

THE BUFFALO NEWS

-Affidavit-

Matthew Donnelly of the City of Buffalo, New York, being duly sworn, deposes and says that he/she is Principal Clerk of THE BUFFALO NEWS INC., Publisher of THE BUFFALO NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein **4** times, the first insertion being on **10/30/2018** and the last insertion being on **11/20/2018**

Matthew Donnelly

Dates Ad Ran:

Buffalo News (P1) 10/30/18
Buffalo News (P1) 11/06/18
Buffalo News (P1) 11/13/18
Buffalo News (P1) 11/20/18

Sworn to before me this 20 day of, November 2018

RosAnne C. O'Hara

Notary Public, ~~Erie~~ County, New York
Niagara

RosAnne C. O'Hara
Notary Public, State of New York
Qualified in Niagara County
Commission Expires 4-1-2022

WORLD NEWS

How Bolsonaro turned crisis into an opportunity

By ERNESTO LONDONO AND MANUELA ANDREONI

RIO DE JANEIRO — Had the blade slashed a bit more of Jair Bolsonaro's abdomen, the evangelical preacher who came to see him in the hospital might have had to prep a eulogy about his friend's presidential hopes being dashed by the same plague of violence that fueled his stunning rise.

Instead, when he saw Bolsonaro in intensive care last month, the preacher, Silas Malafaia, who is enormously popular in Brazil, saw fit to crack a joke.

"Look what God did!" Malafaia recalls telling the candidate, who was dazed after undergoing numerous procedures to stitch up his intestinal tract and other organs. "You were stabbed, and now all the other candidates are complaining about all the television coverage you're getting."

Had the knife attack last month, Bolsonaro had already begun to look like an indomitable phenomenon in Brazilian politics, campaigning in angry outbursts against corruption and violence that largely matched the national mood.

But far from blunting his rise, the near-fatal stabbing crystallized Bolsonaro's conviction that only he could straighten out a country reeling from years of economic trouble, corruption scandals and a record-high wave of bloodshed, the pastor said. "I think it gave him a greater sense of purpose," Malafaia said. "He said, 'More than ever, my will to help these people, to rescue our nation, has increased.'"

A knack for turning setbacks into opportunity has been a constant for Bolsonaro, the far-right populist who won Sunday's runoff election to become Brazil's next president, upending the political parties

and norms that have governed Brazil since the end of military rule more than 30 years ago.

Bolsonaro's broadsides against women, gay people, Brazilians of color and even democracy — "Let's go straight to the dictatorship," he once said as a congressman — made him so polarizing that he struggled to find a running mate until early August. Traditional parties and politicians considered him too extreme.

"Elections won't change anything in this country," he said during one of his seven terms in Congress. "Unfortunately, it will only change the day that we break out in civil war here and do the job that the military regime didn't do, killing 30,000. If some innocent people die, that's fine. In every war, innocent people die. I will even be happy if I die as long as 30,000 go."

Far from disqualifying him, his incendiary remarks over the years and throughout the campaign made Bolsonaro appealing to millions of Brazilians. Many see in him the kind of disruptive, status quo-breaking potential that propelled President Trump's victory in 2016.

On Sunday, Bolsonaro said during his victory speech that his government would uphold the constitution and democratic principles.

Trump called Sunday to congratulate him on his victory, following up with a tweet Monday morning that said, "Had a very good conversation with the newly elected President of Brazil, Jair Bolsonaro, who won the race by a substantial margin. We agreed that Brazil and the United States will work closely together on Trade, Military and everything else!"

While his rivals ran conventional campaigns, Bolsonaro, 63, channeled the wrath and



Jair Bolsonaro, Brazil's new president who once quipped, "Let's go straight to the dictatorship," said during his victory speech that his government would uphold the constitution and democratic principles.

exasperation many Brazilians feel over rising crime and unemployment — problems that they increasingly believe the endemically corrupt governing class is powerless to tackle.

Bolsonaro's career began with a relatively short stint as an army paratrooper that ended in controversy, paving the way for his first electoral victory in 1988.

He became enthralled by the idea of joining the armed forces in the early 1970s when soldiers descended on an area near Campinas, his hometown in the state of Sao Paulo, hunting down a communist guerrilla leader.

