

# SMITH DEMANDS ANSWERS WITH "TEETI" FOR GREEDY LANDLORDS

nearly all the known and suspected Communist Party advocates of "direct action" from supervision. The City Bomb Squad, which was practically turned over to the army and navy during the war, was not reformed. Capt. Tunney and Detective Sgt. George Barntz and some of their most active aids were assigned to routine duty in uniform, and got out of the department in a huff. Capt. George Busby was put in charge of the Detective Bureau in the Bronx. He appeared downtown today in charge of detectives working on the Wall Street explosion.

The Bomb Squad, in charge of Acting Detective Sgt. Green, has been reduced to fifteen men, only three or four of whom had experience in the old organization which stamped out the Black Hand bomb faddists and blackmailers who had terrorized the Italian quarters of the city. Moreover, the Bomb Squad men, including O'Connell, have been assigned respectively to duties other than those of watching radicals and hearing in touch with them. They were set to hunting Nicky Arstein and to bringing back men under indictment for large financial crimes from remote parts of the United States.

Consequently Commissioner Enright has found it necessary to build up a new organization for hunting radicals while the dust of the Wall Street catastrophe is growing cold. It has already been made plain that radicals, knowing they would not be watched when they came to this city, have been visiting this city freely for several months, though their presence here was not noted by the police at the time.

**DETECTIVES NOW OPERATING IN ANARCHIST HAUNTS.**

The newly enlisted men of the bomb squad are being sent into places where Anarchists have been known to gather for plotting before previous outrages. Detectives are at work in Paterson, where there has been considerable unrest due to the unemployment of hundreds since the partial collapse of the silk industry. Others are at work in Westchester and the North Hudson towns. Some investigation has been made with the theory that the bomb may be the work of I. W. W. malefactors who were responsible for the recent explosion in the Chicago Post office.

A fragment of a shell similar to shells used in France during the war was discovered on the roof of the five-story building at No. 12 Wall Street by a representative of Horace B. Ely, who has charge of the building.

The piece of metal which was said to be part of the tapping point of a shell, was turned over to the police.

Fire Commissioner Drennan considered for an hour to-day with a man named Mulleay, blasting foreman at the excavation at the southwest corner of Wall and Broad Streets, where the Stock Exchange extension is to be built. Mulleay pleaded with the Commissioner to modify his ban against blasting for foundation work, representing that no high-power explosives are being used at the Stock Exchange site and that work is being held up and workmen placed on enforced vacation by the order.

No immediate answer was given by Commissioner Drennan, who later said that if he allows any blasting it will be permitted only between 6 P. M. and 6 A. M. in the financial district.

**NERVES OF PEOPLE NOT YET CALMED IN WALL STREET.**

"I realize," said he, "that there are thousands of women and young girls working in and near Wall Street whose nerves have been made 'jumpy' by the explosion of Thursday, and that their efficiency would be seriously impaired if any kind of blasting work were permitted in the vicinity during working hours."

The list of dead has been increased to thirty-four by the death of William Peterson, twenty-nine, No. 33 Chestnut Avenue, Bogota, N. J., in the Broad Street Hospital, last night. Fifty-five of the injured remain in hospitals.

Efforts to establish the ownership of the bomb wagon were continued to-day, mainly through exhibiting the hoofs of the horse and the new shoes it wore to various blacksmiths.

John Fitzgibbons, President of the New York local of the Journeymen Horseshoers' Union, announced that the local would meet at Ganon's Hall, 4th Street and Third Avenue, to-day to have exhibited to the members the hoofs and shoes of the bomb wagon horse. He would like to have every union horseshoer in Manhattan there, since the shoeing was a union job, the shoe bearing both the stamp of the horseshoers' union and of the Master Horseshoers' Association.

Detectives from the staff of Capt. Carey, in command of the Homicide Bureau, spent yesterday going over the swarming of dynamite by the Street Cleaning Department about the scene of the explosion—sweepings that were supposed on Saturday to have been already loaded on a snow and sent out to sea for dumping.

