CAPT. WALSH, SNATCHED FROM DEATH, TESTIFIES AT THE FIRST GRAFT TRIAL

WEATHER—Rain probable to-night and Saturday.

FINAL EDITION.

The World.

EVENING EDITION

"Circulation Books Open to All."

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NAVY WIRELESS FLASHES ACROSS SEA 3,000 MILES

Most Powerful Instrument in the World Installed at Radio, Va.

CHATS WITH CALIFORNIA

Test Signals Sent to the Scout Cruiser Salem on Way From Gibraltar.

BY MARTIN GREEN.
(Special Staff Correspondent of The Evening World.)

WASHINGTON, March 14.—Over at Radio, Va., across the Potomac from Washington, a serious visaged blond young man has been sitting in a sound proof and isolated room pressing a big key and sending the letter D—a dash and two dots—into the ether for an hour at a time at half-minute intervals, every six hours for the past three days. Out on the Atlantic another young man, serious of visage, but whether blond or not deponent cannot say, having no knowledge, has been sitting in a sound proof room aboard the scout cruiser Salem getting that dash and two dots through a receiver fastened over his head and attached to his ears.

The letter D shot through the air for 3,000 miles in all directions is a signal the United States Government is sending out as an experiment to determine finally the power of the new wireless station at Radio. To-day or to-morrow the Salem, which left Gibraltar, on the lower end of Spain, last Wednesday, will be able, through her weaker wireless apparatus, to send an answer to the Radio wireless station, and from that time the ship, nearing the Atlantic coast of the United States, will be in constant communication with the Navy Department.

PRESS A KEY AND REACH A WARSHIP ANYWHERE.

The experiment, now nearing completion, is one of the biggest things in the way of progressive innovation the navy has ever done. From the progress made it seems to be pretty well established that the time is not far distant when [illegible] of Uncle Sam's warships at any port in the world or in any spot on the seven seas will be able, perhaps with a relay through another warship or two, to communicate directly with Washington by wireless and receive a reply within an hour.

This means a lot in the matter of management of the navy. While it is true that messages sent from Washington may be picked up by the warships of other nations and by the stations of the commercial wireless companies, a code will serve to keep the news transmitted as secret as though it were under cover in the care of a special messenger. The new wireless station at Radio means more than that the United States has placed an invisible girdle around the world, over which the information and orders upon which the fate of the nation right depend, may be transmitted with the speed of light.

Trusting we have made ourselves clear as far as we have gone, we come now to actual consideration of the new wireless station at Radio. This is the last word, the final accompaniment under prevailing conditions, in the way of what may be called a power house for the sending of an electric current through the air. There is nothing in the world to touch it, and the Government, with an eye to future contingencies, has allowed for expansion both mechanically and otherwise, so that if the necessity should arise, machinery may be installed which will double or even treble the capacity of the station.

RADIO FINE FOR SPARKS, BUT NOT FOR PEDESTRIANS.

Radio, at this time of the year, is not an inviting spot and in such rainy, foggy weather as prevailed yesterday, it is to be reached only to the accompaniment of a load of red Virginia mud. Virginia is the mother of Presidents and the father of mud. There is a cinder path leading from the trolley station at Radio to the wireless office, but before one gets to the cinder path one must replace one's shoes two or three times, the aforesaid mud having the pulling quality of a suction pump.

On top of a hill, 185 feet high, on the Fort Meyer Military reservation and a little way outside the walls of Arlington Cemetery, the Government has erected

(Continued on Last Page.)

JULIAN HAWTHORNE, JURY IN WHOSE CASE IS UNABLE TO AGREE.

JULIAN HAWTHORNE

HAWTHORNE JURY OUT 26 HOURS AND NO VERDICT YET

File Into Court a Second Time to Ask for Data Concerning Josiah Quincy.

The jury which is considering the verdicts in the case of Julian Hawthorne, son of Nathaniel Hawthorne, Josiah Quincy, former Mayor of Boston and Assistant Secretary of State under the Cleveland administration; Albert Freeman, a Boston mining promoter, and Dr. W. J. Morton, a New York nerve specialist, had been out for twenty-six hours at 4 o'clock this afternoon without coming to a conclusion as to their guilt or innocence of using the mails to make money out of fraudulent Canadian mining stock promotions. The trial has been in progress since Nov. 25.

