

Maine GOP Renominates Sen. Smith

PORTLAND, Maine (UPI) — Republican Sen. Margaret Chase Smith, 74, last night defeated a millionaire industrialist half her age to win renomination in yesterday's Maine state primary. Four-term Sen. Smith beat Robert A. G. Monks, her strongest challenger since 1948. Returns from 271 of 629 precincts gave Mrs. Smith 19,478 votes and Monks, 8,146. In the Democratic Senatorial race, Rep. William D. Hathaway trounced Portland landscape consultant Jack L. Smith the number of precincts giving Hathaway 10,434 to Smith's 865.

U. S. Trick Kayoes N. Viet Bases

SAIGON (UPI) — American warplanes, using strips of tin foil and electric beepers to confuse Communist radar, seriously crippled North Vietnam's air defense system by knocking out 76 anti-aircraft missile sites, the U.S. command said yesterday. The command said the raids were flown Sunday, the last day of Soviet President Nikolai Podgorny's visit to Hanoi, and destroyed a big chunk of Russia's military aid to North Vietnam. U.S. commanders ordered a resumption of full scale air raids over all of North Vietnam yesterday after limiting the strikes to the southern panhandle during Podgorny's talks with Hanoi's leaders. Military sources, however, said bad weather forced cancellation of nearly all of yesterday's planned strikes in upper North Vietnam, including the Hanoi-Haiphong area.

Hanoi radio today claimed six U.S. planes shot down since Saturday over North Vietnam, including a B52 bomber just north of the Demilitarized Zone yesterday. The broadcasts did not mention the fate of crew members. North Vietnam has made similar claims of downing B32s in the past, but the United States insists none of the giant planes has been lost. In the ground war, 2,000 South Vietnamese marines pushed into Communist-held Quang Tri Province just below the Demilitarized Zone (DMZ) separating the two Vietnams. With the help of U.S. air strikes and shelling from 7th Fleet ships off the coast, the marines reported killing 100 Communists. Government losses were listed as six killed and 25 wounded. In Saigon, President Nguyen Van Thieu said in a televised

and radio broadcast the push in Quang Tri Province was the beginning of a three-month offensive to recapture lost territory and "chase the invading Communists out of South Vietnam permanently." "We intend staying," an allied spokesman said of the thrust into the northern province. "We don't intend pulling out. We're here to stay." Heavy fighting also was reported near An Loc, 60 miles north of Saigon. A spokesman said 92 Communists were killed in one battle and 20 in another, at a cost of 10 government deaths, including that of a U.S. adviser. In the Central Highlands government troops pushed past meager Communist resistance to open an alternate road between Pleiku and Komtum. The Communists closed Highway 14 between the two cities early in their 2½ month offensive.

Your News At A Glance

Local

Rochester owner of Divorce Yourself plans units in several more states (8B).
Planning Commission pondering fate of old county penitentiary (1B).
Schools study budget moves (1B).

National

Ex-CIA agent nabbed in Washington bugging scandal, had been recommended to Nixon by Secret Service (7A).
Edith Irving begins two-month sentence for aiding writer-husband in Howard Hughes autobiography hoax (2A).
Pilot of crashed plane found to have been shot to death in apparent suicide plot by passenger (5A).
Individual doctors take issue with American Medical Association stand on private use of marijuana (5A).

World

Rescue workers use high pressure hoses to seek victims buried in Hong Kong mudslides (10A).
Honduras ambassador to the U.N. says hijacker stayed at his home after bailing out (6A).
Chinese leaders greet Kissinger on his arrival in Peking (9A).
Four-day death toll up to 25 after new rioting between Moslems, Hindus in India (9A).

People

Behind a number of women in Congress, you'll find men—their husbands (1C).
Three Cuban refugees owe their lives to some Rochester bowlers who don't play the game too well; columnist Bill Beoney (1C).
New York first women's professional football team works out—with a man in its midst; a first-person account (1C).
Ann Landers gets a query from a reader who just can't understand dog lovers (3C).