Bolsonaro, whose candidacy was backed strongly by the military, has since taken credit for guiding the soldiers that day through a hilly area he knew well. It was one of many such manhunt during the military dictatorship that spanned from 1964 to 1985. After graduating from a military academy in 1977, Bolsonaro rose to the rank of captain in an artillery

unit.

But his time in uniform came to an end just as democracy was being restored. In an act of insubordination, Bolsonaro published an essay in the news magazine *Veja* in 1986 titled "The Salaries Are Low," in which he took his superiors to task over military pay.

But, again, instead of ruining his prospects, the controversies made him something of a folk hero in military circles. Bolsonaro leveraged the attention into a successful run for City Council in Rio de Janeiro in 1988. Then, in 1990, he ran for a seat in Congress and won

with robust backing from military supporters.

Bolsonaro was highly visible and frequently brash as a lawmaker in Brasilia. But he was not prolific at passing laws. And he was not regarded as a consensus-builder in a highly fractured Congress.

Only two of the dozens of bills and amendments he introduced over 27 years in Congress became law.

Bolsonaro's conservative views on issues like gay rights and abortion have endeared him to some in Brazil's evangelical caucus. But he mainly became

known for his angry outbursts, perhaps most notably in 2003, when he shoved a leftist colleague, Maria do Rosário Nunes, on camera after telling her she was not worthy of being raped.

Now Nunes, a former human rights minister, said she fears that Bolsonaro — who has threatened to banish political opponents and make it easier for the police to kill suspected criminals — will be a ruthless leader.

"He is incapable of producing a consensus, an agreement," she said. "There is no dialogue with him."

Merkel says she'll step down as party head, won't run in 2021

By GRIFF WITTE AND RICK NOACK WASHINGTON POST

BERLIN — German Chancellor Angela Merkel, once the most powerful politician in Europe, acknowledged herself as a lame duck on Monday.

Merkel announced that she will step aside as leader of the Christian Democratic Union (CDU) at the party's conference in December and will not run for re-election in 2021.

The decision reflected pressure on the longest-serving head of state in the European Union after a streak of devastating defeats, and it set off a scramble among would-be successors. Whoever emerges atop the CDU will be a favorite

to become the next chancellor, perhaps far sooner than the official end of Merkel's term.

Merkel's preferred heir, Annegret Kramp-Karrenbauer, wants to continue in her tradition of moderation and big tent centrism.

But with Germany, and Europe, becoming ever-more polarized, challengers are likely to push for the party to tack hard to the right.

Either way, Merkel stepping down will mark a major transition for a continent she has shaped for the past 13 years with her handling of multiple debt crises, her decisions on nuclear energy and, most of all, her fateful choice to allow more than 1 million asylum-seekers to enter Germany.

"The time has come to open a new chapter," Merkel, 64, told a Berlin news conference Monday that, as is typical of her, ran short on sentiment and long on matter-of-fact pronouncements.

Merkel has been CDU chairman since 2000. In the past, she has said that the chancellor should also be the leader of the ruling party, and that it was dangerous to divide the roles between two people. But she said Monday that she had changed her mind over the summer as it became clear that "we cannot continue with business as usual."

"Yes, this is a bit of a risk," she said. "But having weighed things very, very carefully, it is a risk I want to take."

Netanyahu's Oman visit sets off Cabinet rush to Persian Gulf

By JONATHAN FERZIGER BLOOMBERG NEWS

MUSCAT, Oman — Prime Minister Benjamin Netanyahu's surprise visit to Oman pried open a door to the Persian Gulf usually shut to Israel, and several of his cabinet members are following him through.

Miri Regev, minister of culture and sport, paid an official visit Monday to the Sheikh Zayed Grand Mosque in Abu Dhabi, the third-largest in the world, a day after hearing Israel's national anthem played at a sports gathering in the emirate when Israel's national judo team won a gold medal at the Abu Dhabi Grand Slam.

Advancing the regional peace proposal he's promised to deliver soon.

That approach has been complicated as his linchpin, Saudi Crown Prince Mohammed bin Salman, faces an international outcry over the killing of government critic Jamal Khashoggi in the kingdom's consulate in Istanbul.

