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LOREE RAIL MERGER REJECTED BY U. C. C. ON ITS FINANCING

Majority Ruling Finds Kansas City Southern Too Small a Base for Huge Pyramid.

SEES MINORITY IMPERILED

And Criticizes the Method of First Buying Control and Then Asking Approval.

THREE MEMBERS DISSENT

Woodcock Urges Commission to Reopen the Case to Allow Changes in Objectionable Features.

Special to The New York Times.

WASHINGTON, May 19.—L. F. Loree's plan to create a Southwestern rail merger by the unification of the Missouri-Kansas-Texas Railroad Company, the St. Louis Southwestern Railway Company and the Kansas City Southern Railway Company, with a total trackage of 5,801 miles and a capitalization of nearly \$306,000,000, was rejected today by the Interstate Commerce Commission in a majority decision. The proposed consolidation was disapproved mainly because of its scheme of financing a feature which was bitterly assailed at meetings before the commission.

The rejection was also prompted, the commission said, by the weakened position in which the so-called short lines affected would have been left. The commission also held that minority interests in the roads concerned were not properly safeguarded.

Dissenting opinions were filed by three members of the commission, who urged that an opportunity be given to the sponsors of the merger to eliminate objectionable features in order that the applications might be acted upon favorably. The commission stated emphatically that it did not think the formation of this distinctly Southwestern rail system was objectionable in itself.

In his dissent Thomas F. Woodcock said it was the duty of the commission, "even now" to reopen the case to enable "the applicants to substitute for the financial arrangements which we have been unable to accept others which we can accept, and to complete the record as to the inclusion of weak lines."

Kuhn-Loeb Planned Merger.

The proposal of associating with other carriers to form a new railroad system in the Southwest was considered by the Kansas City Southern board in the summer of 1924 and a committee was appointed to deal with the problem. The banking firms of Ladenburg, Thayer, and Cook, and Kuhn, Loeb & Co., the commission said, "were invited to participate in the consideration, and with their aid a plan of procedure was worked out for such association under the control of the Kansas City Southern."

Opponents of the Loree plan charged that he and his associates had already practically secured the rail control that was sought, and that they had violated the statutes against trusts and monopolies.

Numerous decisions of the courts in support of this view are cited, the commission commented. "It is also suggested that such acquisition of control, without first having secured our approval and authorization, was in contempt of our authority."

Opinion here today differs as to the bearing of the decision on the new application of the Van Swearingens to consolidate the Chesapeake & Ohio, the Erie, the Pennsylvania, the New York, New Haven and Hartford, and other proposed rail mergers pending before the Interstate Commerce Commission. Those who favor the today's ruling erect a bar for the time to other projected consolidations recall that the Nickel Plate's original plan was rejected because of its representation of the projectors in the ownership and objections to the Van Swearingens program. The consideration of the application had weight in persuading the commission to withhold approval of the Loree project.

Financing Regarded Faulty.

The commission majority ruling discussed at length the Loree plan of financing, which it regarded as faulty in a number of important particulars. It suggested that the Loree merger should be financed by the liquidation of the Clayton and Sherman Anti-Trust acts, unless such transfers were legalized by Section V of the Interstate Commerce act.

The commission pointed out that of the 350,000 shares of Missouri-Kansas-Texas common stock owned by the Kansas City Southern, 250,000 shares were acquired between November 10, 1924, and Feb. 18, 1925, and 100,000 shares between Aug. 23 and Oct. 16, 1925. At the annual meeting of the stockholders of the Missouri-Kansas-Texas on Feb. 18, 1925, there were voted 893,207 shares, or 82.83 per cent. of the outstanding stock. Of these shares the Kansas City Southern owned 233,000, or 25.92 per cent., as owned or through proxies, the commission said. As the Missouri law permits cumulative voting by stockholders, four directors were elected by the Kansas City Southern interest. One of these was L. F. Loree, and his application for permission to serve as director was approved by the commission on April 9, 1926.

"In October and November, 1925," the commission said, "the Kansas City Southern purchased from the Rock Island and in the market 20,000 shares of the preferred and 20,000 shares of the common stock of the Cotton Belt. These 155,000 shares constituted 42.7 per cent. of the outstanding voting stock of the Cotton Belt."