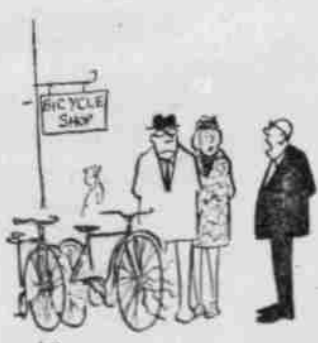
Sports

Rochester Red Wings trip Peninsula, 3-2, before season's largest home crowd, 12,137 (1D).
Houston Astros tie major league record with second consecutive one-hit victory, 3-0, over the New York Mets (1D).

Financial

Alliance Tool & Die signs tentative \$55 million contract with Soviet Union (8D).
Communist China's industrial production jumped 10 per cent in 1971, United Nations reports (8D).
McCurdy & Co. loses final round of tax battle over 1960 payment to Midtown Holding Corp. (8D).

- Bridge 13C
- Buchwald 3C
- Comics 13C
- Crossword 13C
- Deaths 5C
- Editorials 8A
- Financial 5-8D
- Harris 3C
- Health 4C
- HELP! 1B
- Landers 3C
- Sports 1-4D
- Theaters 5C
- TV 14C
- Want Ads 5-12C



"It is not necessary to kick the bicycle when buying a bicycle!"



Youths opposite school yell and gesture at black youths entering the school for examinations. Mary Nicolosi, active in fight against school reorganization, is in foreground, center.



These students were going into Jefferson to take final exams just before stone throwing broke out.

Violence Shuttters Schools

The kids try to tell what happened. (1B)
School discussion ends abruptly. (3B)

The Rochester school board shut down the city's secondary schools for the year yesterday after violence at Charlotte Junior High School left at least 27 pupils and two teachers injured.

The board dropped final exams for all students affected after Police Commissioner John A. Mastrella and school principals persuaded the board that schools had to be closed to protect students.

About 17,000 students are affected by the closing. This is the first time the city has taken such action to prevent school violence.

City elementary schools will be open, as scheduled, for half-day sessions through Thursday. Commencement ceremonies and rehearsals will be held as scheduled.

Mastrella urged closing of the secondary schools because, he said, police could not insure the safety of students "under current conditions." In addition to the injuries at Charlotte, 4115 Lake Ave., several other assaults were reported in city schools.

State Education Commissioner Ewald B. Nyquist waived final state Regents examination requirements for the first time in Rochester. He waived the examinations for New York City students during a teachers' strike several years ago.

The sentries and safety aides usually in secondary schools will be sent to elementary schools through Thursday, Superintendent of Schools John M. Franco said.

The rest of the secondary school staffs will report to work for the rest of the week. Franco called the decision to close the schools "the only immediate solution. We had some serious trouble today and the prognosis was that the trouble was expanding and spreading over to other schools."

"We do need another solution to the problem of school violence, but we don't know what it is now. The schools have unfortunately become the battleground for problems."

"To the best of my knowledge, no arrests have been made yet," Mastrella said last night. Police Capt. George Richardson said some Charlotte students will be arrested.

Mastrella, who was at Charlotte and at Jefferson High School, at Edgerton Park, yesterday, said that half his day-shift police officers were on duty at schools.

He said he could call up Please turn page

Contests Spark Primary

Presidential primary ballots. (8B)

Today is primary election day. Polls will be open from noon to 9 p.m.

You are eligible to vote only if you are registered and enrolled in a political party.

Major contests in Monroe County are for Republican nominations for County Court, State Senate and State Assembly.

Democrats also will choose an Assembly nominee and scattered party committees.

The Democratic delegates to the national convention will be chosen in two Monroe County congressional districts.

State Sen. Thomas A. Laverne, who has been in the Legislature for 12 years, is being challenged in the Republican primary by Gordon J. DeHond, president of the Rochester Board of Education.

DeHond and Laverne are running in the east side 53rd State Senate district, which includes Irondequoit, Brighton, Pittsford, Perinton and east-side wards of Rochester.

City Judge Culver K. Barr is trying to wrest the Republican party nomination for County Court from County Judge Hyman T. Maas, who was appointed to the job earlier this year. Republican voters in all 713 election districts of Monroe County can cast ballots in the Barr-Maas primary.

Assemblyman Donald C. Shoemaker, who spent seven years in the Legislature, is being challenged by Thomas A. Hanna, a Webster businessman. They are running in the 130th Assembly district, which takes in Irondequoit, Webster and some east-side city wards.