Gulf countries are gradually making gestures to accept Israel, prodded by Trump and their desire to participate in international activities that forbid their barring other United Nations member states.

"It's a sign that Israel and the Arab world are moving closer," said Michael Oren, Netanyahu's deputy minister for public diplomacy.

advancing the regional peace proposal he's promised to deliver soon.

That approach has been complicated as his linchpin, Saudi Crown Prince Mohammed bin Salman, faces an international outcry over the killing of government critic Jamal Khashoggi in the kingdom's consulate in Istanbul.

Gulf countries are gradually making gestures to accept Israel, prodded by Trump and their desire to participate in international activities that forbid their barring other United Nations member states.

"It's a sign that Israel and the Arab world are moving closer," said Michael Oren, Netanyahu's deputy minister for public diplomacy.

New York State Electric & Gas Electric Corporation (NYSEG)

NYSEG has filed tariff revisions September 26, 2018 with the New York State Public Service Commission (PSC) to implement a tax credit associated with the Tax Cuts and Jobs Act of 2017, to become effective October 1, 2018. These tariff revisions reflect a \$22.9 million reduction in electricity delivery rates and a \$8.6 million reduction in natural gas delivery rates. The delivery rates for service that appear on a customer's bill shall be adjusted to reflect the tax credit.

Customers may see some charges prorated on an October or November bill to take into account energy delivered before and after the tax credits went into effect.

The credits to be applied to the per kilowatt-hour, per kilowatt, and per therm delivery rates are shown on a Statement for each tariff Schedule, available at nyseg.com.

Need help for the holidays?

WNY Holiday Partnership application information now available.

The Western New York Holiday Partnership

If you need assistance providing toys for your children this holiday season, the WNY Holiday Partnership may be able to help. Applications are being accepted from income eligible families for this year now through Dec. 7.

YOU MUST BRING THE FOLLOWING TO APPLY:

- Identification for all members of the household, including proof of children's ages
- Proof of residence
- Proof of total income in the past 30 days
- Picture ID for the person submitting the application
- Social Security numbers for all members

To find out where to apply or if you have questions regarding eligibility requirements or what is required for proper documentation, call: 2-1-1 or 1-888-696-9211

Recipients will be duplicate checked by the WNY Holiday Partnership to ensure that families are not served by more than one agency. The WNY Holiday Partnership is a collaborative effort between the following:

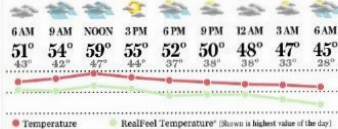
City Reach Church • Resurrection Life Pantry • St. Lawrence Catholic Church
Lt. Col. Matt Urban Human Services Center of WNY
Hamburg Youth Bureau • Olivencia Community Center

WEATHER

WNY Forecast

Rain will taper to showers; otherwise, cloudy today with high winds gusting to 60 mph this afternoon and evening, causing tree and power line damage in some areas. High 56. Cloudy with a shower tonight; winds will gradually lessen. Low 43.

24-hour forecast and RealFeel temperatures



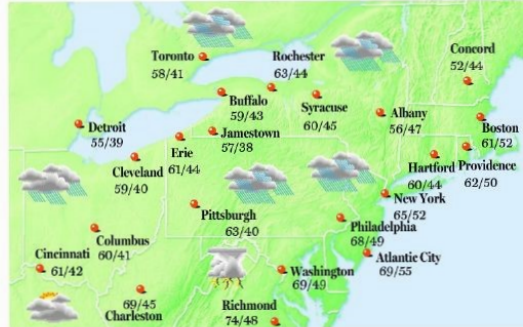
Seven-day forecast for metro Buffalo



Forecasts and graphics provided by AccuWeather, Inc. ©2018

REGIONAL WEATHER TUESDAY, NOV. 6

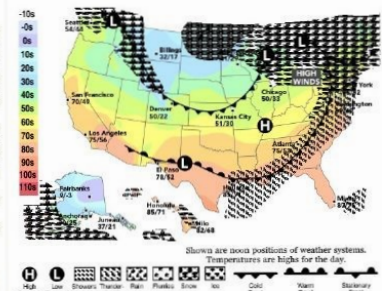
Temperatures are today's highs and tonight's lows.