A request to Fire Commissioner Drennan for a record of recent permits for the movement of dynamite or other explosives was met by a refusal to furnish any such information to other than agents of the Department of Justice or the Police Department.

John F. Dixon of the Bureau of Consular Affairs reported to the Commissioner to-day that the explosive found on Flumbo Island outside Sheephead Bay on a derelict ammunition boat was smoldering.

The Grand Jury which is considering the explosion heard to-day the statement of Samuel H. Wellington, President of the West India Trading Company, whose office of selling three men running away from a junk

## Mother's Burial Held Up in Wait For Missing Girl

### Daughter Whose Disappearance is Blamed for Death Fails to Appear at Funeral.

In the hope that her seventeen-year-old daughter, Cecilia, who had disappeared, would return home at the last moment, the funeral of Mrs. Marie Malato, of No. 529 Graham Avenue, Brooklyn, was delayed an hour to-day. Then, as the girl failed to arrive, the funeral procession was formed and the body taken to Calvary Cemetery and interred.

Mrs. Malato died on Sunday and all the neighbors felt that it was Cecilia's disappearance on Sept. 7 that brought the mother's illness to a critical stage and hastened her death. Notice of her death and the circumstances attending it were published in many newspapers and it was hoped that Cecilia would see these and be influenced to return to her home to see her mother for the last time.

Once during the waiting period it was thought that Cecilia had returned. The funeral services had been said and the procession was kept waiting at the door where a girl resembling the missing daughter was seen approaching the house. The neighborhood ran out to meet her, and found a stranger. After that, hopefulness kept the procession half an hour longer, but in vain.

## FINDS N. Y. CENTRAL BOND ISSUE COSTLY

### Commerce Commission Declares It Will Scrutinize Such Transactions Closely.

WASHINGTON, Sept. 21.—After an investigation of the "circumstances and cost attending the marketing" by the New York Central Railroad of \$25,000,000 ten-year 7 per cent. collateral trust bonds and a similar amount in refunding and improvement mortgage bonds, the Interstate Commerce Commission to-day gave its approval to the transaction.

The commission found, however, that in view of the small financial risk involved and the apparent ease with which subscriptions were obtained, "the discount at which the bonds were sold was liberal."

Both issues were sold through J. P. Morgan & Co. and, or, the commission said, "at a 1 1/2 per cent. basis."

Notice was given that the commission intended to give close attention in the future to such financing transactions.

## TEACHER, VICTIM OF SECOND STROKE, FOUND UNCONSCIOUS

Miss Kosette Vanderpoorten, thirty-five, of No. 513 Jefferson Avenue, Brooklyn, who until recently had a paralytic stroke five months ago, was found unconscious at her home, Mrs. Anna Rosenthal, of No. 563 Jefferson Avenue, Dr. Douglas revived Miss Vanderpoorten with a stimulant and took her to Rushwick Hospital.

## HAVRE DE GRACE ENTRIES

**FIRST RACE**—Purse \$1,274.40, claiming for 1920. Time 1:10.40. (Continued from page 1.)

**SECOND RACE**—Purse \$1,375.00, claiming for 1920. Time 1:12.40. (Continued from page 1.)

**THIRD RACE**—Purse \$1,274.40, claiming for 1920. Time 1:10.40. (Continued from page 1.)

**FOURTH RACE**—Purse \$1,274.40, claiming for 1920. Time 1:10.40. (Continued from page 1.)

**FIFTH RACE**—Purse \$1,274.40, claiming for 1920. Time 1:10.40. (Continued from page 1.)

## Colby Won't Repeal Suffrage Proclamation

WASHINGTON, Sept. 21.—Secretary Colby has refused to grant the request of anti-suffragists from Tennessee that he rescind his action in proclaiming ratification of the Federal Suffrage Amendment on the basis of favorable action on the amendment by the Tennessee Legislature.

WAGON in front of the Assay Office a few moments before the explosion, was said in yesterday's Evening World.