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Cost of Raising a Speak-Easy \$90,000 a Year, Raiders Say

Prohibition agents who raided an alleged speak-easy in a garage at 523 Lincoln Street, Union City, N. J., yesterday, said that check stubs and records found there revealed that the overhead for one year's operation of the place had been almost \$90,000.

The agents said that two political leaders of North Hudson, one a Democrat, the other a Republican, were listed on the stubs as regular creditors and that a \$5 contribution to the Red Cross also was listed.

The check stubs belonged to Richard Farrell of 502 Forty-fourth Street, Union City, according to the agents, who seized fifty-four barrels of beer, ale and alcohol. The place was not in operation at the time of the raid. No arrests were made.

BIGGER MEN URGED FOR NAVAL PARLEY

View Prevails in Washington That Coolidge Should Name Outstanding Americans.

KELLOGG PROPOSED AS HEAD

Others Include Hughes, Hoover, John W. Davis and Ex-Senator Underwood.

By RICHARD V. OULAHAN.

Special to The New York Times.

WASHINGTON, May 19.—A widespread opinion prevails in interested circles here that if the three-power conference for limitation of naval armaments is to have that prestige and prominence which will give a considerable degree of assurance of its success, the plans of President Coolidge for American participation must be materially changed.

This gathering, which will begin its session at Geneva next month, was called by the Government of the United States, and due to that fact, it is looked upon in foreign capitals as being an American-conducted affair, just as was the Washington Conference for the Limitation of Armaments.

While only Great Britain, Japan and the United States will participate, the highest importance is attached to the conference in the British and Japanese Empires. Men of outstanding importance have been named by Great Britain and Japan as their chief delegates, and these, in each case, are to be assisted by large staffs of experts in naval and military affairs, as well as in international relations and the practice of diplomacy.

Would Strengthen Our Delegation.

Hugh S. Gibson, Ambassador to Belgium, has been designated as head of the American delegation. He has had much success as a diplomat representative and is regarded as one of the outstanding members of the permanent foreign service. It is generally conceded by those acquainted with Mr. Gibson's high qualifications that no man could have been selected who would do more in the way of helping the conference to accomplish practical results.

At the same time, the opinion prevails in Washington, and is known to be shared by officials in foreign capitals, that the President should follow the lead of the British and Japanese in placing on the American delegation one or more notable men of nationwide reputation for ability and accomplishment in the field of international relations.

It is not contended by those who share this view that any such man or men would be any more competent than Mr. Gibson to represent the United States or obtain a larger measure of practical results, but the argument is advanced that unless some such man or a small group of such men is appointed to the American delegation, the sessions of the conference will not attract the attention of the world, which will tend to create an active sympathetic public feeling that would go a long way toward contributing to the success of the conference.

The American delegation in the Washington Conference consisted of William C. Clegg, Secretary of the Navy, Elihu Root, former Senator and Secretary of State, and others.

Paris Court Advances Vanderbilt Divorce When Reconciliation Procedure Fails of Result

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PARIS, May 19.—The second stage of the Vanderbilt divorce suit was gone through today when at the Palais de Justice the formal attempt at a reconciliation was made. W. K. Vanderbilt Jr. and his wife, the former Virginia Fair, and their lawyers, Maître Robert de la Roche and Maître Floriot, attended the court, which, of course, was held in private, and were invited by the Judge, as is customary in all French divorces, to reconsider the question and try to find a ground for agreement.

To his question as to whether or not Mrs. Fair had consented to the demand to withdraw her action and resume married life, she replied that after deep reflection she found such a course impossible and maintained her demand for a divorce. The decree granting the divorce will probably be handed down in a few weeks.

PARIS, May 19.—The marriage of William Kissam Vanderbilt to Virginia Fair in 1899, one of the most important social events of its day, probably will be formally dissolved in the Paris divorce courts some time next month in view of the unsuccessful outcome today of the usual "reconciliation

MORE TOWNS VANISH AS 50,000 ACADIANS FACE FLOOD PERIL

Waters From Broken Levees Plunge South Through Western Atchafalaya Basin.

1,000 FAMILIES TRAPPED

Disregard Warnings Till They Are Marooned, Then Many Refuse to Enter Boats.

RIVERS LOWERED BY BREAKS

Pressure on Dike Lines South of Inundated Region Is Relieved and All Are Holding.