Just before 3 o'clock the jury entered court for the second time during the day to ask for data which would show just when Josiah Quincy had first become legally and officially allied with the corporations of which the other defendants were members. Some of the observers of the trial thought this meant that verdicts had been reached regarding all the defendants except Quincy, who was indicted on only one count with regard to a minor transaction with one of the companies concerned.

The defendants who had been uneasy and apprehensive early in the day became calm and chatted among one another good naturedly as the day wore on.

When the jury came into United States District Judge Mayer's court shortly after 11 o'clock last night, the tense, pale faces of the four defendants showed that they expected a verdict. Their relief was apparent when Judge Mayer instructed the jury again and sent them back to the hotel.

While no intimation was obtainable as to how the jury stood, it was believed by lawyers and others who have followed the case, that the request for the kind of instruction given by Judge Mayer before the jury were locked up for the night indicated that they intended to find one or more of the defendants guilty on one or more counts.

The defendants were not locked up in the Tombs for the night, nor were they placed under the espionage of United States Marshals. Instead they were permitted to go to their homes under the bail bonds already given by them.

The maximum penalty which Hawthorne, Freeman and Morton each face on conviction on all counts is fifty-six years' imprisonment or $55,000 fine or both. Quincy faces, on conviction, a maximum penalty of two years' imprisonment or $5,000 fine or both.

Judge Mayer ordered the defendants to be in court at 9.30 this morning.

STORM KILLED 59 IN SWEEP OF SIX SOUTHERN STATES

Heaviest Loss of Life in Georgia, Tennessee and Alabama —Hundreds Injured.

DEATH LIST GROWING.

Many Towns Cut Off and Great Number Homeless—Property Loss Is Heavy.

Widespread storms of cyclonic intensity, sweeping over the South and Middle West during the past twenty-four hours, cut their way through towns and cities of six States, snuffed out scores of lives, made hundreds homeless and destroyed property valued high in the millions.

Up to a late hour to-day fifty-nine persons were reported killed and the death growing. Hundreds were injured, many fatally.

Other sections of the country, from the Great Lakes to the Gulf and the Eastern seaboard to the Rockies were swept to-day by gales, rain and snow.

The storm took its heaviest toll of life in Alabama, Tennessee and Northwestern Georgia. There was loss of life also in Mississippi, Texas and possibly Louisiana. From Nashville and Memphis came reports of cyclones half a mile wide sweeping through five counties, tumbling over scores of houses, brushing a dozen towns and killing twenty persons. Calhoun, Ga., told a similar story of the storm in Northwestern Georgia during the night, placing the dead at eighteen. A cyclone one hundred yards wide ploughed through DeKalb county, Georgia, just East of Atlanta, cut it off from the world and killed five persons. Two persons were killed in Columbus, Ga. and six in Northern Alabama. Five lives were lost in Atlantic, Miss.; two in Sabine Parish, La., and one at Brookland, Texas.

MANY TOWNS ARE CUT OFF FROM THE WORLD.

Five lives were lost in Atlanta, Miss., and one at Brooklands, Tex.

A fifty-mile gale that passed over Chicago and Illinois during the night caused damage estimated at $1,000,000.

From the storm-swept areas come meagre reports of devastation, indicating that the property loss will exceed by far the present estimates. Many towns have been cut off from the world, and in sections of four States thousands of telephone and telegraph wires are prostrated.

ATLANTA, Ga., March 14.—Five known dead, at least a score injured and thousands of dollars loss to-day marked the path of the rain and hail storm which swept the section just east of the city last night. The dead include: William Banks and child, Clarkston; Mrs. Sallie Nash and son at Tucker; unidentified negro at Tucker. Relief parties were sent out from here to-day.

CALHOUN, Ga., March 14.—A storm which continued for two hours, followed by earthquake shocks, devastated a wide section of country between Curryville and Resaca late last night. The loss of life is now estimated at eighteen and the damage to property will be heavy. All wires are prostrated and details are meagre. The principal damage and loss of life are reported at Curryville and Rosedale, while Armuchee, Oostanuala and Resaca also suffered.

At Rosedale fourteen are dead, including a child of William Martin, Mrs. Mun Barnett and five children of the Bolt family. At Curryville the known dead are Mrs. Hasper Walraven, Lester Walraven and Mrs. Blakely.

TWENTY KILLED BY STORM IN TENNESSEE.

