SUCCEEDING
Oswego Palladium—Founded 1819
Oswego Daily Times—Founded 1845

Oswego Palladium-Times

THE WEATHER
Generally fair tonight. Saturday cloudy and somewhat warmer.

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THREE FOOD SHIPS RUN REBEL BLOCKADE

PEACE PACT IN CANADA STRIKE IGNORES LEWIS

General Motors Employes at Oshawa Vote On Agreement Made In Toronto

NO RECOGNITION OF CIO

3,700 Workers May Return to Posts Monday; Hepburn Hails Settlement.

OSHAWA, Ont., April 23—(AP)—Employees of General Motors of Canada strikers voted today to go back to work Monday. The vote was 2,206 to 36.

OSHAWA, Ont., April 23—(AP)—Striking General Motors employes were called today to vote on final ratification of a plan, already approved by union stewards, to end the 16-day-old Oshawa walkout without recognition of John L. Lewis' Committee for Industrial Organization.

Approval of the pact was expected to put the assembly line of the plant back into action Monday with the return of 3,700 workers to their posts.

The workers, men and women, headed for the local armory this morning to pass on the plan first agreed on yesterday in the Toronto office of Premier Mitchell Hepburn, who has bitterly opposed the C. I. O. and its leader, Lewis.

Representatives of General Motors of Canada and envoys from the strikers, who relinquished their claim to represent C. I. O., met with the premier and a few hours later, 300 union stewards added their unanimous approval of the scheme.

If the whole body of employes accept the plan, company officials would sign an agreement "between General Motors of Canada, Ltd., and its employes."

Strike leaders argued that the company already had given their union, the C. I. O.-affiliated United Automobile Workers of America, a measure of recognition by negotiating with the local's president who is not a General Motors employe.

If the president, C. M. Millard, signs on behalf of the employes, they contended, that would be further indirect recognition.

Although provisions of the pact were not formally made public, it was reliably learned it would establish wage increases of from five to seven cents in hourly rates, cut the work week to 44 hours and modify the plant's "efficiency system" which strike leaders called the "speed up."

It would be signed by a representative of the employes.

The company has insisted—backed up by Hepburn—that it would not sign any agreement recognizing the U. A. W. A. as the collective bargaining agent for its workers.

The union stewards approval was seen as an almost definite indication the 3,700 workers meeting today would approve. Each of the stewards represents 50 workers.

Hepburn, referring to the union representatives in his conference as "a committee representing the employes of General Motors," said he was very happy about the settlement plan.

He met the Lewis committee's attempts to gain full recognition with charges that the United States labor leader sought to establish himself as an "economic and political dictator" of the United States and Canada.

The provincial executive refused flatly to deal or permit any company dealings with Homer Martin, international president of U. A. W. A. or Hugh Thompson, organizer. He called them "foreign agitators" and "Lewis birelings", saying their only aim was to "get their greedy paws into the pay envelopes of Canadian workers for dues."

"AS PEACEFUL AS THE JUNGLE"

Mrs. Martin Johnson, widow of the famous explorer who was fatally injured Jan. 12 in the crash of an airliner near Los Angeles, is shown as she left St. Louis in a transport plane for her third flight since the accident, in which she, too, was injured. When she landed in Tulsa, Okla., she said she was "just a little nervous at first but as peaceful as if I were in the jungle once I got up into the air."

FATE OF COURT BILL HANGS IN BALANCE STILL

Uncommitted Democrats In Senate Judiciary Body Hold Balance of Power

WASHINGTON, April 23—(AP)—The Senate Judiciary Committee was as closely divided on the Roosevelt court bill at the close of hearings today as it was at the start of testimony seven weeks ago.

Leaders of both sides, while expressing confidence, acknowledged that a group of uncommitted Democrats held a balance of power in the committee.

Indications were that some in this group would seek to force compromise by adding one or two instead of a maximum of six justices ot the Supreme Court.

Seven of the 18 on the committee were recorded in opposition and six in favor of the bill. The five yet to commit themselves are Senators McCarran, (D.-Nev.), McGill (D.-Kans), Hatch (D.-N.M.), O'Mahoney (D.-Wyo.), and Hughes, (D.-Del).

Several of the latter may state their positions before the committee begins consideration of the bill in a closed session Tuesday.

Speaking of the results of testimony by more than 80 witnesses, Senator Van Nuys (D.-Ind.), an opponent, said:

"It has been very educational for the general public but hasn't changed a senator's vote. I think we have addition of six judges needed, but I am not so sure about two. A lot of senators who won't vote for six will vote for two."