Henry W. Williams Jr., majority leader of the Monroe County Legislature, is in a Please turn to 3A

Top Court Curbs Bugging

Baseball decision (1D).

WASHINGTON (AP) — The Supreme Court yesterday ruled unconstitutional the Nixon administration's wiretapping of suspected domestic subversives without judicial permission.

Justice Lewis F. Powell Jr., an administration appointee, delivered the 8-0 opinion against unchecked surveillance power in a case involving a White Panther accused of dynamiting a Central Intelligence Agency branch office.

Describing telephone taps and listening devices as "constitutionally sensitive" and not entirely welcome, the freshman justice said their use must be approved in advance by a judge in order to safeguard privacy and dissent.

"Unreviewed executive discretion may yield too readily to pressures to obtain incriminating evidence and over-look potential invasions of privacy and protected speech," he said.

In the wiretapping case, Powell said the Constitution requires "a prior judicial judgement" and that the 1968 federal Safe Streets Act does not authorize eavesdropping without warrants.

The administration con-

tended exactly the opposite: that tapping and bugging against suspected subversives is permissible under both the Fourth Amendment and the 1968 law.

Powell said the court did not reject these arguments lightly "especially at a time of world-wide ferment and when civil disorders in this country are more prevalent than in the less-turbulent periods of our history."

APALACHICOLA, Fla. (AP) — Hurricane Agnes delivered an 80-mile-an-hour punch at the belly of the Florida Panhandle with house-crunching winds and tides yesterday, but lost half her force as she plodded last night into the piney woods of Georgia.

At least a dozen persons were dead in the wake of 1972's first hurricane. Forecasters discontinued wind warnings on the Gulf of Mexico coast but urged marine interests to exercise caution.

A tidal backlash from Agnes caused an estimated \$12 mil-

lion damage in mainly fashionable residential sections of St. Petersburg and the Tampa Bay area after the hurricane churned the Gulf off the Florida West Coast in its trek toward the Panhandle.

Officials said public and private property in several Pinellas County Communities took heavy damage, and residents reported finding scorpions, spiders and poison snakes in their back yards after the waters subsided.

The National Hurricane Center in Miami downgraded Agnes to tropical storm status last night as her fury began

to diminish. Maximum sustained winds of 45 m.p.h. were reported at 10 p.m. EDT when the storm was centered over rural South Georgia.

Storm tides flooded streets in coastal towns along a 50-mile strip from Apalachicola to St. Marks in a poular fishing and tourist area. U.S. Highway 98 was closed.

Five deaths and injuries to more than 100 persons in Florida, were attributed to tornadoes spawned by Agnes as it churned northward in the Gulf of Mexico. The storm earlier caused seven deaths by drowning in Cuba.

Federal Judge Joseph S. Lord III of Philadelphia.

In other actions the court: Ruled unanimously that city-court clerks have the power to issue arrest warrants. The decision, delivered by Powell, was in a case from Tampa that involved a man accused of careless driving.

Rejected appeals by six conservationist groups and Please turn page

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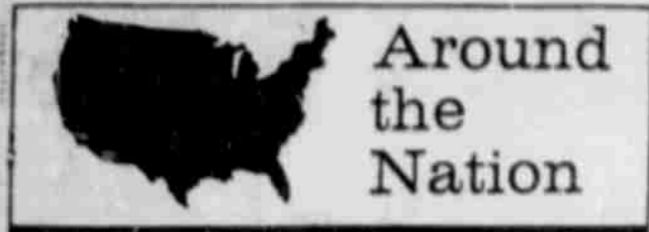
At Merritt Island Airport near Cape Kennedy, about 50 airplanes were tossed around and authorities said damage there alone would exceed \$2 million. In the Florida Keys, damage was estimated at \$2 million.

Rising tides swollen six feet above normal swept 16 homes from their foundations at Alligator Point, 40 miles south of Tallahassee.

In nearby La Belle, Vickie Messer, about 30, was killed when a twister ripped through a mobile home section on the outskirts of town.

