Democrat & Chronicle

99TH YEAR ROCHESTER, N. Y., SUNDAY, MAY 3, 1931

SUPERVISORS GET PROTEST ON JOB CURB

Rochester Association Says Board Can't Limit Number of Trade Apprentices

O'DONNELL CASE CITED

Higher Cost, Taxes Would Follow Restrictions on Contractor, Paper Says

Formal protest against the Board of Supervisors' resolution of March 3, attempting to set up a ratio as between journeymen and apprentices employed on county construction, was filed with the Board by the Rochester Association through Henry R. Sandholzer, secretary.

The Rochester Asociation is an organization composed of factory owners, financial institutions and professional men and it points out in its protest that it "represents the ownership of properties aggregating many millions of dollars which are assessed for a substantial portion of the taxes raised in the community."

Say Board Overstepped Power

In its protest, which was given to the Board yesterday at its May meeting, the Rochester Association declares that its action is "founded upon the grounds that the inclusion of such clauses in public contracts as are required by this resolution substantially increases the cost of public work and bears no relationship whatever to the public welfare or to the public good, and that to require such a clause in such contracts is beyond the power and authority of your body."

The communication says further:

"It is an unwarranted invasion of the rights of contractors to a reasonable independence and control over their own method of doing business and their working forces. So far as we know such a clause is unprecedented.

"To restrict the apprentice ratio without reason and in so arbitrary a manner may very well be feared as a first step in an improper, unwarranted and further interference with the limited rights which a contractor has upon public work. We wish to present to you certain developments which have occurred here in the last few months and which point to the fact that the only possible motive for such a resolution is one associated with circumstances which ought not to govern in any degree the administration of public affairs.

"On or about Oct. 23, 1930, sealed bids upon Unit 2 of the Monroe County Home were opened. The O'Connell Electric Company, a non-union company, was the lowest bidder for the electrical contract. There was nothing in the specifications on this job with reference to the restriction of apprentices. It was awarded the contract on or about Dec. 30, 1930. The other electrical contractors' union agreements restrict their apprentices in the ratio of one apprentice for each four journeymen thereafter.

Continued on Page 3B

Celebrated Leaving Jail---Now He's Back

Took McCarthy Only Half Day to Draw New Charge

Celebrating with strong drink because of his release from the Monroe County Penitentiary after serving a 90-day sentence on a charge of intoxication landed Cornelius McCarthy, 43, of 80 Wilder Street in the toils of the law before he had been at liberty for half a day yesterday.

McCarthy, according to police, might still have been free had not he in his exuberance leaped from a second-story window of his home. Alarmed neighbors called police and an ambulance, but at St. Mary's Hospital, where McCarthy was taken, his bruises were found to be minor.

Last night the bed he was to have occupied after a three months' absence still was empty while he languished in a cell in the Exchange Street Station facing the possibility of another sojourn in the Penitentiary.

Child, 9, Hit by Car Has Fractured Leg

James Maher, 9, of 247 Electric Avenue, was taken to St. Mary's Hospital yesterday suffering from a fractured right leg after he was reported to have run into the path of an automobile from behind a parked car near his home. Leonard Webber, 37, of 436 Electric Avenue, was at the wheel, police said.

Collision of the truck he was driving with a passenger automobile at Blossom and Clover roads yesterday sent Tony Giangrano, 48, of 881 First Street, to the Genesee Hospital suffering from bruises and shock. Police said Harold W. Hoyt, 37, Pittsford, was driving the other car.

Growers to Have Flower Contest During Observance of Lilac Week

Martha Marie Schubmehl, daughter of Mr. and Mrs. Carl Schubmehl of 110 Averill Avenue, choice of the students of the Rochester Business Institute for Lilac Queen, receives the congratulations of Jack Tunney, genial Chamber of Commerce employee.

Sponsored Candidates for Queen Sought as Rochester Plans for Annual Celebration: Hospital Patients Will Receive Blooms Exhibited at Chamber.