From a Staff Correspondent of The New York Times.

NEW ORLEANS, May 19.—The flood waters now surging south through the western half of the "Sugar Bowl" are running high and at an estimated rate of more than 500,000 cubic feet per second, which is in volume equal to two Niagaras when the Niagara is at the maximum flood stage.

Little towns, one after the other, are going under with clocklike regularity. Thousands of refugees are arriving at the Red Cross concentration camps while other thousands, virtually all Brethren, remain in the fields until the torrents are almost on top of them.

In the meantime the mighty volume of water crashing through the Bayou des Glaives crevasses and the mile-wide gap at Melville is lessening hourly the pressure against the main Mississippi levees south of Red River Landing, the gauges everywhere this side of Vicksburg showing in the last twenty-four hours drops of one-tenth to four-tenths of a foot.

It begins to appear reasonably certain that "hile the Bayou des Glaives and Melville floods will engulf more than 1,000,000 acres of the Evangeline parishes and render thousands homeless in the west side of the basin of the Atchafalaya, the safety of New Orleans is assured by the volume of water thus released over the land.

Flood Invades Two Parishes.

Tonight the vanguard of the waters in the newly flooded territory is in the parish of St. Martin, while the back waters, which in this case assume the form of straight ahead plunging torrents, are reported seeping over the border lines into the parish of Iberia, and within the next four or five days the waters will be in the parish of St. Martinville, seat of the parish of St. Martin, may be inundated.

With the dawn today the flood was in the more than 100 families were trapped by the flood. At sundown yesterday these Acadians were still in the fields, and the waters were rising. They carried the warning to them to flee to the hills, but they refused, and this morning they saw the headwaters coming down upon their farms from the north.

One thousand families means between 5,000 and 6,000 men, women and children, and the fact that these people to high ground proved a big problem. They protested to the last. No charity for them. But as the waters drew in magnitude they began to listen to reason, and all day long there has been a steady trek from the hills to the lowlands.

Fifty motor trucks have been operating all night evacuating the Acadians to the high lands about Lake Cathoula and in the vicinity of St. Martinville. Motor boats are also operating now.

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Mount Athos Becomes Monastic Republic; Levant's Holy Mountain Excludes Women

ATHENS, May 19.—Mount Athos, the Holy Mountain as it is called throughout the Levant, is now an ecclesiastical republic under the new constitution granted by the Greek Government, giving the area autonomous powers. No female, human or animal, is allowed in the republic, in which Greek and Slav monasteries have existed for many centuries.

By an annex to the Treaty of Sevres in 1920, the peninsula of Mount Athos became a monastic republic under Greek sovereignty. The new charter confirms the right of the monks to settle their own affairs, but appoints a Greek Governor of the peninsula, with the rank of Prefect, dependent upon the Ministry of Foreign Affairs. Ecclesiastically, the monasteries continue to depend directly upon the Ecumenical Patriarch at Constantinople.

All their lands are declared inalienable, and all the property will be exempt from taxation. There will be a force of gendarmes under the orders of the Governor. Every novice or monk who retires to any of the monasteries, even to the famous Serbian monastery of Chilandar, will automatically become a Greek subject.

In days gone by Mount Athos had a strategic importance and was regarded as a Russian base in the Aegean. It was a province of an autonomous province of Greece and a centre of learning and study.

MUTINY IN HANKOW IMPERILS RED RULE

Anti-Communist Troops Hold the Race Course and a Clash Is Imminent.

OUTSIDE FOES ARE NEARING

One Army Is Within 20 Miles of City—Martial Law Declared—Rich Natives Seek Safety.

By FREDERICK MOORE.

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SHANGHAI, May 19.—All the news from Hankow indicates that the last days of that Government are at hand. The foreign warships report by wireless that the anti-Red troops are concentrating on the race course and that a conflict between the factions is momentarily expected. For several weeks defections from the armies in the field have been reported, but this is the first indication of a mutiny immediately within the capital.

Likewise for weeks the money class has been fleeing from the city, every down-river foreign merchantman being crowded. Now those unable to escape are thronging into the former and the existing for several days, hoping that proximity to the foreigners remaining in Hankow will afford them protection in the coming disaster.

