17 BURIED, 2 DIE IN BUILDING COLLAPSE

Rigid Inquiry Ordered Into Fall of Four Stories of New Apartment House.

Police Sergeant Albert Smith stood talking with Patrolman Stern yesterday when he heard a thud which seemed to come from a building being erected in Marion avenue between 187th and 188th streets, The Bronx. He turned quickly, and as he looked the front of the fourth floor bulged outward and collapsed into the street; all the rest of the front followed, then the fourth, third and second floors collapsed successively with an impressive roar in a huge cloud of dust.

Thus the policemen were eyewitnesses of an accident which cost two lives, caused a dozen or more severe injuries to workmen and is the centre of a rigid investigation which seeks to determine whether the collapse of the new apartments was due to faulty material, skimpy construction or poor plans, and also to ascertain why city inspectors did not detect the flaws and stop work before disaster could occur.

Sergt. Smith sent in emergency calls for ambulances and police reserves, while Patrolman Stern pulled a fire alarm box. Seven ambulances responded, together with fire companies, police reserves and a gang of city laborers from the building bureau. Coroner Flynn began an investigation almost before the dust had settled.

As fast as the injured were reached they were rushed to Fordham Hospital, where an entire ward was prepared for their reception.

Two died soon after their arrival. They were William Clancy, a bricklayer, of 302 East Seventy-ninth street, whose spine was broken, and Paul de Christopher, also a bricklayer, of 300 Brook avenue, The Bronx.

Fifteen other men were removed to the hospital as the work of clearing away the debris proceeded. Rumors persisted that about seven more men were buried under the giant heaps of brick and mortar. There was no way to be sure except to move all this stuff, and for eight hours on one of the hottest days of the summer the firemen and the city laborers toiled until this had been done. They found not more bodies. There were about twenty-five men at work when the accident occurred.

It became necessary to pull down a large portion of the walls which did not fall but were weakened.

Coroner Flynn ordered detained every man connected in any way with the work and placed under arrest Jacob Polstein of the contracting firm of Loewy & Polstein, 620 West 119th street, and William Heaph, foreman, of 29 West Sixty-fifth street. Heaph collapsed under questioning and was permitted at his own request to spend the night in the hospital of the Bronx county jail. Formal questioning of witnesses will start this morning, all of them having been paroled on their own recognizance.

William Kreymbourg, architect of the building, will be [illegible]. It is probable also that the inspector of the bureau of buildings who was in charge of this job will be asked to testify. The Coroner got his name yesterday, but it was withheld pending the time when he shall be found.

All the books of the Loewy & Polst in firm were seized by District Attorney Martin and taken to his office. James F. Meehan, an architect and contractor, was retained by the Coroner and District Attorney as an expert.

ARRIVALS AT THE HOTELS.

Waldorf-Astoria—James H. Foster, P. E. Taplin, Cleveland; J. S. O'Neil, Henry Thornton, Boston; J. M. Zel, Richard Wood, P. Bright, Philadelphia; E. J. O'Brien, Washington; W. W. Butler, R. C. Oswald, Montreal.

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Manhattan—Mr. and Mrs. George W. Clarke, Scranton, Pa.; W. B. and Mrs. Mitchell, M. V. Cassel, Philadelphia; Field W. Sweyer, Marion, Ind.; Frank Waters, Cincinnati; J. W. Kilbreth, Jr., U. S. A.

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Marie Antoinette—Mr. and Mrs. W. H. Knowles, Putnam, Conn.; Charles W. Sayles, Augusta, Ga.; Joseph W. Kennedy, Philadelphia; L. Dutton, New York City.

Plaza—Mrs. Tom Gwaltney, San Antonio; Mr. and Mrs. Cornelius W. Provost, St. L. J. Foh and Mrs. Frank, Baltimore; Mr. and Mrs. E. L. Tripper, Dallas; Claridge—Mr. and Mrs. Thomas H. Rhode, Philadelphia; E. R. Adler, C. W. Leffingwell, H. S. Ruben, Chicago; E. Long, Preston, Md., and Mrs. W. L. Burgess, St. Louis; J. L. and Mrs. Ross, New Haven; Mr. and Mrs. P. J. Mulqueen and Miss Mulqueen, Toronto.