Area almanac

Buffalo through 8 p.m. yesterday
Temperature: High/low 58°/44°
Normal high/low 52°/37°
Record high 79°/79.4°
Record low 17°/19.1°
Last year's high/low 61°/45°
Growing degree days - season 3163
Heating degree days yest. 34
Precipitation: 24 hrs ending 8 p.m. yest. 0.02"
Month to date 1.76"
Normal month to date 1.66"
Year to date 35.14"
Normal year to date 30.24"
Sunshine Today: Total possible 19 hours, 05 minutes
Today SSE 25 to 35
Winds SSE 25 to 35
Air Quality Index
Today Good
Yesterday Moderate
Yesterday's main offender: particulates, 34
Source: NYSDEC

National weather Tuesday, Nov. 6



Shows are exact positions of weather systems. Temperatures are highs for the day. High: MeAllen, TX, 94° Low: Burns, OR, 11°

Regional forecasts

Table with columns for City, Wednesday, and Thursday forecasts for various regional cities.

Lake forecasts

Erie: Gale warning today. Wind increasing to 30-40 knots today, gusts to 50 knots. Waves will build to 10-15 feet. Morning rain. Water temperature 49°
Ontario: Gale warning today. Wind southwest increasing to 30-40 knots today; gusts to 50 knots. Waves will build to 8-14 feet. Rain. Water temperature 49°
Niagara River: Wind today southwest increasing to 25-35 knots, gusts to 55 knots. Waves very rough. Visibility 1 mile in rain early. Water temperature 51°

Water levels

Table with columns for Flood stage, yesterday, and change for various water bodies.

Snow derby

Table with columns for Month to date and Season to date for snow accumulation in various cities.

Snow

Buffalo yesterday 0.0"
Buffalo season to date 0.1"
Buffalo season to date 0.1"
Rochester 52.36/pc 46.33/pc
Rochester 52.36/pc 46.33/pc
Syracuse season to date 0.2"
Syracuse season to date 0.2"
Albany season to date 0.0"
Albany season to date 0.0"
Toronto 45.35/pc 44.32/pc
Westfield 49.40/pc 44.36/pc
Wilson 50.39/pc 46.34/pc

Online weather

www.buffalonews.com
www.weather.gov/buffalo
www.accuweather.com

When shop owner's wife fell ill, people bought all his doughnuts so he could go be with her

By ALLISON KLEIN WASHINGTON POST
For the last few weeks, customers have been arriving at Donut City in Seal Beach, California, starting at 4:30 a.m. to buy dozens of doughnuts. On Monday, the shop sold out at 7:30 a.m. - hours before its usual 12 p.m. closing time. Customers say the doughnuts are delicious. But that's not why they've been waiting in line to buy them in recent weeks. It started a few weeks ago, when customers started noticing that something was amiss. Every day for the past 28 years, the friendly husband-and-wife owners - Stella and John Chhan - have stood behind the counter selling their freshly made breakfast treats. But then one day, Stella Chhan wasn't there. When customers inquired, John Chhan, 62, told them she had suffered an aneurysm Sept. 22 and was recovering in a nursing home. He would go visit his wife, 63, in the afternoon once all the doughnuts were sold and the shop was clean, he said. That's all it took. "Days went by and I just

couldn't get it out of my head," customer Dawn Cavola told the Orange County Register. "So I thought, if enough people would buy a dozen doughnuts every morning, he could close early and go be with his wife." Cavola posted the idea on the neighborhood message board Nextdoor, and neighbors and fans of Donut City responded in a big way. They started showing up in the dark, ordering dozens of doughnuts and croissants. By 6 a.m., there's often a line to the door: "We're done for today. Sold out about a half-hour ago," Chhan said in a phone inter-

view with The Washington Post on Monday at about 8 a.m. California time. "A lot of people come in and buy three, four, five dozen," he said, adding that he sold about 50 dozen doughnuts Monday. Loyal customer Jenec Rogers said she's been a regular Donut City customer for the past 20 years. She said John and Stella Chhan are "humble, smiling people." She saw a local news story about the effort to help the Chhans, which included the detail that someone tried to set up a GoFundMe page to raise money to help the Chhans, but he declined the offer.