NASHVILLE, Tenn., March 14.—Reports of the storms which swept middle and western Tennessee yesterday afternoon indicate the death list may reach twenty. The storm west of the Tennessee River reached its greatest fury in Benton County, sweeping a path from a quarter to three-quarters of a mile wide diagonally across the country. Lewis Williams, Robert King and the latter's daughter were killed there.

In middle Tennessee the most dis-

(Continued on Second Page.)

FOR SALE

Electric vacuum cleaner; cost $65; sell for $18; electric massage vibrator, cost $35, sell for $8; both in perfect condition. Description by mail. [illegible] Madison, 131 W. 23d st., room [illegible]

COURT OF APPEALS UPHOLDS THE LAW FOR BRONX COUNTY

Decision of Lower Court on Legality of Referendum Is Reversed.

4 TO 3 VOTE DECIDES.

Borough's New Courts Will Not Be Operative Till Jan. 1, 1914.

All legal doubt as to the status of the new Bronx County was cleared away to-day when the Court of Appeals handed down a decision reversing the decision of the Appellate division in which it had been held that the act authorizing the forming of the new county was unconstitutional.

The decision paves the way for the allotting of hundreds of thousands of dollars in patronage, affords the Bronx political leaders a weapon with which they think they can force Tammany Hall to give them everything to which they think they are entitled in the city government and ends a feverishly excited local problem which has been going on for two years.

Judge Hiscock who wrote the majority opinion confirming the legality of the county, said that the provision that only voters within the limits of the county were to vote on the referendum creating it was proper, and there was no need for getting the consent of the voters of the whole of New York County on the subject.

The courts of the new county will not have jurisdiction until Jan. 1, 1914, and until then the New York County courts will continue to have charge of the legal business of the district above the Harlem River and below Westchester.

Judge Hiscock's opinion was concurred in by Judges Miller, Cuddeback and Hogan, while Judges Cullen, Gray and Bartlett dissented.

Judge Cullen says that in the determination of the McKenna appeal, it is not necessary to pass upon the constitutionality of the Bronx County act.

Judge Gray holds that the Bronx County territory is taken from New York County, and that all the people within the latter are affected. "But if all the people were affected by the passing of the act," he continues, "why may only a portion decide whether it shall continue to be a law. Upon what principle of law, or of politics, can we uphold such discriminative legislation? It seems to me that every consideration of wisdom and of sound policy demands that such loose legislation as this act embodies should be unsparingly condemned."

The question of the constitutionality of the Bronx County was raised in a habeas corpus proceeding brought by counsel for Joseph J. McKenna, convicted of murder in the first degree. The law was signed by Gov. Dix on April 19, 1912, and the crime for which McKenna was convicted was committed in the Bronx, June 6, 1912. It was contended that the indictment should have been found in Bronx County by Grand Jurors of that county and not in New York County before a mixed body of jurors from New York and Bronx counties.

The Court of Appeals to-day affirms

(Continued on Fourth Page.)

ON LEONG TONG CLIENT OF MISS MILHOLLAND ACQUITTED BY THE JURY.

Takes Only Five Minutes to Free Gee Doy Yung, Accused of Tong Killing.

After five minutes' deliberation a jury before Judge Foster in General Sessions to-day acquitted Gee Doy Yung, member of the On Leong Tong, of being responsible for the death of Wung Fong of the Hip Sing Tong in a battle last October in the ancient war between the two tongs.

The evidence against Yung was for the most part given by the white women associates of the other tong.

James W. Osborne and his assistant, Miss Inez Milholland and Assistant District-Attorney Wasservogel were all congratulated by Judge Foster for the fairness and rapidity with which the case was tried.

FOR RACING SEE PAGE 23.

Policeman on Trial, and Captain, Chief Witness Against Him

J. J. HARTIGAN CAPT. THOS. WALSH

MORE LITIGATION OVER $11,000,000 C. L. FAIR ESTATE

Another Batch of Lawsuits Growing Out of Couple's Death by Auto in France.

Four suits were filed in the Supreme Court to-day attacking the inheritance of Mrs. Hermann Oelrichs and Mrs. William K. Vanderbilt jr., who were sole legatees of the fortune left by Charles L. Fair and his wife, Caroline D. Fair, killed together in an automobile accident in France, Aug. 14, 1902.