Van Nuys plans an attempt to separate the Supreme Court section of the bill from the one increasing the number of district and circuit court judges. He said he believed the committee would vote unanimously for the latter if the Justice department showed the need.

The opposition presented today—as the closing witnesses—Jacob Gould Schurman, ambassador to Germany from 1925 to 1930, and J. Francis Smith, Democratic state chairman for Connecticut.

"The President's plan to remake the Supreme Court is a menace to the American system," said Schurman in his prepared statement.

"It is asserted that this plan is not unconstitutional. But it certainly contravenes the spirit of the constitution and the fundamental principles on which it rests."

He said what the President "does today with the sincere intention of bringing good things to the American people may lead in the future to the adoption of measures for the establishment of a dictatorship."

CAR LOADINGS RISE

WASHINGTON, April 23—(AP)—The Association of American Railroads reported today 751,328 cars of revenue freight were loaded during the week ending last Saturday.

This was an increase of 35,234 cars, or 4.9 per cent, compared with the preceding week; an increase of 109,050, or 17.0 per cent, compared with a year ago, and an increase of 146,187, or 22.9 per cent, compared with two years ago.

URGES TEN PER CENT SLASH IN APPROPRIATIONS

Senator Byrnes Gets Strong Support in Congress; Farm Bureau Protests.

WASHINGTON, April 23. (AP)—Senate and House heard specific proposals today for slashing millions off the federal budget.

Representative Taber (R-NY), ranking minority member of the House appropriations committee, introduced a resolution to cut by 10 per cent all 1938 appropriation bills still to be acted on by Congress.

Earlier, Senator Byrnes (D-SC) said he had found "lots of sentiment" for a plan to reduce all appropriations for the coming year by 10 per cent.

Byrnes, long an administration spokesman on fiscal affairs, estimated his suggestion would slice another $400,000,000 from the 1938 budget. President Roosevelt's revised budget estimates would leave a $418,000,000 deficit for the year.

Byrnes earlier had announced a campaign to reduce next year's relief fund from the $1,500,000,000 recommended by the President to an even billion.

He said today the two proposals, lopping $900,000,000 from government costs, would balance the budget "beyond paradventure."

The South Carolina senator suggested Congress order "a 10 per cent reduction in all appropriations with the exception of fixed charges such as interest, debt retirement, Veterans' Administration charges, and permanent annual appropriations which cannot be reduced."

"Department executives should have discretion to the extent of 10 per cent," he added, "to transfer the cut from one bureau to another inside their department, provided it did not affect the total cut for the department."

President Roosevelt's attitude toward this drastic economy program was not disclosed, but the chief executive told reporters recently that Congress might be asked to give him authority to withhold part of the money appropriated to government units.

The first powerful voice outside Congress raised against the President's economy plea was that of the American Farm Bureau Federation, often an agricultural ally of the administration.

"We are for economy," said President Edward A. O'Neal, "but we are not for an economy that will paralyze agriculture."

Referring to Secretary Wallace's hint that this "ever-normal granary" and other new farm measures might be shelved because of the President's wish for economy, O'Neal said the storage system, commodity loans and a measure of production control were necessary to a stable price structure.

PARENT HAS RIGHT TO SPANK UNRULY INFANT

WASHINGTON, April 23. (AP)—A parent has an undisputable right to spank an unruly child, Judge John P. McMahon ruled in freeing Robert E. Storm of a charge of assaulting his 11-year old son. Storm's divorced wife had filed the charge.

SWING TO GAS TAX INCREASE IN GOP RANKS

Legislative Sentiment Shifts Sharply Away From Three-Point Tax Program.

REPUBLICANS IN REVOLT

Eight Party Senators Refuse to Accept Levies Drafted By Assembly Group.

ALBANY, N. Y., April 23 (AP)—Legislative sentiment shifted sharply today from the Republicans' three-point tax program designed to balance Governor Lehman's $870,000,000 budget toward the executive's proposal for an additional penny-a-gallon gasoline impost.

Thought dead when beaten three weeks ago in the Republican-controlled Assembly, the Democratic governor's recommended boost in the gas tax from three to four cents a gallon steadily gained support as the substitute plan projected by Republican Assembly leaders was attacked on all sides.