From the south a hostile army is reported within twenty miles, and from the north within forty, and from the west within a hundred. Thus three separate and more or less independent armies are converging on the city. That from the north is affiliated with Chang Tso-lin, that from the south has declared for Chiang Kai-shek, while that from the west is the personal army of Yang Shen, the war lord of Szechuan Province, formerly favoring Hankow, but now of unknown inclinations.

Chiang Goes Back to Nanking.

All three being hostile to the Borodin regime it is unlikely that the Hankow Government will survive, but the capture of the city by any one of the advancing forces does not mean the restoration of peace.

Meanwhile American sailors each afternoon play baseball between the rival warships and the British play cricket on the Bund, and the small foreign community fraternizes intimately, cut off from news of the outside except for the mails by destroyers from Shanghai.

Chiang Kai-shek left Shanghai for Nanking last night, having made a speech at a mass meeting in memory of Chen Chi-mei, the Kuomintang patriot who was assassinated by Yuse Shi-kai's agent in 1916. Chiang urged the revolutionists to keep plodding and promised to capture Chang "Tsung-chang and to offer him as a sacrifice to the dead patriot.

The Northern armies above Nanking still hold Yangchow and Chuchow, but from Wuhu comes a report that the Nanking forces have again captured Luchow.

The local Chinese newspapers report that three British airplanes kept flying over the Woosung forts yesterday while they were bombarded by a Northern cruiser. This is taken by Chiang Kai-shek as tangible proof of the assistance rendered by the imperialists to the militarists of the Fengtien faction," one says, "and he has ordered the Ministry of Foreign Affairs to lodge a vigorous protest."

An official foreign report states that yesterday a Shanghai magistrate summoned the twenty-eight members of the headmen of the district and asked 400,000 local dollars for a loan. They were told, it is said, that the Communists, if not suppressed, could have taken all they had. They agreed to subscribe 100,000 local dollars and were made to sign a pledge to this before departing.

Martial Law at Hankow.

LONDON, May 19.—Official British advice from China today, reporting the declaration of martial law in Hankow on Tuesday, said uneasiness was increasing throughout the district as various semi-independent military leaders threatened actively to oppose the Hankow Nationalist regime. The situation as regards trade and commerce in Hankow was described as chaotic.

General activity by the Chinese authorities against the Reds continues. The Yunnan provincial Government has issued a proclamation giving all Communists ten days in which to surrender. Many arrests have already been made.

McADOO WON'T RUN, SMITH'S WAY CLEAR, TAMMANY IS TOLD

Olvany Rejoices at News He Gets From a Close Friend of 1924 Opponent.

CITES GOVERNOR'S GAINS

Finds South Turning to Him—Governor May Make Three Speeches Outside State.

HUGHES FEELERS REPORTED

Business Group Here Is Said to Have Sent Scouts Over Country to Test Sentiment.

William G. McAdoo will not seek the Democratic nomination for President next year, according to information which reached Tammany Hall yesterday. "A close friend of Mr. McAdoo was in here today," said George W. Olvany, leader of Tammany. "He told me that McAdoo was not in the race for the nomination."

M. Olvany did not disclose the identity of his informant, nor did he disguise the fact that the information was pleasing to him. With McAdoo in the running, the supporters of Governor Smith for the nomination have been looking forward with considerable apprehension to 1928. They freely admit that McAdoo, with what strength is remaining to him, might be able to repeat next year his performance in 1924, when the convention was deadlocked for three weeks, even though he might not be able to attract sufficient strength to bring about his own nomination.

With Mr. McAdoo out, the dry forces will have to find a standard-bearer strong enough to be a serious contender against Governor Smith. As yet, the dries admit, no Democrat of sufficient caliber whose candidacy would lend itself to their purposes has appeared above the party horizon. This fact is regarded by friends of Governor Smith as a happy omen.

Mr. Olvany said that the quest of the dries for a candidate would be rendered more difficult from the advantageous position occupied by Governor Smith.

"Governor Smith is away out in front," Mr. Olvany said. "He is lengths ahead of all other contenders for the nomination."

The attention of Mr. Olvany was called to a letter from a Virginian Democrat which appeared on the editorial page of THE NEW YORK TIMES yesterday, disputing an assertion made by Franklin D. Roosevelt that the Governor has many new friends in Southern States whose delegates put up the most determined fight against him in 1924.