District Attorney Swann has announced that the police have found evidence that it will turn to other matters in spite of the injunction of Judge Wadhams to devote its labors to nothing else—until it has more definite material.

Before going before the Grand Jury to-day, William L. Morgan, Secretary of the Titmuss Powder Company of 10 West 11th Street, told Acting District Attorney Tully that none of his company's wagons were in the neighborhood of Wall Street on the day of the explosion.

W. H. Fyfe of No. 111 Broadway and by No. 111 Bleecker Street, said the Evening World in correct report that he was among the men making victims of the explosion.

## DYNAMITE WAGON DRIVER FOUND; WAS NOT NEAR WALL ST.

### Tells Evening World Man of All His Deliveries on Day of Explosion.

While in quest of information concerning the delivery system of dynamite an Evening World reporter to-day ran across John Mulstey in his home on the top floor of No. 445 West 111th Street, where he is taking an enforced vacation, since Fire Commissioner Drennan decreed that no more dynamite shall be delivered in this city for an indefinite period.

The aforementioned address is listed as the "stable" of the E. L. du Pont de Nemours Company, but that for telephonic convenience only, so Mulstey may be reached by wire at his home.

Mulstey said that for the past three weeks he has been the only man delivering dynamite for the du Pont Company in this city. For the past two years he declared his employer has used only two electric-propelled delivery wagons. Three weeks ago, Mulstey explained, one of the two electric delivery wagons was laid up for repairs, where it is now in the shop of the Commercial Truck Company, in East 46th Street. Most of the horse drawn wagons in use up to two years ago, he said had been sent to other du Pont works throughout the country, with the exception of one delivery wagon which was sold to Michael J. Fitzgerald, a contractor, on Hedgewick Avenue, the Bronx.

Mr. Fitzgerald said to-day that he used the wagon for a short time after removing the name of the du Pont Company, but otherwise altering the red paint to remain. Less than a year ago he said he sold the wagon to an east side butcher, baker or confectioner maker. "I don't know who he was," he said, "but I gave the Federal officials and the police the best of my recollections on this."

Mulstey, continuing, said that on the day of the Wall Street disaster he made several deliveries, none of them below 18th Street and Union Square. He recalled them as follows, beginning in the morning on his first trip from the magazine at 16th Street and the Harlem River; he first went to Dyckman Street and delivered a small quantity to a contractor, he then to Clinton Avenue and the Boston Post Road, to Bronxdale Road and White Plains Avenue, 14th Street and Carter Avenue, 121st Street and Madison Avenue, 48th Street and Madison Avenue, 34th Street and Madison Avenue, 24th Street and Madison Avenue, and the last delivery to Booth & Flinn, contractor on the subway in Union Square.

"When I reached 43d Street and Madison Avenue, where the C. E. Smith Company is erecting a building, I began to think of something around my machine and tell me about a dynamite wagon blowing up in Wall Street. It became so annoying that I began to get a goat, and everywhere I stopped my machine drew a crowd."

"Finally, when I reached Booth & Flinn's at Union Square, Frank O'H'Brien, thinking I was a messenger for Frederick Ely, a broker, of No. 61 Broadway, told a remarkable story to-day incident in the Wall Street explosion, to Acting District Attorney Alfred J. Talley.

Young C. Mellus is a devout Catholic and carries in his pocket a crucifix. He said that he was standing at Broad Street, in front of J. P. Morgan's, when the explosion occurred. He was knocked several feet, but was unhurt. He said that he had just witnessed a collision between a Ford and another machine in Wall Street and saw the wagon in front of the Annex.

He was bewildered when he picked himself up and the first thing he thought of was his crucifix. He drew it from his pocket and found that the figure of Christ had been torn from the top part of the crucifix.

## SOCIALIST OUSTER RESOLUTION BACK IN THE ASSEMBLY

over ruled Assemblyman Evans when he desired to debate the question of his appeal, holding that such a motion was not in order.

There is talk of a compromise by admitting DeWitt and Orr to seats, and barring the other three.