Knickerbocker—L. N. Bartlett, Kansas City; Rossmant Hill, Wilmington, Del.; Mr. and Mrs. L. J. Hannah, Louisville; R. S. Price, Rochester; Mrs. W. H. Robinson, London.

Netherland—M. F. Hennings, Detroit; F. B. Doubleday, Ridgefield, Conn.; Mr. and Mrs. F. H. Dale, New York city.

Ritz-Carlton—R. P. Van Camp, Indianapolis; Mr. and Mrs. Eugene Hector, Chicago; William and Mrs. Clark, Kansas City; James L. Pugsley, Washington; Mr. and Mrs. Wendell P. Abbott, Boston.

Murray Hill—J. D. Ellis, Albany; C. M. Phelps, Holyoke, Mass.; H. S. Reed, Lansing, Mich.; C. Gough, Boston; W. F. Kimball, Brooklin, Maine.

Park Avenue—E. S. Bradley, New Haven; James E. Batchford, Syracuse; the Rev. Dr. George T. Ladue, Scranton, Pa.; Homer W. Smith, Rochester; Mr. and Mrs. Cincinnati; Mr. and Mrs. G. B. Crawford, Bridgeport, Conn.

Stratford—D. L. Jain, Bedford, N. Y.; Mrs. G. S. Hassett, Philadelphia; Mr. and Mrs. G. A. Devonport, Richmond, Va.; Mrs. T. H. Wingfield, Baltimore.

Wolcott—F. W. Stevens, Jamestown, N. Y.; Eugene O. Busby, Scranton, Pa.; Mr. and Mrs. John D. Parks, Phoenix, Ariz.; L. Mayers, Cincinnati; R. S. Belknap, Washington; Edward J. Pendergast, Boston.

Herald Square—G. C. Richards, New Haven; J. C. Stone, Anson, C. Z.; Mr. and Mrs. J. T. White, Norfolk, Va.; J. C. Palmer, Jr., Wheeling; Philip J. Rhodes, Middletown, Conn.; A. T. S. Clarke, Kingston, N. Y.; J. G. H. Wadsworth, Worcester, Mass.

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COURT POSTPONES FIGHT FOR STIELOW

Hearing Put Off for Month—New Trial Motion Up in October.

ROCHESTER, Aug. 23.—Postponement to-day of the hearing on Supreme Court Justice Charles L. Guy's order to show cause why a new trial should not be granted Charles F. Stielow, condemned to death for the murder of Charles B. Phelps and his housekeeper, Margaret Wolcott, gave Stielow his fifth lease of life.

Supreme Court Justice A. J. Rodenbeck, on the request of John C. Knickerbocker, District Attorney of Orleans county, adjourned the hearing until September 27. Execution of the sentence of death upon Stielow will be deferred until after the determination of the motion for a new trial, which probably will not be reached until the middle of October.

Adjournment was taken to permit counsel on both sides to investigate the confession of Irving King, the wandering horse trader who August 16 confessed he and Clarence O'Connell, an Auburn convict, were guilty of the Phelps murder.

An exhibition of bitter feeling existing between District Attorney Knickerbocker and the lawyers for Stielow took place when James W. Osborne of New York city, Stielow's counsel sought to obtain from Justice Rodenbeck an order for the transfer of King from the jail at Albion, Orleans county, to the Monroe county jail in Rochester.

Rebukes Stielow's Counsel.

Knickerbocker, interpreting the request as a renewal of the charges he and other Orleans county officials had been shielding King at the expense of Stielow and had forced King to repudiate his confession, berated Stielow's counsel. Osborne said King was under the control of the sheriff of Orleans county, who was a witness, and under the control of the District Attorney, who was bound to be a witness. He thought King, who is held as a material witness, should be removed to a "benign jurisdiction."

Knickerbocker retorted the implication conveyed by Osborne was the same which Mrs. Grace Humiston of New York had voiced repeatedly, and which was without the slightest foundation in fact.

"I have no feeling in this matter," he said. "If Stielow is innocent I don't want to see him punished. If King is guilty I want to know it.

"I assure the court that we want to get at the truth. We are covering up nothing and have nothing to cover up. The veiled assertion that we forced King to repudiate his confession of the Phelps murder is the same that this lady (Mrs. Humiston) has been circulating in the press for weeks. It is not so."