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Irving's Wife Reports for Jail

NEW YORK (AP) — Edith Irving surrendered on schedule yesterday to begin a two-month federal jail sentence for aiding her writer-husband in the Howard Hughes autobiography hoax. Her husband, Clifford Irving, 41, has a 2½-year federal prison term ahead of him for conspiring to do McGraw-Hill Inc., out of \$750,000 in the Hughes hoax. But his sentence was arranged to begin Aug. 28, so that he can care for their two children while his blonde wife is behind bars.

Jobless Program Continued

WASHINGTON (AP) — The House Ways and Means Committee agreed yesterday on a six-month continuation of an emergency-unemployment insurance program. Without congressional action, the program would expire June 30. It has provided, since February, up to 13 weeks' additional unemployment compensation payments to long-time jobless persons in states of particularly high unemployment. The bill tentatively approved for House consideration, subject to a formal vote today would increase the federal unemployment insurance tax on employers from .50 to .58 of one per cent.

3 Army Prisoners Escape

FT. DIX, N.J. (AP) — Three prisoners being held on charges of being absent without leave escaped from the prison ward of an Army hospital here yesterday, but one was recaptured within hours. According to military police, the men made their escape by tying together sheets and climbing down from a fourth-floor window. A spokesman said the three men were admitted to the hospital Friday suffering from drug withdrawal.

Georgetown U. Head Dies

WASHINGTON (AP) — The Rev. Edward B. Bunn, chancellor of Georgetown University, is dead at the age of 76. Father Bunn, in poor health for the past year, died Sunday night in his room at the university, the school announced yesterday. Bunn had served as president of the Jesuit university from 1952-64, the longest tenure of any president in the school's history.

Smugglers Get 25 Years

NEW YORK (UPI) — Two French members of an international smuggling ring that imported nearly \$300 million worth of heroin into the United States from France, yesterday were given 25-year jail sentences each. Federal Judge Edward Weinfeld imposed the sentences on Laurent Fioconi, 30, of Paris, and Jean Claude Kella, 26, of Toulon.

COURT

From 1A

the city of New York for review of plans for the Storm King Mountain power plant in the Hudson River valley. Douglas dissented.

• Dismissed a challenge to laws in New York that try to match the religion of an adopted child to the new parents. White dissented.

• Agreed to rule next term on whether to set aside thousands of military convictions for offbase crimes.

• Agreed to hear an appeal next term by New York state to limit federal civil rights suits by prisoners.

The wiretapping case involved Lawrence Palmondon, who was accused of bombing the CIA office at Ann Arbor, Mich. Before trial, he requested the logs and records of any surveillance in an effort to block evidence based on warrantless taps. Two federal courts ruled in his favor, leading to the Justice Department's appeal to the Supreme Court.

The government maintained that revealing wiretap plans to a judge could create dangers to the lives of informants and federal agents and that judges do not have the technical knowledge to pass judgment on national security questions.

Powell, a former Richmond, Va., lawyer with no past judicial experience, said, "There is no reason to believe that federal judges will be insensitive to or uncomprehending of the issues involved in domestic security cases."

He added: "If the threat is too subtle or complex for our senior law enforcement officers to convey its significance to a court, one may question whether there is probable cause for surveillance."

The American Civil Liberties Union, commenting on the decision, said that in rejecting the government's claims "the court has vindicated the constitutional liberties of all Americans."

From 1A

more men today but that the "attitudes" of adults and youths at the schools were "near hysteria" yesterday and that he could not be certain police could prevent injuries.

Principals advised the board not to close just some of the secondary schools. After Charlotte was closed yesterday, principals of Edison Technical and Industrial High School, Benjamin Franklin High School and Madison High School said that several Charlotte students were at their schools. Two Edison students and one Franklin student were assaulted by outsiders.

Twenty-five Charlotte Pupils and two teachers were treated at hospitals.

Two students were admitted to hospitals. They are Thomas Rzepka, 13, who, Mastrella said, suffered a broken arm after he jumped or fell from a second-story window, and a girl, 13, who suffered a fractured wrist and two fractured vertebrae. Genesee Hospital refused to release her name but said she was in satisfactory condition. Rzepka was in good condition at Highland Hospital.

The trouble at Charlotte began shortly before the school opened at 9 a.m. Police said black pupils and white pupils outside the school called each other names. Pupils went into their first final examinations, but a fire alarm was pulled at about 9:40. Pupils were told on the public address system to return to their classes, but Principal Santo Patti, said 10 to 12 pupils roamed the halls and many others joined them.