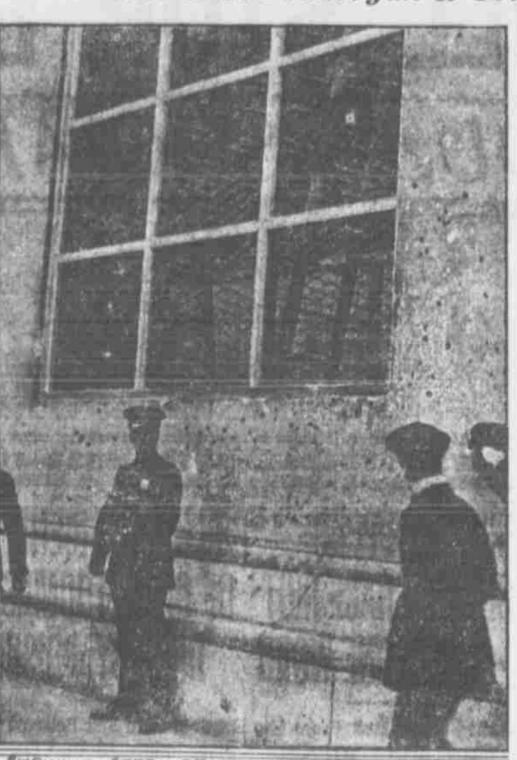
County Clerk William F. Schneider to-day expressed surprise at the action of Secretary of State Francis M. Hugo in swearing in the five Socialist Assemblymen, who were re-elected after their ouster and the vote had been canvassed and certificates of election had been issued. County Clerk issued certificates of election to elected Assembly candidates.

The Board of Aldermen to-day organized as a Board of Canvassers of the vote and adjourned until tomorrow before beginning the canvass. Mr. Schneider said it would take them three or four days to complete their task and that a week would elapse before certificates could be issued.

"They being sworn in yesterday was absolutely illegal," said Mr. Schneider.

Brooklyn Aldermen to-day met with County Clerk Kelly of Kings and after organizing as a Board of Canvassers, addressed to Speaker Sweet and Secretary of State Hugo a protest against the seating of Benjamin Kingman, Democrat, and Charles Solomon, Socialist, as Assemblymen from the 19th and 22d districts respectively until after they had been certified.

## Steel Mesh Windows Guarding Offices of J. P. Morgan & Co.



SHOWING STEEL GRATED WINDOW WALLS QUADREWOOD BUILDING AND BITED WINDOWS OF AN ENTIRELY NEW TYPE ARE BEING PLACED IN THE OFFICES OF J. P. MORGAN & CO. DUE TO THE TERRIFIC EXPLOSION IN WALL STREET, WHICH KILLED TWO OF THE MORGAN EMPLOYEES INSIDE THE BUILDING. HEAVILY REINFORCED WINDOWS ARE BEING PUT IN, AND BEHIND THESE ARE PLACED STEEL MESH GRATINGS DESIGNED TO PREVENT BROKEN GLASS OR FRAGMENTS OF BOMBS FROM FLYING INSIDE THE BUILDING, AS WAS THE CASE LAST THURSDAY.

## FIGURE OF SAVIOR BLOWN OFF CROSS IN BOMB EXPLOSION

### Crucifix in Pocket of Boy When Tragedy Occurred on Wall Street.

CONNELLUS BROWMAN, fifteen years of age, of No. 401 East 73d Street, a messenger for Frederick Ely, a broker, of No. 61 Broadway, told a remarkable story to-day incident in the Wall Street explosion, to Acting District Attorney Alfred J. Talley.

Young C. Mellus is a devout Catholic and carries in his pocket a crucifix. He said that he was standing at Broad Street, in front of J. P. Morgan's, when the explosion occurred. He was knocked several feet, but was unhurt. He said that he had just witnessed a collision between a Ford and another machine in Wall Street and saw the wagon in front of the Annex.

## ELKS START FIGHT ON BOMB THROWING

Kearny, N. J., Lodge Offers Reward and Asks Other Lodges to Join Movement.