Lilac Week activities this year will include a contest for growers. One morning during the week will center activities at the Chamber of Commerce where hundreds of the fragrant blossoms will be assembled by individual growers to compete for prizes offered by the Chamber. Later the lilacs will be taken by the Lilac Queen and her attendant to patients in Rochester hospitals.

Queen Candidates Sought

All Rochesterians having lilac bushes will be eligible to enter their blooms in the contest. The only requirements will be that the name and address of the person entering the lilacs be attached to a card on each bunch. The card will not serve to identify the winners in the contest, but will be a personal greeting to the hospital patient receiving them.

Eight organizations including business and professional groups, industrial firms, clubs, and schools already have signified their intention to enter candidates in the Lilac Queen contest. Miss Olive Grace Beaumont, 18, daughter of Mr. and Mrs. Joseph D. Beaumont of Lincoln Road, East Rochester, has been chosen by the McKechnie-Lunger School of Commerce to represent that institution. The Rochester Telephone Corporation has chosen a young woman from each of its exchanges and later will conduct an elimination contest to represent the firm. The following have been chosen by the Rochester Telephone Corporation: Miss Ann Flanagan, 75 Meigs Street; Miss Carolyn DiNieri, 111 Woodward Street; Miss Blossom Measday, 455 Emerson Street; Miss Madeline Dorschell, 94 Lapham Street; Miss Margaret Molhock, 190 Willmont Street; Miss Helen McPartlin, 622 Plymouth Avenue South.

Other organizations now are in process of choosing their candidates.

The Convention and Tourist Bureau of the Chamber of Commerce, under whose auspices the Lilac Queen contest is conducted, yesterday sent to the following organizations invitations to enter candidates:

Rochester Chapter, American Institute of Banking, Mechanics Institute, Rochester Gas & Electric Corporation, Dames of Malta, Loyal Order of Moose, Real Estate Board of Rochester, Underwriters' Board

Continued on Page 2B

$10,000 Salary for Sheriff Will Take Effect Next Year

By action of the Board of Supervisors yesterday, the sheriff of Monroe County will hereafter be placed on an annual salary of $10,000, effective Jan. 1, 1932.

The board's action was taken under provisions of the bill of Senator Fred J. Slater, signed by the Governor last week, eliminating the fee system in compensating sheriffs of Monroe County under which holders of that office have received more than $30,000 a year in fees and salary.

Sheriff Fred D. Budd will not be affected by the new arrangement, but it will apply to the man elected sheriff next Fall and all succeeding sheriffs. In addition to the salary, the sheriff as in the past, will be provided with living quarters at the county jail.

All fees collected by the sheriff under the new procedure will be turned over to the county. The movement to place the sheriff on straight salary, on the ground that the remuneration he received under the fee system was out of all proportion with the importance of the office and the duties entailed, began several years ago.

Positions of two investigators for the office of the Old Age Security Bureau at annual salaries of $1,800, and one clerk at $1,400, also were created yesterday by the Board of Supervisors.

Man Jailed for Firing Home Attempts to End Life in Cell

Sobered after what State Police described as a drunken orgy, George Ferge, 59, of West Webster, sat quietly in a County Jail cell yesterday facing charges of arson and assault as the aftermath of beating his wife and firing their home and barn late Friday.

Ferge, who capped his escapade with an attempt at suicide in the West Webster Town Jail, was believed to have been enraged by his wife's complaint which resulted in his arrest two weeks ago on a charge of assault, third degree for beating her. He was thwarted when troopers snatched away the blanket he had torn into strips with which to hang himself.

Ferge, according to Sergt. Harold L. Kemp of the State Police, attacked his wife while she was hanging clothes in their farmyard. Mrs. Ferge escaped to the home of a neighbor, Irving Dadswell, when their 16-year-old son, Kenneth interfered, he said.