Rogers said she and all of her friends started to spread the word to go to the shop early and buy doughnuts. "It was like, 'Wait, that's my doughnut store,'" Rogers, 47, said. "We posted and reposted - and every day I've been down there the line has been to the door." Rogers, whose family owns M&M Surfing School in Seal Beach, said the surfing school buys doughnuts for her local church community every Sunday. As John Chhan cleaned up his store Monday morning, he said he would finish up and then head over to see his wife.

New York State Electric & Gas Electric Corporation (NYSEG) NYSEG has filed tariff revisions September 26, 2018 with the New York State Public Service Commission (PSC) to implement a tax credit associated with the Tax Cuts and Jobs Act of 2017, to become effective October 1, 2018. These tariff revisions reflect a \$22.9 million reduction in electricity delivery rates and a \$8.6 million reduction in natural gas delivery rates. The delivery rates for service that appear on a customer's bill should be adjusted to reflect the tax credit. Customers may see some charges prorated on an October or November bill to take into account energy delivered before and after the tax credits went into effect. The credits to be applied to the per kilowatt-hour, per kilowatt, and per therm delivery rates are shown on a Statement for each tariff Schedule, available at nyseg.com.

Honor a special military service person on Veterans Day in The Buffalo News. SUNDAY, NOV. 11. Includes: Military graphic, 10 lines, \$5.49 each additional line. \$59. Place a VETERANS DAY MESSAGE. CALL 856-5555. Monday-Friday, 8 a.m.-8 p.m. Ad must be placed by Thursday, Nov. 8 by 4 p.m.



CONTINUED FROM THE COVER

Friend of victim, a fellow priest, was slain 6 years prior

CASE • from A1

who was a close friend of one of the police investigators on the case – said they believe there was a cover-up. They allege the investigation was shut down when another priest emerged as a potential suspect.

“From everything I know of this case, I believe there was a cover-up, and I think it’s terrible,” said the retired judge, Timothy J. Drury.

For at least a couple of weeks after the murder, Buffalo Police homicide detectives conducted an intense investigation that was reported on by the media, according to newspaper accounts and police reports.

Six days after the murder, then-Chief of Detectives Ralph V. Degenhart briefed reporters:

O’Connor was believed to have been killed between 4 and 6 a.m., eight to 10 hours before the boys found his body. He had last been seen alive around 9:30 p.m. the previous night, when he spoke briefly with a nun at the Sisters of St. Joseph Motherhouse on Main Street, where O’Connor lived. Police believed O’Connor went out sometime after that.

The clergyman’s new car was found on Lincoln Parkway, about a mile from his body. Some drops of blood – O-positive, O’Connor’s blood type – were found on the front upholstery.

Degenhart theorized that two men who may have known the priest attacked O’Connor in his car at an unknown location, then took him to the creek and dumped his body. Then, the killers drove the car to Lincoln Parkway and abandoned it. The priest’s wallet was missing, but the killers did not take his watch.

The immediate cause of death was drowning, but there were signs that O’Connor had been beaten. He had cuts on his head and chin, and his larynx – also known as the voice box – was fractured by blows to the neck.

O’Connor’s wire-rimmed glasses were found neatly folded up, on a Scajaquada Expressway guide rail not far from the body.

Detectives for two hours interviewed a “youthful business acquaintance” of the slain priest, but Degenhart said police were “thoroughly convinced” the young man had nothing to do with the murder.

O’Connor’s death was lamented by then-Bishop James A. McNulty, who called the murder “a shock ... a staggering blow.”

The Magnificat ran photographs of O’Connor with various dignitaries, including former President Harry S. Truman.

“He was a great man, a dedicated priest, a hardworking newspaper



Buffalo News file photo
Buffalo Police officers search Scajaquada Creek near Grant Street in Buffalo on March 16, 1966, for clues in the slaying of Monsignor Francis J. O’Connor, whose beaten body was found in the water three days earlier.

man, a wonderful human being,” said the Magnificat in an editorial. They called the Buffalo-born clergyman a scholar who was proficient at sign language and reading lips, skills he used to teach religion to youngsters at St. Mary’s School for the Deaf.