An estate valued at about $11,000,000 is involved in the suits filed to-day. The plaintiffs are Edward Lefler, Mrs. Mabel E. Towle, George Elmer Lefler and Thomas Lefler, the children of Mrs. Sarah Lefler, who was the sister of Mrs. Caroline D. Fair. Joseph Harvey and Charles S. Neal, executors of the Fair estate, are named in the complaints filed against Mrs. Oelrichs and Mrs. William K. Vanderbilt jr., who as Teresa Alice Fair and Virginia Fair were sisters of the multi-millionaire who was killed at Cacy-sur-Eure eleven years ago.

Each contestant claims one-forty-second part of their aunt, Mrs. Charles Fair's estate, under the contention that the will of Mrs. Fair, which was probated in the County of San Francisco, Cal., should have been offered for probate in New York County and that they have been robbed of the benefits of inheritance lost to them by the difference in the inheritance laws of California and New York.

The latest chapter in the long litigation entailed by the tragic deaths of Fair and his wife follows the decision made some years ago that Fair died first as the result of the automobile accident and that his wife survived him by an appreciable time—sufficient, at least, to entitle her to inherit under her husband's will. Mrs. Fair's estate included, therefore, all her husband left her and about half a million in bonds and securities of her own. Charles Fair inherited about $5,000,000 each from his father, the pioneer miner and capitalist of California, and his mother.

Under the laws of California Mrs. Oelrichs and Mrs. Vanderbilt received the entire residuary estate as next of kin of Charles Fair. Under the New York laws, the complainants set forth, the two sisters would have been entitled only to whatever specific bequests were made to them and the residuary estate would be considered as unbequeathed property to be divided among all the heirs at law.

The complaints specify further that Mrs. Oelrichs and Mrs. Vanderbilt have "acquired the claims of all the other heirs-at-law" except those who are now bringing suit. They say, also, that the Fair mansion at Riverside Drive and Seventy-fifth street, though held nominally in the names of Harvey and Neal, the executors, really is the property of Mrs. Oelrichs, and should rightfully be considered subject to the action in the present complaint.

Contests over the Fair millions have been long and bitter and have been staged in Paris, San Francisco and New York. Rival heirs of Fair and his wife had a commission take testimony in Paris as to who died first, and when the fact that Fair died before his wife was legally established the scene shifted to San Francisco. There the public administrator tried to take the Fair millions for the State. Then Mrs. Hannah E. Nelson, mother of Mrs. Fair, and about twenty-five heirs on the Nelson side of the family started a contest. This was finally settled out of court by $125,000 being settled on Mrs. Nelson.

Later Mrs. Nelson, claiming she had been tricked, started another contest in New York. This in turn was settled out of court, as the complaint of the present contestants indicates.

FERRIES DELAYED, BIG LINERS TIED UP BY WORST FOG YET

Steamers With Hundreds of Immigrants Aboard Are Unable to Dock.

Shipping was tied up, ferries compelled to abandon their schedules and thousands of people inconvenienced by one of the worst fogs of the season, which lay heavy over the bay, the lower end of Manhattan Island and all the adjacent waters this morning.

The largest liner tied up was the President Lincoln of the Hamburg-American line. She was anchored at Quarantine all night and was unable to come in to her pier this morning because of the fog. The President Lincoln carries 800 passengers, mostly steerage.

Anchored near her were the Maria di Giorgio, a fruit steamer, from Puerto Cortez, Honduras, with a few passengers aboard, and the Spiral, a big freighter, from Manzanillo, Cuba, with a cargo of mahogany. The Spiral carried no passengers.

The Madonna, of Naples, with 700 immigrants aboard, was anchored off Sandy Hook, and the Chicago, of the French Line, waited at anchor off the lightship, with another 700, waiting for the thick mists to lift.

Somewhere down the coast was the Monterey, of the Ward Line, on which Mrs. Francisco Madero, widow of the murdered former President of Mexico, is reported to be a passenger. It was prevented from reaching New York by the fog.

The great bells of the ferry houses were kept tolling, and such boats as were moving about in the bay—tugs and ferries—kept up a constant sounding of their sirens. The fog was so thick it was impossible to see more than twenty feet ahead. This, with the discordant medley of whistles and bells, produced a weird effect.

The municipal ferryboats, plying between the Battery and St. George, S. I., made no attempt to keep their schedules, but made the trip back and forth as they could, steering by the compass and moving very slowly. Thousands of Staten Islanders were late in reaching their business in consequence.

Similar difficulties were met by ferryboats in the Hudson and in the East River. They barely crept over their routes, keeping up a constant clamor all the while.