Meanwhile, according to state police, Ferge splashed kerosene on the furniture of their home led the stock from the barn and saturated the interior of that building with kerosene. Everett, 22, another son attracted by smoke, found both buildings aflame and his father missing.

Everett called the West Webster Fire Department, which quenched the flames with a loss of $700. Later a posse of state troopers and firemen found Ferge walking along a road with a rope slung over his arm. He denied he intended to take his life.

Arraigned before Justice of the Peace Edwin McMath, he waived examination on a charge of arson and was held for action of the Grand Jury. Shortly after he was locked up in the town jail he was frustrated in his suicide attempt.

No charge of assault is expected to be placed unless Mrs. Ferge takes action.

ROUGH TIME PLANNED FOR FIRE WASTE

Annual Cleanup Week Will Take Place in Rochester Beginning Today

CHILDREN ENLISTED

Chamber Furnishes Blanks for Parents to Sign; 10 Questions Asked

This is Fire Prevention Cleanup Week in Rochester.

Beginning with the first church service today and ending with the last yard, cellar or attic cleaned out next Saturday afternoon, the attention of Rochester householders will be called to the economic waste of fire. Fire Prevention Cleanup Week is conducted by the Chamber of Commerce fire prevention committee, in active cooperation with the Department of Public Safety, through the bureau of fire, the Board of Education, the director of Catholic Education of Rochester Diocese, and other interested agencies.

To Visit "Fire Center"

Fire Prevention Cleanup Week will be officially opened Monday morning at 9:30 o'clock, when members of the Chamber's fire prevention committee will meet at the Chamber for their annual inspection of Rochester's "fire center." The committee will be led by Battalion Fire Chief Frank V. Gallaher, who will direct the course to be taken by the inspectors. The party will return at noon to the Chamber, where the results of the inspection will be discussed at a luncheon meeting of the committee.

"Clean This Up" is the slogan carried on this year's Fire Prevention Cleanup Week poster. Through the co-operation of the New York State Railways, Rochester Lines, every street car and bus in Rochester carries one or more of these posters during Fire Prevention Cleanup Week. Additional copies of the poster have been posted at the suggestion of the Chamber's committee in public and Catholic schools of Rochester, in all branch libraries, in social agencies' offices, in gasoline stations and in commercial garages.

Through the co-operation of public and Catholic school authorities approximately 70,000 Rochester and district school children will take an active part in Rochester's Fire Prevention Cleanup Week. Home inspection blanks have been furnished all schools by the Chamber. These will be made the subject of classroom instruction by the teachers, after which the children will be directed to take them home to their parents.

With the aid of their parents, the children are requested this week to make a fire prevention inspection of their homes. When the blanks have been filled out and questions relative to fire protection answered, the children are directed to return them to the schools. Each school then will send its allotment back to the Chamber of Commerce fire prevention committee for tabulation. In addition to containing questions relative to fire protection of their homes, the children's home inspection blanks contain definite information from the Fire Department as to the proper elimination of fire hazards.

Queries Submitted

Here are the ten questions asked of each school child during Fire Prevention Cleanup Week:

1—Name and home address.
2—Did you find and remove rubbish from the attic?
3—Did you find and remove rubbish from the cellar?
4—Did you find and remove rubbish from the yard?
5—Are floors under stoves protected by metal or other non-inflammable substances?
6—How often do you remove ashes from your home? Do you use wooden barrels or baskets?
7—Are matches in your home kept away from heat and children?
8—Do you keep gasoline or kerosene in your home?
9—Have you an approved fire extinguisher in your home?
10—Where is the fire alarm box nearest your home?

Cigaret Causes $100 Blaze in Apartment

Flames laid to a cigaret accidentally dropped on a couch caused $100 damage to the apartment of Mr. and Mrs. Wilkinson at 615 Monroe Avenue yesterday. Firemen under Battalion Chief Edward M. Ragan extinguished the blaze after it had been discovered by Mrs. Alice T. Keenan, owner of the building.