Capitol observers considered it possible that next week would find enough Republican Assembly votes behind the governor's plan to put it through, end the tax dilemma and clear the way for final adjournment.

The Democratic-controlled Senate approved the gasoline tax with only a few dissenting votes, but six Democrats joined 73 of the 75 Republicans in burying it in the Assembly a few weeks later—throwing the budget out of balance by $20,000,000. Immediately, the governor told Assembly chieftains they must find a substitute.

This, drafted after lengthy research and formally introduced Wednesday, includes increased rates on the stock transfer and inheritance taxes and a "gift" levy similar in operation to the federal levy designed to "catch" persons who bequeath legacies to heirs before death in order to escape the inheritance tax.

The revolt against the Republican plan was led by eight of the party's senators, several of whom said they considered the gasoline tax the "lesser of two evils." Even in the Assembly, from six to eight Republican members still remained uncommitted.

Meantime, Lehman sat back and awaited developments, refusing to comment on the Republican plan and watching the rapid return to favor of his original proposal. He indicated clearly, however, that he

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1,500 ITALIANS JOIN INSURGENTS

HENDAYE, France, April 23 (AP)—Fifteen hundred infantrymen whom insurgent officers said were members of the regular Italian army marched into San Sebastien, Spain, this afternoon to join the insurgent assault on Bilbao.

The soldiers marched through the streets of San Sebastian, which is 43 miles east of Bilbao, behind military bands, carrying Italian flags.

Insurgent officers said they came from the Madrid front with their heavy guns.

At the same time, insurgent headquarters announced their army had shot down three government planes defending Bilbao and had set fire to pine forests in the mountains near the besieged city, burning many government troops alive.

ATTORNEY FOR WINDSOR DEMANDS "CORONATION" VOLUME BE WITHDRAWN

LONDON, April 23 (AP)—A. G. Allen, attorney for the Duke of Windsor, said today he had demanded immediate withdrawal of the widely selling book "Coronation Commentary," because of chapters dealing with the reign and abdication of former King Edward VIII.

"Should the request not be complied with," Allen declared, "action will certainly follow."

Allen also asked the publishers, William Hainnemann, Ltd., to publish an apology.

The book, published April 12, was written by Geoffrey Dennis, editor and chief of the document services of the secretariat of the League of Nations at Geneva.

GARY COOPERS EXPECT HEIR NEXT SEPTEMBER

HOLLYWOOD, April 23 (AP)—Gary Cooper, the tall Montanan, and his wife are expecting the birth of an heir in September, Cooper married the former Veronica Balfe of New York society, in 1933. On the screen she was known as Sandra Shaw.

WINS TEN-HOUR SITDOWN STRIKE IN LION'S CAGE

SYDNEY, New South Wales, April 23. (AP)—Determinedly insisting he was a tiger-trainer and not a lion-tamer, Capt. Flager won a ten-hour sitdown strike in a lion's cage today against the management of the circus for which he performs.

The management insisted Flager perform with the lions, but the captain, pointing out his contract called for tigers, moved into the lions' cage with a camp bed and hurricane lamp and sat calmly down to show he would have nothing to do with the jungle kings.

Commented an official: "Mincemeat might have been made of any man who tried to bring Flager out."

500 OF BUFFALO STREET WORKERS DECLARE STRIKE

Garbage Collections Paralyzed as City Employes "Sit Down" In Barns.

BUFFALO, N. Y., April 23 (AP)—A strike of five hundred city street department employes paralyzed garbage collections here today.

Not a city dump truck or wagon rumbled in the streets as the strikers, called out by the American Federation of State, County and Municipal Employes, refused to leave the barns.

Street cleaning and ash collecting also came to a stop.

The union is an A. F. of L. affiliate.

The men reported for work as usual this morning, but refused to hitch up their wagons. There was no disorder, and they sat and stood around the barns.

Included among the strikers were employes at the city incinerating plant. Whether the plant would be forced to shut down was not known this forenoon.

Charles R. Yahn, union president, said the strike was called when the city refused to re-employ 20 workers laid off through lack of funds.

He said he was not ready to say whether hospitals and other specified buildings would be serviced. Union officials granted permission to city stablemen to feed and care for horses, he said.

STRIKE IN CHEVROLET PLANT AFFECTS 2,700 AT JANESVILLE, WIS.

JANESVILLE, Wis., April 23. (AP)—Twenty-seven hundred General Motors employes were thrown into idleness today when a group of union workers on the frame line in the Chevrolet Motor Company refused to work.