One seventh grade teacher who suffered a lacerated hand from broken glass said a group of black students entered his second floor classroom and began punching the white boys in the class.

The teacher, Jacques Gugel, 42, said that he yelled and the intruders left, but that they threw chairs and desks through the glass in his locked door afterwards.

Teacher Meredith Davies, 36, told police he had locked his third floor classroom but 40 to 45 black male students

broke into the room, grabbed him and threw him across the hall into lockers.

Mastrella estimated at least 100 pupils caused trouble, most on the second and third floors. They broke windows, and four table- and chair sets were thrown out windows. Patti said furniture was upset in "several classrooms" but he said the damage primarily was glass breakage. He refused to permit reporters to tour the building.

School officials ordered the school closed about 10:30 a.m. and buses to take home pupils from the inner city and the Greece Free School District. Some pupils were injured by rocks, belts or fists outside before the buses were loaded.

Patti said 17 pupils were sent by the school to hospitals. Others were taken home by their parents afterwards.

Patti said he was convinced yesterday's disturbances, which he said were started by black pupils were a "reaction to Friday."

"The balck kids came to school as usual Friday. But some white kids brought clubs, threw rocks and taunted them. A number of blacks came prepared today

to get revenge," Patti said, after the school had been closed yesterday. "They were tired of being called names" by both Charlotte pupils and outsiders at the school Friday, he said.

At Jefferson yesterday, one student was injured by a rock, Principal Roy E. Van Delinder said. He said the crowds outside forced him to recommend that the school be closed for the rest of the week.

Persons began gathering across the street from the school "almost at dawn," said Vice Principal Eugene MacConnell. "First a half dozen, then 30, then sixty and then a 100."

Parents, black and white, stood outside the school quietly, waiting for the children to appear. The question "When will they come out?" was heard frequently.

Only about one third of Jefferson's 1,450 students were to take examinations at one time yesterday. Many of those outside the school were students not scheduled for exams, teachers said, but there were many white parents and some small children, too.

Black and white students in separate restaurants across

from the school came toward each other about 11 a.m., school officials said, similar to a confrontation Friday.

The police separated the groups both days.

When buses arrived bringing black and Puerto Rican students who had afternoon tests, police frisked the students and took away about 30 clubs, bricks and rocks, police said. Teachers said white students walking to school were not frisked and one teacher said he saw two with knives. Neither was caught, however.

About 12:30 p.m. about 50 white youths moved across Bloss Street toward a group of black students. Youths fought briefly with fists and belts. Rocks were thrown, and school officials said at least one teacher was hit with a rock.

When Mastrella arrived, about 2:15 p.m., he said, about 300 white youths and adults were across Bloss Street from the school. Several black parents and leaders of the Fight organization stood with about 20 black and Puerto Rican students in front of the school.

Franco asked police to move the crowds away from the school, which police did several times. Each time, the crowd moved close again.

White parents complained of being kept from the school. Black students and parents complained that the police were not dispersing the much larger white crowd.

Mastrella tried unsuccessfully to talk the crowd into leaving.

"Your kids will be injured if you stay. Take them home," he said. He accused the parents of "urging their children on."

"They can't really like this. I just don't understand why they refuse to leave," Mastrella said later.

Fight President Raymond B. T. Scott and Vice President Reecy Davis got permission from the school officials to take black students into the school auditorium. When students were dismissed about 3 p.m., the blacks filed onto waiting school buses and kept the bus windows shut. Buses were stoned as they turned onto Bloss Street. The crowd

gathered on Bloss Street, then dispersed.

School commissioners, Franco's staff and principals met late yesterday afternoon and decided to close the schools. Students will be graded on their semester's work without final examination except for exams taken yesterday, Franco said.

Students who want state Regents diplomas will get them without taking the tests.

However, students who want to improve their grades may take the examinations in August with students attending summer school. Franco said. Regents tests for scholarships were not part of the tests this week.

"We will have the same problems next fall because the board of education and the police aren't willing to do anything," said School Commissioner Lewis N. Bianchi after the meeting. "This was no solution."

Bianchi said the police should have arrested those loitering or obstructing traffic "before the crowd got so large. The schools should start arresting kids who aren't in their classes."

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