Orchestra Program Includes Viola Solo

For the first time in its history, the Rochester Civic Orchestra will offer a viola solo today, by Mordecai Lurie. The concert will be at Washington Junior High School, at 3:30 o'clock, with Guy Fraser Harrison conducting.

The program is as follows:

Overture "Poet and Peasant" ..... Suppe
"Harold in Italy"—Symphony (1st Movement) ..... Berlioz
Mordecai Lurie
(a) Liebesleid
(b) Liebesfreud ..... Kreisler
Suite "La Faria" ..... Lacome
(a) Les Toros (The Bull)
(b) La Reja (The Balcony)
(c) La Zarzuela (The Theater)
Intermission
Barcharolle from Samson and Delilah ..... St. Saens
En Bourdine (for strings) ..... Telfair
Rakoczy March ..... Berlioz

U. S. CANNOT HOLD ALOOF, SAYS HOPPER

Capitalist Countries Will Be Forced to Co-operate, Harvard Teacher Holds

TALKS TO INSTITUTE

Russia's Communistic Power Will Push Other Nations into Combinations

By MARGARET FRAWLEY

Because communization is going forward in Russia and because it is cutting across the path of capitalism in an insurgent East, it may eventually force America willy nilly into some kind of co-operation with Europe in the opinion of Dr. Bruce C. Hopper of Harvard University, who spoke yesterday noon at the Chamber of Commerce.

The meeting brought to a close the two-day Foreign Affairs Institute sponsored by the University of Rochester on the subject of "Soviet Russia and the Five-Year Plan." Dr. Dexter Perkins presided at the meeting at which Andrew P. Moody, manager of the Foreign Trade Bureau of the Chamber of Commerce, discussed American trade with Soviet Russia.

Conflict Inevitable

"Socialism after centuries of nebulous doctrines has entered the world of big business," he explained. "According to the Soviet constitution the world is divided into capitalism and communism, which conflict is inevitable. Both are ever seeking new markets and yet communism will have at its command tremendous organization and the pocket money of 160,000,000 of people. Its rich fields promise that before long Russia will have the largest and finest wheat belt in the world and that America and Canada wheat growers will have to give up. It will probably within a decade be the largest producer of cotton, and be an important source of cheap canned goods. It is difficult to estimate the strength of a state in business at low production costs, since it pays its workers a mere sustenance, cares for their sick bodies, and pays the rest in building enthusiasm for socialism."

The concentrated power of communism in world markets especially in the East cannot be met in the open field without organization on the part of capitalistic

Continued on Page 2B

ASSESSMENTS FOR HIGHLAND WORK VOIDED

Total of $82,459 Illegally Levied for Improvement, Referee Stephens Finds

On the ground that assessments totaling $82,459.52 laid by the city for the improvement of Highland Avenue east of Monroe Avenue to the city line were illegally levied, Referee John B. M. Stephens in a decision handed down yesterday declared them void.

When the Common Council adopted the final ordinance for the improvement March 10, 1925, it declared that the whole expense of the widening was estimated at not more than $2,000.

On Feb. 20, 1929, after the old Common Council ceased to function and the city manager charter was in effect, the city comptroller reported the improvement had been completed and that the total cost was $82,459.52, or $6.63 a front foot, instead of 25 cents a front foot as recited in the estimate.

One of the complaints made by the property owners against whom the assessments were levied and who brought action to vacate the assessment was that the assessment upon the front foot basis was inequitable in that some of the abutting lots were irregular in shape and the burden imposed was not proportionate to the benefit, and that a valuable residential area to which access from the avenue was reached by a private roadway, escaped entirely from the burdens though sharing greatly in the benefits, since its only frontage on the avenue was the width of the private roadway.