KEARNY, N. J., Sept. 21.—A reward of \$100 was offered last night by Kearny Lodge, No. 1,059, B. P. O. Elks, for information that will lead to the identity of the perpetrators of last Thursday's bomb explosion in Wall Street.

The resolution calls on all lodges of Elks throughout the country to take action to bring out impostors. The resolution will be mailed to all lodges in the country.

## FISCHER IS TO GO TO A SANITARIUM

### Has Been Eliminated as a Factor in the Wall Street Explosion.

Edwin P. Fischer, whose "message from the air" warning of the Wall Street blast pushed him into notoriety, was kept in seclusion in the Bellevue Hospital, psychiatric ward to-day, pending the District Attorney's decision to start proceedings for sending the man to a sanitarium. A screen was placed around Fischer's cot so that he would be shielded from seeing or being seen by the other patients in the ward. He was a bit naughty to-day and refused to talk.

Fischer was taken to Bellevue last night after he had been questioned for several hours by the authorities. He was learned by the secret service of love, he a "barbaric" letter writing man. Four years ago the Governor, then questioned him about annoying letters to President Wilson, demanding that he call a "peace conference" at the White House.

He has been eliminated as a possible factor in the tragedy.

## YOUNG HACKENBARK GIBT VANISHES ON WAY TO FOOTBALL GAME

Maurice Zimmerman, eighteen years old, nearly six feet and weighing 230 pounds, has been missing from his home at Hackensack since Saturday. He told friends in the office of the Evening Record, where he is employed, that he was going to play football with a high school eleven. The boy's parents can give no reason why he should leave home, but have no idea where he has gone.

John G. Kelly, also a student at the Hackensack High School, disappeared Saturday. He is home in Bogota after a quarrel with his mother. Kelly returned Saturday.

## SERIOUS REVOLT IN FARMERS REPORTED

TOKIO, Sept. 20.—A serious uprising was reported to-day in progress on the island of Formosa. In fighting between Japanese and native forces, Japanese were reported to have been killed and buildings to have been set on fire.

## OCTOBER 1 TENANTS SEE SAFETY FROM EVICTION IN LAWS

### (Continued from First Page.)

possess or holdover proceedings, except in three instances. Where the landlord actually wants to occupy the premises himself, where the tenant has allowed the premises to become disorderly, or for reconstruction purposes in the interest of more dwellings.

This bill is designed to do away with the many dispossession notices that have been given to the tenants to vacate premises with a view to securing higher rents. If it is passed, no such proceedings will be entertained except in the above three given cases.

An amendment to Chapter 136 of the laws of 1920, which gave the tenant sued for rent the right to set up the fact that it was unjust, unreasonable and the agreement in relation to the same oppressive. This was strongly advocated by The Evening World and urged before the Governor and Senator Leekwood.

The provision in this law which placed the burden of proof upon the landlord to prove the reasonableness of the rent only if it had been increased more than 25 per cent. over what it was one year previous, has been so generally misunderstood by the public, and even misapplied by the courts, that under the proposed amendment the 25 per cent. provision has been stricken out, and the burden of proof placed upon the landlord in all cases to prove the reasonableness of the rent which he demands.

## LANDLORD MUST GIVE TIME TO "CHECK UP"

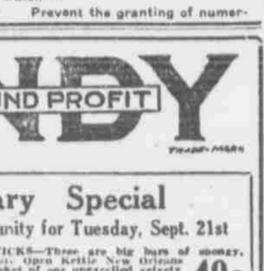
Experience has shown that when the reasonableness of the rent has become an issue the tenant was very much at a disadvantage at the trial when a long schedule of income and expenses was introduced in behalf of the landlord. The tenant had no means of meeting the issue, not knowing in advance what the figures were. The new bill provides that if the defense of unreasonableness be set up the landlord shall furnish a bill of particulars which will apprise the tenant of the claims that he must meet and give him reasonable opportunity to test the accuracy of the landlord's claim as to his expenses and his income. This will work no great hardship upon the landlord, as he would naturally be compelled to produce those "figures" in any event and they are all within his knowledge and control.