"Advices that reach me," Mr. Olvany said, "show that he is making gains in the South all the while. Within a few days I have seen two letters from Democrats in North Carolina to friends in this city which show that they will have some of the delegates from that State in the National Convention next year."

"There is no doubt, is there, that Governor Smith will be in physical condition to conduct a country-wide campaign next year?" Mr. Olvany was asked.

"None at all," said the Tammany chieftain. "Of course, I do not know what his plans will be, but I suppose that he would make an extensive campaign, judging from what he has done in this State when a candidate for Governor."

Smith Plans Three Speeches.

According to information yesterday from a usually trustworthy source, Governor Smith expects to make three addresses out of the State in which, presumably, he will discuss national questions. The first, it is said, will be delivered at the conference of the House of Governors late in July.

A Governor Smith consistently has denied reports that he would accept the resignation of the Senior Council speaking engagements outside of his own State, with the possible exception of the Coast Guard station here was in the respect," was his reply.

Mr. Olvany said he had not given any thought to the demand being made, principally by Democrats, in influential positions, for an extraordinary session of Congress to consider flood relief and prevention. One of his colleagues, Representative Royal H. Welch of the Twenty-first Congressional District, a Tammany man.

"I wired President Coolidge last night," Mr. Olvany said, "to advise him that the National Council would be in session on the 20th."

Continued on Page Two.

LINDBERGH IS SET TO FLY AT DAYLIGHT IF WEATHER CONDITIONS REMAIN GOOD

Regiment Adopts Hash II; Hart Dog Takes to Army Life

ALL PREPARATIONS MADE

Truck Brings Gasoline to Hangar and Escort to Runway Is Called.

EXCITED CROWDS GATHER

Autos Line Roads as News Spreads—Fog Off Coast on First Leg Is Clearing.

BERTAUD IS OUT OF RACE

All Bellanca Peace Moves Fail—Byrd Not Expected to Get Off Before Sunday.

At 5 o'clock this morning Captain Charles A. Lindbergh was on the point of starting his flight from New York to Paris in the Ryan monoplane, The Spirit of St. Louis.

At that hour the plane was being towed to the runway at Roosevelt Field from which the flier was to take off.

There were still many gallons of gasoline to be pumped into the tank and it was calculated that this would take another hour.

It was doubted that he would be in the air before 6:30 o'clock.

Police Escort for Plane.

The preparations for the removal of the Spirit of St. Louis to Roosevelt Field included the assignment of a patrol of six Nassau County motorcycle patrolmen to escort the plane from the field to the hangar.

An intimation that Lindbergh might go had come late last night, when he hurried out to Curtiss Field where his plane was stored. He conferred about the weather with some directions to work on the plane, and then went to sleep, leaving a call for 2:15 o'clock.

Lindbergh reached Curtiss Field shortly before 3 o'clock and at once went into his hangar to watch the partial loading of the big gas tank in his plane with high-proof gasoline and to receive weather reports. Brice Goldsborough, his navigation adviser, was encouraged by reports of clear weather in Newfoundland and Nova Scotia. A heavy shower started soon after Lindbergh arrived, but within fifteen minutes became a drizzle and Mr. Goldsborough said he did not believe the rain would prevent a take-off. Lindbergh himself remained non-committal, responding to all queries as to whether he was going with a pleasant little smile and "I can't tell yet."

Weather Reports Good.

As soon as Lindbergh announced early this morning that he would hop off if favorable weather prevailed for the first leg of his journey The New York Times commenced collecting by radio, telephone and telegraph weather reports from the principal observation stations.

Chatham, Mass., reported clear weather at 4 A. M. with very little wind. The same general condition prevailed along the Massachusetts coast and up New Hampshire and Maine.

From Louisville, on Cape Breton Island, Nova Scotia, the early morning report was fine, clear weather with light northwest winds. At North Sydney, Nova Scotia, the same weather prevailed with light westerly winds.

St. John's, Newfoundland, probably the last land the flier will be able to discern before he swings out over the great circle with the coast of Ireland as his next sight of land, the weather was clear with a temperature of 40 degrees and light westerly winds.

As fast as this information was received in THE NEW YORK TIMES office it was relayed by telephone to the Lindbergh hangar.