The following were plaintiffs in the action: Mr and Mrs. Joseph H. Gilmore, Frederick J. Mater, Natalie T. Jameson, Adelina MacFarlane, Verner C. Krauger, Mary E. McGuidwin, John H. Vandebelt, Fred J. Odenbach, Mabel C. Wickham, William W. Nichols, Lester O. Wilder, Albert W. Wood, Edna K. Mandeville, Lois S. Mandeville, G. Morton Minor, William J. Naylon, Howard W. Allen, Frank E. Fitch, Una M. Huntington, William E. Maloney, Edward A. Granello, George M. Keller, William S. Davenport, John Syracuse and Edmund J. LaRose.

Willis MacFarlane represented the plaintiffs in the action and Corporation Counsel Clarence M. Platt the city.

COUNCIL DROPS EFFORTS TO NEGOTIATE PURCHASE OF LAND FOR POSTOFFICE

'Roddy' Proves Very Modest Hero

Although he is one of only 23 persons to receive a Carnegie medal for heroism, "Roddy" Cunningham, 11-year-old son of Supreme Court Justice Benjamin B. Cunningham, who saved a man from drowning in Conesus Lake and promptly dismissed it from his mind as just one of those diversions that makes a kid's life exciting, is taking his honors with philosophic calm. But the neighbors will tell you that "Roddy" is a very active and engaging young man, too busy to waste much time on the acclaim that is a hero's portion.

County Asked to Withdraw from St. Paul Paving Job

'Wait until Irondequoit Settles Materials Problem' Wright Tells Supervisors; Argument on Injunction Delayed

Recommendation by George C. Wright, county superintendent of highways, to the Board of Supervisors that the county withdraw from the project to repave St. Paul Boulevard until the Town of Irondequoit determines what type of paving it wants, and extension of the temporary injunction against the supervisors and the town board restraining them from awarding contracts for the work were the developments yesterday in the controversy over the paving contracts.

Supreme Court Justice Adolph J. Rodenbeck yesterday heard arguments by William MacFarlane, attorney, on the application of Henry J. Burns for a restraining order against the Town Board and the Board of Supervisors preventing them from awarding contracts. Burns opposes surfacing of the boulevard with a new type of asphalt provided in the low bid of the Syracuse Paving & Contract Company.

John Van Voorhis, Irondequoit town attorney, opposed the motion for a permanent injunction, and at the request of attorneys for the Syracuse contracting firm who asked time in which to file papers answering Burns's allegations and refuting his statements concerning the impracticability of cold process asphalt, Justice Rodenbeck directed that both sides submit papers to him by next Wednesday.

The Irondequoit Town Board opposes granting the injunction because it provides for throwing out all bids submitted for the paving contract. This would necessitate readvertising for bids and mean a 30-day delay in beginning construction. It was pointed out by Supervisor Thomas E. Broderick.

In a letter to the Board of Supervisors, Mr. Wright recommended that the county government stop work in connection with St. Paul Boulevard, reject all bids and that the road be taken from the county system. The town should maintain the road, he said, until it determines what it wants to do. His letter was referred to the good roads committee of the board.

"The feeling now is," he pointed out, "that the taxpayers should determine the type of construction. There is no provision in the highway law to carry out this proposal. The town should maintain the road until it determines what they shall want to do. The county is willing to proceed, as the superintendent understands it, but the county should not be compelled to assume responsibility until the construction is undertaken."

Six Rochesterians Patent Appliances

Eight patents were granted to six inventors of Rochester, according to a list compiled by Frank Kasper, patent attorney, 4 State St. They are: John Bethune, power transmission gearing, 22 claims assigned to Reo Motor Car Company, Lansing, Mich.; Arthur W. Cape, photographic developing apparatus, 9 claims, assigned to Photostat Corporation, Providence, R. I.; Frederick E. McMullen, A. P. Slade, fixture for testing or lapping gears, 11 claims, assigned to Gleason Works; Alphonse F. Pepper, dental unit, 5 claims; Raymond Webster, grinding machine, 14 claims, assigned to Gleason Works.

