fire Department, who happened to be passing the house, was called in and administered the last rites of the church to Mrs. McGrain.

**TAFIT IN VETO OPPOSES PIER LINE EXTENSION.**

Takes Vigorous Stand in Refusing to Approve Engineer for Joint Harbor Commission.

WASHINGTON, Feb. 4.—President Taft took a vigorous stand against the proposed extension of the Hudson River at New York in a special message to Congress today vetoing the proposal that he appoint a United States engineer to the joint harbor commission of New York and New Jersey.

FOR RACING SEE PAGE 7.

### STEAMER ASHORE ON LONG ISLAND IN A BLINDING STORM

Banana Freighter, Nicholas Cuneo, Strands on Beach Near Point Lookout in Snowfall.

The revenue cutter Mohawk and the Merritt Chapman wrecking tug Relief reached the stranded banana freighter, Nicholas Cuneo, this afternoon and at once began attempts to get lines to her. But by the time the two powerful craft appeared to seaward of her, the ice was running out and the Cuneo lay almost high and dry on the sandy beach between the east end of the Long Beach boardwalk and Point Lookout, where she drove up, over the outer bar, in the blinding snow of the night.

The Cuneo carries a crew of thirty men and is not equipped with wireless. The beach combers, who had gathered in large numbers, expecting the speedy bottling-up of the cargo of the Cuneo, professed they would add her bones to the ocean charred bones in which she lay. As the tide ran out it was possible for the life-savers from Point Lookout to wade out through the surf and transmit megaphone messages to the skipper, Capt. Knudson, from his quarters in New York, the Cuneo Importing Company.

Early this morning the life-savers learned of the stranded ship's predicament through the pockets she fired and hurled to the beach.

As the light grew stronger the life-savers saw that some figures on the bridge of the Cuneo were throwing over small black objects. Through the binoculars they made these out to be bottles, which they guessed contained messages. The wind was blowing

right on shore and most of the bottles drove up on the beach. They contained messages in Norwegian and English.

In one of them the captain explained he had got off his course in the snow storm and missed the entrance of the harbor. He was bound from Kingston, Jamaica, for this port with a cargo of bananas. He asked that help be sent as soon as possible, but did not say whether the Cuneo was badly strained or in danger of breaking up.

At the offices of the Cuneo Importing Company it was said the Cuneo was a Norwegian steamer of 300 tons register. She was built in Norway in 1907 and had a familiar craft among the banana fleet.

**POLICE RAID ROOMS OF PAINTERS' UNION; FIND ONLY A PINOCHLE GAME.**

Broadway Crowd of 1,000 Gathers to See 'Em Nub Man Who Had Just Melded 60 Queens.

The ornately kioskized quarters of the Painters' Union, Council 9, occupying the second floor of No. 104 Broadway, resounded with the echoes of popular music and the tread of square-toed shoes this afternoon, while on the sidewalk outside a crowd of more than a thousand persons gathered around an opera-line of patrol wagons. It was a festive raid.

Ignatz Lockwitz has just melded "sixty queens" and was raking in two nickles that Abe Golub and Karl Malinsky had lost to him when the police entered. His great know no bounds when the winnings were taken from him to be used as evidence. There was little in the room, and three fatal pin-act games were in operation. That was all the police found.

**WILD GEESSE FLY NORTH. FROGS CROAK, TREES BLOOM. SURE WINTER IS OVER.**

NEWPORT NEWS, Va., Feb. 4.—Wild geese flying northward, frogs croaking in ponds, fruit trees in blossom and green fields lead the oldest lay weather prophets in Southern Virginia to predict that winter really is over despite the fact that cold snaps over the Atlantic

### BLEW UP TWO WOMEN WITH BOMBS, TRIED TO KILL ROSALSKY

John Paul Farrell in an Amazing Confession Clears the Mystery of Famous Flat-House Murder of a Year Ago, and Also the Bomb Sent to Judge in West Side House.

Reconstructs Infernal Machine in Police Headquarters Under the "Third Degree," Then Worn to the Verge of Hysteria Breaks Under Dougherty's Inquisition.

John Paul Farrell, worn to the verge of hysteria by the unrelenting processes of the police "third degree" pursued for twenty-four hours, confessed to Deputy Commissioner George S. Dougherty to-day to being the infernal machine murderer.

He said that he had made the bomb which killed Grace Walker, sometimes known as Helen Taylor, in her apartments at No. 108 West Seventy-seventh street, just a year ago yesterday. He made and sent the engine of murder that exploded in the apartments of Judge Otto Rosalsky, No. 611 West One Hundred and Tenth street, on March 16 of last year.

He contrived the mechanical bomb which exploded last Sunday night in an apartment at No. 1475 Fulton avenue, the Bronx, instantly killing Mrs. Madeline Herrera, blinding her husband, Bernardo, and seriously wounding Miss Sarah Soughtman.

Farrell's actions and words during the making of his confession were at times those of a madman. He told conflicting details, some of them of the most circumstantial character; contradicted himself the next minute or refused altogether to elucidate some of his statements. But out of the whole mass of the man's mental wanderings Dougherty picked a sufficient number of facts, capable of verification from other sources, to convince him that Farrell was guilty of the murder of the Walker woman and of Mrs. Herrera, as well as the attempt on Rosalsky's life.

**WHY HE TRIED TO KILL ROSALSKY.** Farrell, after many hours, told what he said was the true story of why he tried to kill Judge Rosalsky. It was to avenge a boon companion's sentence of thirty-nine years in Sing Sing, imposed by Rosalsky because of a burglary amounting to \$16.

The confession of Farrell, wholly verified by the records of the courts, had it that he and Joseph Harvey, alias De Rose, alias the "Bull," and a Harry Hartman entered the apartment of Peter Johnson at No. 243 East One Hundred and Second street on the night of Nov. 15, 1908, and stole three gold rings and a cheap watch. Harvey and Hartman were caught but Farrell escaped.

"On Dec. 8 Hartman pleaded guilty to a second degree burglary charge and was sentenced to an indeterminate term of between nine and ten years. On Dec. 28 Harvey took the same plea, but because of two prior convictions on the same charge Judge Rosalsky sentenced him to thirty-nine years, practically the rest of his life.

"I thought of that boy in for life for a \$16 robbery," said Farrell, and I made up my mind Rosalsky was a devil. I studied for years how to make a perfect bomb and then I tried to kill him."

Farrell at first said that Grace Walker was his daughter and he gave the name of Kid Walker, murdered by Henry Le Strang in 1887, as the man who caused her downfall. Then he changed his story and said that he had sent the infernal machine to Mrs. Walker because he was wildly in love with her and was jealous of the attentions of other men.

Dougherty, in a partial investigation of Farrell's record, discovered that he had spent at least ten years in various prisons, though no record of him exists in the files of the Identification Bureau.

Through many hours of his final examination in Dougherty's office the gaunt, white haired prisoner strove desperately to prevent the full record of what was written on his mind getting to the police official. When caught in the lie about the Walker woman being his daughter Farrell merely grinned and gave another story—that of jealousy prompting the deed.

The first claim of Farrell that he was the father of Grace Taylor was refuted by the Taylor woman's sister, Mrs. William Evans of No. 43 East Eighty-third street. Mrs. Evans said: "Grace's father and mine was William Willis. He was born in Ireland and came to New York sixty years ago. He died in 1887 when we were living in Fifty-ninth street, near Avenue A.

"My mother died some years before