For weeks, the murder was a top story for the two daily newspapers, the old Buffalo Courier-Express and what was then called The Buffalo Evening News.

But then – very abruptly, according to Connelly and another elderly Buffalo priest – the investigation, and all news reports about it, seemed to come to a halt.

“It seemed like the investigation just stopped, all of a sudden, and it went no further,” recalled Connelly. “To me, it seems like everything was just hushed up because they had come to a certain point, and they didn’t want to take it any further. Believe you me, there were people in our diocese who had the power to make that happen.”

‘The case was shut down’

A Buffalo attorney, Richard J. Kubiniec, 84, told The News that a retired Homicide Squad detective, Edwin A. Gorski, once told him that there was a cover-up in the O’Connor case.

“I knew Eddie well ... About three years after he retired, he told me that he had been ordered to close the books on the O’Connor murder investigation, at some point after the murder,” Kubiniec said. “Eddie told me the investigation was zeroing in on another priest, who was about to be questioned as a person of interest, when the Homicide Squad was ordered to close it down.”

Gorski, a highly decorated homicide investigator, retired from the Buffalo Police in 1989 and died in 1997.

A retired police officer who insisted on anonymity said Gorski once told him that “the case was shut down” prematurely by his superiors when he began to investigate another priest as a possible suspect.

Drury said believes there was a cover-up based on conversations he had with a former homicide detective who worked closely with Gorski.

“A friend of mine who worked in homicide said Ed Gorski told him that he was ordered to shut down the investigation when they started looking at a priest as a suspect. Gorski told my friend that he had the goods on this other priest,” said Drury, 77, who also is a former homicide prosecutor with the Erie County District Attorney’s Office. “I worked with Ed

Gorski on many homicide cases. He was one of the most credible investigators I ever met. If he told that to people, I would believe him.”

Drury declined to name the retired investigator who spoke to him.

Sister Regina Murphy, chancellor of the Buffalo Diocese, said O’Connor’s file in the diocesan archives contained “nothing that would give any insight into his murder.” “Unfortunately, the crime became a cold case,” she said.

The News could not independently verify the cover-up allegations. No detectives involved in the 1966 probe are alive. Current Buffalo Police officials said they cannot determine what happened in an investigation more than a half century ago.

In response to a Freedom of Information request from The News, Buffalo Police provided a redacted file on the O’Connor investigation, but large portions of it are missing. There are no reports written about the monsignor’s body being found or any reports on interviews conducted in the first two weeks after the body was found. The file contains 30 reports on interviews conducted by detectives between March 28 and May 3, 1966. There were no reports after that.

The reports show that police did interview many people – including

patrons and bartenders at several taverns, two mental patients, associates of a biker gang and a young man who had worked for O’Connor at the diocese newspaper. But the reports indicate that everyone questioned – including two men who took lie detector tests – was cleared.

Reports show that detectives were looking into the priest’s friendships and associations, trying to find out where he was going when he left his residence in nonclerical clothing the night he was killed. The file also showed that police were trying to get a match for several fingerprints found on the victim’s car.

Connelly, the 97-year-old priest, recalled that two Buffalo homicide detectives came to his rectory to talk with him about two weeks after the murder.

“They asked me about a young man who had worked with Monsignor O’Connor,” Connelly recalled. “I was serving at a parish in Arcade, and this young man had come to see me after the murder. He was extremely nervous and kept going to the bathroom, five or six times, but he never explained why he came. The detectives asked me a lot of questions about him, but he was never charged with anything.”

There was another disturbing angle to the O’Connor murder. One of his best friends – a fellow priest – was also murdered, six years earlier.

Father Vincent L. Belle, 37, was shot to death on New Year’s Day 1960 as he prepared to leave Holy Cross Church to visit and administer Holy Communion to people who were sick and unable to attend church. An elderly Buffalo man was charged with the murder and later acquitted at trial.

According to Connelly and other priests, Belle and O’Connor were the best of friends. Newspaper reports say O’Connor was the executor of Belle’s will.

“Two close friends murdered ... so tragic,” Connelly said.

There has never been any suggestion by police that the two cases were connected.