Man Overcome, Three Cars, Garage Destroyed by Fire

One man was overcome by smoke and a garage and three automobiles were destroyed early last evening when fire of undetermined origin caused $2,000 damage at 1419 Emerson Street. Paul Romano is the owner of the garage, which is located in the rear of his house, and his three sons, Lawrence, Joseph and John, own the automobiles.

Discovered by the wife of John Romano, flames, fanned by a brisk wind, were blazing high from the roof of the structure when the alarm was turned in. The three Romano brothers ran to the scene and before the firemen arrived attempted to pull one of the cars from the garage. In the attempt Joseph, age 15 years, inhaled a great deal of smoke, and was taken to the General Hospital, where his condition is not serious.

Firemen under Battalion Chief David Levi were handicapped by the wind, which threatened to spread the blaze to a neighboring house. They played several chemical and water lines on the garage, but were unable to smother the flames before the cars and structure were almost totally destroyed.

Members Declare They Are Disgusted at Prices Asked

WARNING ISSUED BY J. L. WHITLEY

Representative Fears City Will Lose Its Building Chance

By HIRAM MARKS

Negotiations for the purchase of property in Central Avenue to provide a frontage in that street for the postoffice were dropped yesterday at the direction of the City Council, which conducted a meeting in City Manager Stephen B. Story's office.

The council received the report of Warren W. Allen, deputy purchasing agent in charge of real estate, and asserted that prices sought by Hyman J. Cohen, owner of two parcels, were excessive and directed that the matter be dropped. No attempt will be made to obtain the property by condemnation and the government will be permitted to go on its own way in making a postoffice site selection.

Heartened by what he believes is the virtual elimination of both the Clinton Avenue North and Ormond Street sites, Paul Shubmehl, site agent for the property on the north side of Central Avenue, between Joseph Avenue and Ormond Street, has started a drive for this location and yesterday submitted to Councilman William F. Dursan, of the Northeast District, a petition of property owners urging that the structure be located there. Mr. Shubmehl said that he is prepared to deliver immediately enough land for the postoffice for a consideration of $425,000.

Hamilton's Suggestion

Representative James L. Whitley reiterated his statement yesterday that there is almost a certainty that the city will lose the postoffice entirely because of the confusion regarding the sites. Councilman R. Andrew Hamilton suggested that the postoffice be located in Cumberland Street, between Ormond and Rome streets, one block east of the so-called Ormond Street site, and that the assessments on both sites considered previously be raised in keeping with valuations placed on properties by their owners, and in that way there would almost be sufficient increased taxes to pay for the structure.

Because of the difficulties regarding the Clinton Avenue North site an effort was being made to induce the Postoffice Department to consider sites other than the three which can be connected by tunnel with the New York Central

Continued on Page 8B

Police Soon to Do Own Gun 'Experting'

New Device Photographs Ridges on Bullets

Rochester police henceforth will be able to produce for their own use and presentation before juries enlarged photographs of ridges in discharged bullet shells by virtue of the addition of a photomicroscope, manufactured by Bausch & Lomb Optical Company, to their Bertillon equipment, it was announced yesterday by Chief Andrew J. Kavanaugh.

The device, according to Chief Kavanaugh, will enable the Bertillon experts to photograph the ridges, enlarge the prints and thus eliminate much of the testimony now given by gun experts.

Antonelli to Seek Supervisor Post on Independent Ticket

Amerigo Antonelli of 287 Tremont Street, fireworks manufacturer, will run on the independence Republican ticket for supervisor of the Eleventh Ward, he announced yesterday.

Charles Hawkins is present supervisor of the ward and will run again in the Fall on the regular Republican ticket. Antonelli claims that he has the endorsement of 65 per cent. of the American voters in the ward to run for supervisor, and 90 per cent. of the Italian vote.

At a meeting Friday night, a large gathering of residents of the ward promised support to Antonelli. He started for a number of years as president of the Eleventh Ward Republican Club and has been a resident of the ward for 31 years.