An amendment has been disclosed recently. It is found that if a tenant through inadvertence or ignorance fails to appear in court, a final order may be rendered upon his behalf requiring him to vacate the premises, whereupon the landlord procures a warrant and the first knowledge the tenant has is when he is about to be actually ejected from his apartment. As the law now stands, the tenant is helpless to obtain any relief from the court, for, although it has power to vacate its final order, if the warrant has been actually issued, the court itself cannot vacate the warrant.

## FRANKLIN SIMON MEN'S SHOPS

218 & WEST 38th STREET

Men's Franklin High Shoes \$12.00 or \$20.00 less than last season



THE feature of this shoe is that it involves more of our money and less of your money than can be said of any other Twelve Dollar Shoe.

Selected leathers, specialized custom lasts.

Franklin Simon & Co. FIFTH AVENUE

## COP CONVICTED OF \$10,000 THEFT

### Jury Finds White and Boat House Head Guilty of Stealing Cloth From Freight Car.

Detective Patrick White of the West 100th Street station and William Smith, superintendent of the Bloomingdale Club, both of 127th Street and North River, were convicted to-day in United States District Court of grand larceny for stealing eight bolts of cloth valued at \$10,000 from a New York Central freight car at 39th Street and North River on April 7 last. The jury was out twenty-four hours. This was the second trial of the case, the first jury having disagreed.

Counsel for the defendants maintained they had witnessed an attempt to rob the car and had recovered the cloth and put it in the boat-house at 127th Street and North River. The jury was trying to "bring up" Smith, White and White will be sentenced on Tuesday.

## ARNSTEIN PLEA HEARD

### United States Supreme Court to Pass on Release on Bail.

WASHINGTON, Sept. 21.—Supreme Justice Brandeis to-day heard application of "Nicky" Arstein for release on bail pending final hearing of his plea in a suit to habeas corpus which has been appealed to Supreme Court.

The Arstein hearing to-day was not public and Justice Brandeis is expected to decide on the application soon.

## CITY BUILDING BILLS URGED BY MAYOR

Mayor Hylan and the Board of Estimate conferred with the Governor and members of the Housing Committee yesterday regarding bills, some of which are already contained in the report presented to the Housing Committee. The principal measure outside of that suggested by the city authorities is to permit the investment of the Sinking Fund money in mortgage securities. This is a fluctuating fund of several million dollars.

The legislation proposed by the Housing Committee is designed to take care of the future of building and to encourage investment in real estate securities was fully set forth in the Evening World yesterday. Briefly it is as follows:

A bill exempting interest on mortgages from the State income tax.

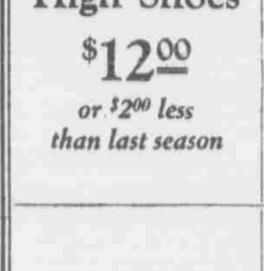
A bill granting to the local authorities the right to exempt from taxation for local purposes for a period ending Jan. 30, 1932, all new buildings erected exclusively for housing provided construction is begun before Oct. 1, 1921, and the premises ready for occupancy before April 1, 1923.

Where conditions are acute, and where the public health, safety, morals and welfare are endangered, it is necessary to offer some substantial inducement to spur on building, and in a measure to take care of the excessive cost. An exemption for practically ten years, at an average tax rate of 2.5 per cent. per annum, would mean a present saving of approximately 20 per cent. of the cost of the building.

"Such an exemption is not unfair to the owners of existing buildings, because those properties were built up the old property continue to pay all the taxes for support of government and is of the many who would suffer by reason of the existing conditions of unrest and ill health. Building induced by the partial exemption will give employment, will help all of the persons who will be added to the taxable values. There will be no loss of tax income, for the land will be assessed and continue to pay taxes as at present. The buildings are not now assessable because they are not now in existence.

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