Justice Rodenbeck refused to order the removal of King. Knickerbocker and his associates declared Stielow's counsel would be free to visit King whenever they wished.

It was evident that counsel on both sides desired an adjournment as soon as court convened. The District Attorney's office had been served with only a few of the affidavits of the opposition, and these at the last moment. Knickerbocker said it would require a week or more to check them up.

Justice Rodenbeck, after the attorneys had argued back and forth for half an hour, directed all the affidavits of the Stielow side should be served upon the District Attorney's office by September 13; that the District Attorney should serve his answers by September 23; that the replies to these should be served by September 25, and that arguments should begin September 27.

Some Papers Are Served.

A sheaf of affidavits, all of them pointing toward King and O'Connell as the murderers, were served upon Knickerbocker to-day. The essential point contained in them was that both King and O'Connell, before the news of the murder reached the newspapers and before they could have learned of the crime in any manner except by being at the scene, told of the killing of Phelps and his housekeeper and gave some of the details.

Affidavits were made by Charles Laskey and his wife, Laura Laskey. They swore O'Connell was living with them at the time of the murder. They said the afternoon of the Sunday on which the murder was committed O'Connell left in a light spring wagon. They agreed he did not return until after midnight and that the next morning before he had left the house he told of the murder of Phelps and Miss Wolcott.

Mrs. Humiston, who conducted the investigation which resulted in King's arrest, dug up a suit of clothes and a blue handkerchief at a tramp's rendezvous near Friendship, N. Y. Mrs. Laskey identified the handkerchief as O'Connell's. She also identified a piece of cloth as a part of O'Connell's coat. Mrs. Humiston to-night said there was proof the clothes were buried after the Phelps murder.

The Laskeys also swore that the Tuesday after the murder O'Connell shot his horse with a .22 calibre revolver, the same size weapon as that which killed Phelps and Miss Wolcott.

King Is Identified.

A statement that King, or a man resembling him, in the same manner disclosed his knowledge of the Phelps murder long before the news got to the public was contained in the affidavit of Leo Newak. Newak swore he was driving a team with a lumber wagon from Ridgeway, Orleans county, to Alabama Centre Monday morning, March 22, 1915. The murder was Sunday night. He said he caught up with a man walking, who on accepting Newak's invitation to ride remarked: "There was a murder in Wolcott Shelby last night." This was before knowledge of the crime had become general. Newak identified the man as King by pictures.

Greek Consul Has Editor Arrested.

C. Vassardakis, Greek Consul-General in New York, caused the arrest last night of Solon J. Vlasto, proprietor of the Greek newspaper *Atlantis*, on a charge of criminal libel for alleged attacks on Vassardakis's character in the paper. The Consul also said that he would commence a civil suit against the newspaper owner for $750,000.

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I. I. FIRUSKI, Auct'r, 70 Bowery, sells 10 A. M. unredeemed pledges of every description for unpaid loans from the following pawnbrokers, including all shipments, stores and warehouses of same: Aug. 24—Pledges to Aug. 23, 1915, to No. 19000 Jos. Roth, 570 Lex. Ave. Aug. 25—Pledges to Aug. 23, 1915, to No. 19501 J. Weinberger, 1 Ave. A, pledges from No. 19501 to 9912. Aug. 30—Clothing and all pledges Aug. 23, 1915, to No. 15000 inclusive, of other pawnbrokers. Aug. 31—Pledges to Aug. 23, 1915, to No. 15000 inclusive, from 2 Columbus Ave.; also for A. Levine, 1 to 23 Ave., pledges to Aug. 23, 1915, to No. [illegible].

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SURROGATES' NOTICES.

ANDREW, MARTHA H.—In pursuance of an Order of Honorable John P. Cohalan, Surrogate of the County of New York, notice is hereby given to all persons having claims against Martha H. Andrew, late of the County of New York, deceased, to present the same, with vouchers in support of the same, to the subscribers at their place of transacting business at the office of Cadwalader, Wickersham & Taft, No. 49 Wall street, Borough of Manhattan, in the City of New York, on or before the 25th day of January next. Dated, New York, the 17th day of June, 1916. SAMUEL WORKERTON, GEORGE F. BUTTERWORTH, Cadwalader, Wickersham & Taft, Attorneys for Executors, No. 49 Wall street, Borough of Manhattan, New York City.

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