Cessation of work on the frame line forced a halt in operations in the motor factory and in the Fisher Body Company plant.

Company and union officials declined to discuss the dispute, but reports were that 63 frame line workers sat down at their jobs in protest against alleged discrimination against a union worker.

The employe, a member of the United Automobile Workers Union, had been ill for several days, the reports said, and upon returning to work was given a different job.

D. G. Frazer, Chevrolet plant manager, and Elmer Yenney, president of the union local, said they had no statements to make.

BILL TO CURB "BOOTLEG" COAL SALES IS BLOCKED

ALBANY, N. Y., April 23 (AP)—Advocates of legislation to outlaw transportation and sale of "bootleg" coal within New York state sought Senate reconsideration today of a vote which due to lack of a quorum sent the measure to "temporary" defeat.

The bill, previously passed by the Assembly, received late yesterday only 18 of the 25 votes necessary to send it to Governor Lehman for his consideration. Two votes were cast in the negative.

Introduced in the Assembly by James Hill, Broome county Republican, the measure would amend the agriculture and markets law so as to strengthen requirements for weighing and selling coal, coke and charcoal brought into the state by truck.

QUASHES WARRANT FOR ANN HARDING'S ARREST

QUEBEC, April 23—(Canadian Press)—Judge Laetare Roy today quashed an 11-months' old warrant for the arrest of Ann Harding which Mise Harding's former husband, Harry Bannister, obtained in an unsuccessful attempt to keep the actress from taking her 9-year-old daughter to England last May.

Bannister charged Miss Harding was abducting the child, but her attorneys, desiring to nullify the warrant before the actress returns from England, said she had California court permission to take the child abroad. Miss Harding is now Mrs. Werner Janssen.

DIVINE FREED ON $500 BAIL AFTER ARREST

1,000 Cult Followers of Harlem's Self-Styled Messiah Gather to Cheer Him.

SURROUND COURTHOUSE

Negro Evangelist, Captured in Connecticut "Heaven", Denies Assault Charge.

NEW YORK, April 23.—(AP)—Marked by a shouting demonstration of 1,000 cult followers, Harlem's self-styled Messiah, Father Divine, was arraigned by Magistrate William Farrell today on a charge of felonious assault and released on $500 bail.

A jostling, noisy crowd of negroes milled frantically around the squat little leader as he was taken from the courtroom after furnishing bail.

A dozen burly detectives and police battled in vain to force the man who calls himself "God" through the surging throngs, who screamed "father! father!" in a crescendo chorus and threw handkerchiefs and pocketbooks high into the air.

For ten minutes, the diminutive "Messiah" was lost in the jam until plainclothesmen finally recovered him and pushed him bodily into a maroon-colored sedan.

Divine, arraigned under the name of Georgr Baker, bobbed his bald head as the car slowly forged its way through the densely-packed street and finally, with gathering speed, made a getaway towards uptown after a four-block chase by his "heavenly disciples."

Four other negroes, all cultists, were arraigned with the "father" on similar charges of felonious assault, resulting from the stabbing of Harry Green, a white contractor, of Weehawken, N. J., in a riotous flare-up at Divine's so-called "No. 1 heaven" in Harlem.

Hearing on April 30.

Hearing was set for April 30.

Green, now recuperating from his stab-wounds in a Harlem hospital, had accompanied a process-server to the black-belt cult headquarters to serve Divine with a summons in a civil suit.

Immediately the summons was placed in Divine's hands, police said, the little "Messiah" and his followers set upon Green and the process-server in a frenzy, ultimately ejecting them from the hall.

The dapper, smooth-spoken evangelist, arrested after a two-day hideout in one of his "extension heavens" at Milford, Conn., after his followers had described his disappearance as his having "gone up in de spirit," appeared in the police line-up prior to his arraignment in court.

Obviously nervous, the Harlem "God" prefaced most of his replies by clearing his throat. He kept twirling a cap which he held in his hand.

Dressed in a blue suit, shirt and tie, with a gold insignia on the lapel of his coat and two fountain pens and a gold pencil stuck in the breast pocket of his coat, Divine blinked into the bright glare of the floodlights as Police Captain Thomas Dugan began to question him.

Denies Striking Green.

"Did you strike Green?" Dugan asked.

"I did not, your honor," the cult leadsr replied, as though answering a judge in court.

"Did you direct anyone to do so?"

"No, your honor, I did not."