Plane Towed to Runway.

About 4:15 o'clock the rain had practically stopped and, encouraged by good weather news, Lindbergh ordered the Spirit of St. Louis wheeled from its Curtiss Field hangar. As Lindbergh appeared beside his plane, the crowd that had gathered when the news spread that Lindbergh was to start, let out a spirited cheer. Working rapidly, mechanics placed the tail wheel on a motor truck and started towing the plane, rear first, toward Roosevelt Field. The caravan, escorted by motorcycle patrolmen, went out into the darkness and up a gravel road toward the take-off runway. Another truck took the remainder of the high proof gasoline to be put into the plane to Roosevelt Field.

As the scene of operations shifted the crowd shifted also, and the excitement grew. Scores of policemen were on duty to keep the crowds in order. Soon the slim monoplane had reached Roosevelt Field and work of commencing the filling of the gas tanks

Special to The New York Times.

FREEDHOLD, N. J., May 19.—The Sixteenth Regiment, en route to Camp Dix to take part in the First Division manoeuvres, signed on a new recruit this afternoon when "Hash II" was formally adopted by the doughboys to take the place of the regimental mascot that died last winter.

Like his predecessor, Hash II is just a dog. Details of his ancestry are lacking and even his staunchest supporter would not dare assert he is of blooded stock.

The first Hash was adopted by the regiment while on service in France and when on route march was always at the head of the troops. His successor, though probably not possessing any previous army training, automatically swung to the head of the line when the march order was given this afternoon and so made his job as regimental mascot assured.

He was found by Sergeant O'Halloran lying by the road, injured by a motor truck. The regimental surgeon bound up his bruises, the cook supplied a meal and O'Halloran adopted him in the name of the regiment.

PRINCETON GAYETIES END IN SUSPENSIONS

Fifteen Students Disciplined, After House Parties, Four for Drinking.

OTHERS VIOLATE AUTO RULE

Punishment Comes Just One Week Preceding the Final Examinations.

Special to The New York Times.

PRINCETON, N. J., May 19.—The annual house parties held at the Princeton University upper class eating clubs last week-end came to an unfortunate conclusion for several students, it was learned today. Infractions of rules by students during the festive period have resulted in numerous suspensions.

Eleven students were suspended for a week for driving automobiles without university permits and four others for a similar period for drinking. It was reported that a varsity football player also had been suspended for a year for drinking.

Dean Christian Gauss declined either to affirm or deny that there had been suspensions. Requests for the names of the suspend-1 students to members of the Discipline Committee, composed of Dean Gauss, Chairman; Radcliffe Heermance, Dean of Freshmen; Professor Carl Brigham of the Psychology Department; Professor Donald Clive Stuart of the Modern Drama Department and Professor Norman S. Pooker, met with the reply that it was against the policy of the university to divulge names in such cases, as the punishment of suspension was considered sufficient without adding publicity.

The current punishments are looked upon as especially severe, coming only one week before final examinations.

Revives Old Controversy.

The understanding that most of the suspensions were due to violations of the rules regarding automobile driving revived discussion of that question, a controversy over which brought about the resignation of the Senior Council recently.

The first step in the automobile ruling came in the Session of 1925, when all cars were prohibited from entering the campus except with special permission. At that time only freshmen were prohibited from driving automobiles. The ruling was made in the expectation that the number of student-owned automobiles would decrease if they were not permitted on the campus, but instead the steady increase in automobiles continued.

The following year the Senior Council was asked to submit some method to remedy the situation. The ruling which followed prohibited the operation of automobiles on the campus.

When the Nemaha had met the other boat and was conveying it and informed last night that the crew of Patrol Boat 200 had picked up the wing of an airplane off Montauk Point and that the patrol boat was towing the wing here.

When the message was received at the Coast Guard station the speedy patrol boat Nemaha was sent out to meet the tow, so that it could bring the wing here and allow the other boat to remain at its regular station.

A little before midnight another message was received at the station say-

Plane Wing Is Found Off Montauk Point; Boats Are Bringing It In to New London

NEW LONDON, Conn., Friday, May 19.—The Coast Guard station here was informed last night that the crew of Patrol Boat 200 had picked up the wing of an airplane off Montauk Point and that the patrol boat was towing the wing here.

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