WALSH COUNTED BRIBE INTO HARTIGAN'S HAND, HE SWEARS IN COURT

Confessed Grafter, Saved From Death by Doctor to Make His Will, Is Carried From Sickbed to Witness Chair.

TREMBLING WITH PALSY, ACCUSES SWEENEY'S AIDE

"System" on Trial, Prosecutor Tells Quickly Chosen Jury in Outlining Perjury Case.

Palsied, feeble, with every appearance of a man near death, former Police Captain Thomas W. Walsh, confessed grafter, tremblingly testified in the Supreme Court this afternoon before Justice Seabury and a jury, against Patrolman John J. Hartigan, on trial for perjury. Walsh's pathetic condition made him an object of unsurpassed sympathy in the crowded courtroom.

It became known that on Wednesday night he had virtually been snatched from death by his physician, who had written a will at the patient's dictation.

Walsh's testimony was that he had counted $800, which Hartigan brought from inspector Sweeney, had added $150 to the amount, placed it in an envelope, which he had given to Hartigan, to be paid to Policeman Fox, for use as a bribe to keep Witness George A. Sipp out of the court's jurisdiction.

Mrs. Walsh testified that she was present, and confirmed the evidence given by her husband.

WALSH LIFTED INTO CHAIR, HIS CONDITION PITIABLE.

Walsh was brought into the court room after routine witnesses had been heard. He was held up under the arms by two court officers as he took the oath. He was lifted into the chair and his apparent physical condition caused a shudder to run through the crowded court room. His voice was inaudible as he answered the preliminary questions of District Attorney Whitman. His every word had to be read by the stenographer, who sat with his ear close to the blue lips of the stricken and palsied witness.

"I got a one-hundred dollar and a fifty-dollar bill from my wife," he testified, "when Hartigan came to my house on Dec. 30. I told him to give it to Fox. He had $800 in an envelope and he saw me take out this money and count it.

"I did not send for Hartigan. When he came in my room I was in bed, and he said that Inspector Sweeney had sent him. After this visit he returned, and when he saw me he started to cry and said that my wife had told Mr. Whitman that he had brought money from Sweeney to me. He said he had brought none and I told him he had."

"Have you taken any drugs to-day," was the first question put to him by Lawyer James A. Donnelly, for the defense.

"No," Walsh replied.

Mr. Donnelly asked Walsh if he had not asked Police Lieut. Thomas F. Walsh to send Hartigan to see him. He said he had not. He was asked if he had not asked Hartigan to do an errand for him and if he had not given him the envelope from under his pillow. Walsh shook his head in negative.

"I remember him calling," said Walsh, "and bringing the envelope, and my giving him the $150 to add to the $800. He then took it away to Fox. I remember telling Hartigan to give the money to Fox and that I could trust him."

Walsh, on cross-examination, denied that his wife had warned him in the presence of Hartigan that Hartigan was "sticking up" for Sweeney. He said that all the trouble caused to Hartigan was on his (Walsh's) account. He admitted that he had said that he would do all he could to right the wrong.

Walsh admitted that he had a summer home at Teaneck, N. J.

Walsh admitted having pleaded guilty

COURT SUMMONS FOR MAYOR GAYNOR IN PULITZER LIBEL

Must Show Cause Why a Warrant Should Not Be Issued Against Him.

A summons for Mayor William J. Gaynor to show cause why a warrant for criminal libel should not be issued against him was signed this afternoon by Magistrate Kernochan sitting at the office of the City Magistrates at No. 300 Mulberry street.

The summons was issued at the instance of Howard Taylor, counsel of Ralph Pulitzer, who charges that Mayor Gaynor uttered a criminal libel against the reputation and character of the late Joseph Pulitzer in a speech in Brooklyn.

The hearing was secret. Magistrate Kernochan asked all persons not immediately concerned in the case, including reporters, in the library, where the hearing was held, to go out, explaining that proceedings relating to warrants and summonses were usually secret.

"That was my feeling when I first called the matter to Your Honor's attention," Lawyer Taylor was saying when the reporters filed out.

It was made known at the end of the hearing that Magistrate Kernochan had been consulting the law since the first hearing and had decided that the libel, if any, was properly a matter for the jurisdiction of the Manhattan courts and that it was a libel rather than a slander, if either.

The paper was given to Policeman Sinclair to serve on the Mayor at the City Hall to-morrow morning. It calls for the Mayor's presence at No. 300 Mulberry street at four o'clock P. M., March 20.