"What was the cause of the trou-

(Continued on Page Eleven)

Grants Divorce To Elaine From John Barrymore

LOS ANGELES, April 23. (AP)—Elaine Barrie, 21, the "Ariel" to John Barrymore's "Caliban," won a divorce today from the 55-year-old hero of stage and screen.

Only Elaine and her mother, Mrs. Edna Jacobs, testified at the brief trial that marked the end of Barrymore's fourth marriage—a union that lasted little more than four months.

After hearing the testimony, Superior Judge Walter S. Gates declared:

"I certainly think the plaintiff is entitled to a divorce. I grant the divorce. Better luck next time."

Neither Barrymore nor his counsel was in court.

ALUMINUM FIRM HELD MONOPOLY BY GOVERNMENT

Justice Department Files Suit Against Gigantic Mellon Corporation

WASHINGTON, April 23 (AP)—Attorney General Cummings said today the Justice department had filed suit in the Southern District of New York against the Aluminum Company of America, asking complete rearrangement of its property on grounds that the company has established a monopoly in violation of anti-trust laws.

The government's 45-page petition named as defendants in addition to the company itself, 25 subsidiary and affiliated companies and 36 officers, directors and stockholders.

Cummings charged that the company's "most recent act of oppressive and unreasonable price fixing" was the concern's action last March 1 "in advancing the carlot price of virgin ingot." In a prepared statement the attorney general alleged that the advance was made despite an increase in earnings from $9,571,206 in 1935 to $20,866,896 in 1936. This amounted to an increase in common stock earnings, Cummings estimated, of from 55 cents per share to $3.65 per share over and above the requirements for dividends on preferred stock.

The government's suit charged that the Aluminum Company, in which Andrew W. Mellon, former secretary of the treasury, has extensive interests, exercised power to fix arbitrary and discriminative prices. It charged the defendants with conspiring to restrain and monopolize competition in the industry in violation of the Sherman anti-trust act.

The petition contended further that the company and its subsidiaries are manufacturing all virgin aluminum in the United States and selling more than 90 percent of aluminum steel and nearly 100 percent of aluminum wire, cable and tubing.

WATER FROM FIRE HOSE ENDS SCHOOL "STAY-IN"

KRESGEVILLE, Pa., April 23. (AP)—A stream of water from a fire hose ended a "stay-in" strike of 45 pupils of Polk Township High School, Monroe county.

Three school directors, John Christman, Robert Selpler and William High, turned on the water yesterday and cleared the corridors of marching boys and girls who disrupted other classes in the consolidated school.

They dismissed the school for the day.

County Superintendent J. H. Kunkle said the strike was started by pupils protesting the action of the board in terminating the contracts of Richard Gingerich, principal, and John Young.

REACH BILBAO AFTER SHELLS SPATTER PATH

Largest British Battleship Protects Freighters From Insurgent Cruiser.

50 BOMBS FALL ON CITY

Loyalist Planes In Deadly Sky Fights Over Port With Rightist Air Raiders.

BILBAO, Spain, April 23—(AP)—Three British food ships, running an attempted insurgent blockade under the partial protection of British men-of-war, steamed into besieged Bilbao today to the cheers of famished Basques and the crash of six insurgent air raids.

Government and insurgent pilots engaged in deadly sky fights high over the Basque capital while the cargo boats, loaded with 6,100 tons of provisions, docked in the broad Nervion river.

The food freighters MacGregor, Hamsterley and Stanbrook defied threats from the insurgent cruiser Almirante Cervera and armed trawler Galerna outside the 3-mile limit under the protecting guns of H. M. S. Hood, the world's largest battleship, and a flotilla of British destroyers.

The Basque trawler Bizkaya then conveyed the food fleet into Bilbao's port inside the three-mile limit, in which official British protection has been forbidden.

Rebels Bomb Bilbao

While joyful Basques were applauding the captains and crews of the vessels, insurgent fliers dumped more than 50 bombs on Bilbao, but made no attempt to damage the British ships.

Government aviators, rising to battle the air raiders, lost one plane. Capt. Felipe Del Rio Crispo was killed. Basque officials said one insurgent ship fell in the sea and two others crashed behind the insurgent siege lines.

The three cargo vessels, bringing relief to Bilbao's starving population swollen from 160,000 to almost 400,000 by refugees, defied the shells of the insurgent fleet during the night and docked just after 8 a. m. (3 a. m. E. S. T.)