Although O’Connor was slain more than 52 years ago, Buffalo Police say the investigation remains open. If they were 25 at the time of the crime, the killer or killers would now be around 77 years old.

“Who would murder a priest? That really bothered me,” said Borruso, one of the boys who found the monsignor’s body. “Every time I think about it, I say a prayer for that priest.”

Anyone with information about the case may call the Buffalo Police confidential tip line at 847-2255.

News reporter Maki Becker contributed to this story.

‘Urgency’ of crisis reiterated

BISHOPS • from A1

bishops regarding sex abuse of a minor or adult or negligence related to such cases.

The Catholic Church in the U.S. is in the midst of its biggest sex abuse scandal since the Boston Globe in 2002 exposed a massive cover-up of abuses in the Archdiocese of Boston, which led to a landmark meeting of bishops in Dallas to craft new rules mandating that any priest who offends against children be ousted from ministry.

Archbishop Christophe Pierre, Pope Francis’ representative in the U.S., said that changes implemented by the bishops in 2002 have led to a steep decline in the incidence of reported abuse today.

He also said that training programs used in dioceses to prevent abuse have in some cases become models for civil institutions.

“Despite the success of these efforts, there is not a corresponding increase in public approval of bishops, and given some recent revelations, perhaps none should be expected,” said Pierre. “Trust needs to be earned, not presumed.”

Following DiNardo’s announcement, Cardinal Blaise J. Cupich of the Archdiocese of Chicago urged his fellow bishops to not shy away from addressing the abuse crisis immediately.

“It is something we cannot delay. There is an urgency there,” said Cupich.

Tiniest species of ape ever found hints at the rise of monkeys

By NICHOLAS ST. FLEUR
 NEW YORK TIMES

A tiny fossilized molar found nestled in the sweltering shrub land of Kenya’s Tugen Hills belonged to what may be the smallest species of ape yet discovered, according to a new study. The newly identified extinct species, Simiolum minutus, weighed only about 8 pounds, or slightly less than an average house cat.

Dwarfed by today’s gorillas, chimpanzees and orangutans, the miniature ape was possibly a casualty of natural selection, unable to compete with colobine monkeys that dined on the same leaves in trees some 12.5 million years ago.

“They were trying to do what colobines were doing, which was foolish because no one had that same equipment,” said James Rossie, a paleoprimateologist at Stony Brook University in New

York, referring to the monkeys’ digestive abilities.

Rossie found the tooth in 2004 with a colleague, Andrew Hill from Yale University. Their finding, which was published online recently in the Journal of Human Evolution, provides insight into one aspect of an arms race between ancient apes and monkeys during the mid-to-late Miocene epoch some 6 million to 14 million years ago.

Before then, ape species dominated the landscape, easily outnumbering monkey species. For some reason, that flipped during this window, as ape diversity crashed and the number of monkey species exploded.

Today there are more than 60 colobine monkey species munching on leaves across Asia and Africa, including the lutungs, the bulbous-nosed proboscis monkey and the snub-nosed monkey.

The reason so many apes,

including the small-body apes like Simiolum, disappeared is not clear.

The prevailing hypotheses are that they died out because of competition from monkeys and environmental changes. Echoes from whatever happened during that period are still felt today as there are only about 20 species of apes, in contrast with more than 130 species of Old World monkeys in Africa and Asia.

When Rossie found the molar, he and Hill realized that it looked similar to two teeth in a museum that had been collected in the 1970s and 1980s.

The molar measured about 0.15 inches across. From the teeth, Rossie was able to extrapolate the size of the new ape’s jaw and body size, which were smaller than any living or known extinct species.

The smallest living ape is the gibbon, which weighs between 10 and 30 pounds.

New York State Electric & Gas Electric Corporation (NYSEG)

NYSEG has filed tariff revisions September 26, 2018 with the New York State Public Service Commission (PSC) to implement a tax credit associated with the Tax Cuts and Jobs Act of 2017, to become effective October 1, 2018. These tariff revisions reflect a \$22.9 million reduction in electricity delivery rates and a \$8.6 million reduction in natural gas delivery rates. The delivery rates for service that appear on a customer’s bill shall be adjusted to reflect the tax credit.