Just before dawn, the skipper of the Hamsterley said, after their successful break through the blockade, the insugent cruiser Almirante Cervera and the armed trawler Galena halted the miniature fleet, on the high seas outside the three-mile limit.

Crashing into the seas just off their bows one shot from the Cervera to be followed by a terse note from the insurgent commander:

"We shall sink you if you do not halt."

The hovering battle cruiser Hood, mightiest warship afloat, was quickly advised of the situation and steamed to the rescue with the destroyer flotilla under her command.

Covered By Warships

From then until they reached Spanish territorial waters the British warships covered the merchantmen and there at the three-mile limit turned them over to the protection of the government armed trawler Bizkaye.

Basque coastal gunners sighted the insurgent warships as the merchant fleet approached the coast and tried to pick them off with a shower of shells. The insurgent trawler Galerna darted between the cargo boats, seeking cover.

The British merchant ships moved apart, leaving the Galerna in open water. Then the trawler withdrew under hot Basque artillary fire.

Adding to the joy of the occasion was news from the governor general of the province of Austrias to the west that a fourth food ship had run the blockade and docked with a cargo of food at Gijon.

The Welsh steamer Mary Llewellyn under the command of bluff Capt. "Potato" Jones arrived at Gijon during the morning.

Veteran Seadogs Win

"Potato" Jones is so-called to distinguish him from his colleague Capt. Owen "Corncob" Jones, who commended the MacGregor during the night voyage from St. Jean de Luz, where he and the other food ship skippers had been forced to flee from earlier attacks of the insurgent fleet.

President Juan Antonio Aguirre of the autonomous Basqua state sent a representative to the docks to extend an official welcome to the food fleet when he heard it had sailed into the mouth of the river Nervion, six miles away.

It was shortly after dawn that the three ships steamed past the small city of Portugalete at the mouth of the river. They had sailed on the tide from St. Jean de Luz two hours before last midnight.

The combined cargoes of the vessels contained meat, wheat, condensed milk, beans, eggs, olive oil and wine.

President Aguirre hailed their arrival as a "great moral victory."

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LONGSHOREMEN'S STRIKE SETTLED

NEW YORK, April 23 (AP)—Joseph P. Ryan, president of the International Longshoremen's Association, today announced settlement of the strike of longshoremen against the Cunard White Star and Furness-Withy Lines.

Ryan's announcement came after a conference he held with representatives of the National Independent Longshoremen's Union of Canada, which was granted an Interpation- Longshoremen's Association ater.

HONOR SHAKESPEARE

STRATFORD-UPON-AVON, Eng., April 23. (AP)—A 36-week festival, commemorating the birth of William Shakespeare, opened today. The program will include folk dances, services at the playwright's tomb and a performance of his "The Winter's Tale."

6 Lives Lost in Overnight Traffic Accidents Upstate

ALBANY, N. Y., April 23. (AP)—Six persons were killed in overnight traffic accidents in upstate New York.

A mother and daughter were killed in Clarence, near Buffalo, when their automobile collided with another car. The dead were Mrs. Minnie Dambach, 81, and her daughter, Clara, about 55. Medical Examiner Francis M. Kujawa said another daughter, Mrs. Anna C. Keller, driver of their car, was injured.

The Troy-Menands bridge over the Hudson river was the scene of an accident in which Vincent Schillaci, 46, Troy fruit dealer, was fatally injured. Police Chief A. R. Graffunder of Menands reported that Schillaci was struck by an automobile driven by John Fontains of Troy, as he watched a gas station attendant repair a flat tire on his truck loaded with fruits and vegetables. The attendant, Arthur Gras, 21 of Watervliet, suffered a compound fracture of the left leg and other injuries when he was thrown beneath the truck.

In the same section, Samuel LoPiertro, 21, of Mechanicville, was killed when the car in which he was riding left the Mechanicville-Wateeford road and struck a telephone pole. A passenger, John Petrontis, 19, was taken to Saratoga Hospital in critical condition.

Another police figured in a Rochester accident in which James Whalen, 47, was killed. His car struck the pole, police said, and then collided with another auto before overturning.

A 70-year old pedestrian, John Hamilton Scott, was killed in Watertown when he was struck by an automobile as he crossed a street near his home. Assistant District Attorney Roy A. Fuller said the car was driven by Clinton F. Hodge, 25, of the Fifth Artillery, Madison Barracks, who was accompanied by several other soldiers.