Customers may see some charges prorated on an October or November bill to take into account energy delivered before and after the tax credits went into effect.

The credits to be applied to the per kilowatt-hour, per kilowatt, and per therm delivery rates are shown on a Statement for each tariff Schedule, available at nyseg.com.

LOOK FOR

[BN] BARGAINS

- Easier to find
- Easier to read
- Easier to save

Find BN Bargains in the
SUNDAY, DEC. 2
BUFFALO NEWS!*

*HOME DELIVERY ONLY

THINK SAFETY!

For convenient home delivery, call 842-1111
 or visit BuffaloNews.com/subscribe.

THE BUFFALO NEWS

The Buffalo News (ISSN 0745-2691) is published daily and Sunday at a price of \$399.00 per year by The Buffalo News, Inc., One News Plaza, Buffalo, New York 14240. Periodicals postage paid at Buffalo, N.Y. POSTMASTER: Address changes to THE BUFFALO NEWS, ONE NEWS PLAZA, P.O. BOX 100, BUFFALO, N.Y. 14240

©Vol. CCLXXVII No. 34

SUBSCRIBER SERVICES DEPARTMENT:

Monday-Friday, from 6 a.m. to 4 p.m.
 Saturdays 6-9 a.m. • Sundays 8-11 a.m.
 Erie County (Main Number) 842-1111
 All Other Areas (Toll Free) (800) 777-8640

HOME DELIVERY RATES PER MONTH

Daily & Sunday (7 Days) \$28.25*
 Thurs., Fri., Sat., Sun. \$25.50*
 Sun. Only \$19.75*
 (Rates include full digital access.)

*The Buffalo News publishes and delivers up to 12 holiday editions to ALL of its subscribers, including: New Year's, Martin Luther King Jr. Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving and Christmas. Holiday editions may not be scheduled for the actual date of the holiday. Some holiday editions are scheduled for the preceding or following weekday. All non-7 day subscriptions will include delivery of the holiday editions. There will be an additional cost equal to that of the newsstand price for that day if the holiday occurs on a day not normally scheduled for delivery. Additionally, all subscriptions may include up to four Premium publications per year. For each Premium publication, you may be charged the equivalent of the newsstand price for that edition.

SINGLE COPY RATES

Daily \$1.50
 Sunday \$3.50

UNDELIVERED OR DAMAGED PAPER?

Delivery of a replacement copy is available in designated areas of Erie and Niagara counties by calling our Subscriber Services Department before 8 a.m., Monday-Saturday; and before 11 a.m. on Sunday. Requests for credit due to service-related issues must be made within 5 days of the incident.

NEWS DEPARTMENT:

Erie County (Main Number) 849-4444
 All Other Residents (Toll Free) (800) 777-8680

PUBLIC SERVICES:

Back Copies 849-5506
 General Office 849-3434

TO PLACE ADVERTISING:

Celebrations Announcements 856-5555
 Birthdays 849-4489
 Classified Advertising 856-5555
 Death Notices 856-5555
 Obituaries 849-4109
 Outside Erie County (Toll Free) (800) 777-8653
 Advertising Services 849-3461
 Display Advertising 849-3411

The Buffalo News accepts VISA, MasterCard, American Express and Discover. To make classified advertising payments call 856-5555.

For circulation subscription payments, call 842-1111.

WASHINGTON NEWS



New York Times

President Trump signs the tax bill last year at the White House. The \$1.5 trillion tax cut was supposed to be a selling point for congressional Republicans in the midterms. Instead, it may have hurt Republicans in high-tax districts.

Did a tax increase tucked into Trump's tax cut come back to bite Republicans?

By JIM TANKERSLEY
AND BEN CASSELMAN

NEW YORK TIMES

WASHINGTON — President Trump's \$1.5 trillion tax cut was supposed to be a big selling point for congressional Republicans in the midterm elections. Instead, it appears to have done more to hurt, than help, Republicans in high-tax districts across California, New Jersey, Virginia and other states.

House Republicans suffered heavy Election Day losses in districts where large concentrations of taxpayers claim a popular tax break — the state and local tax deduction — which the law capped at \$10,000 per household. The new limit resulted in an effective tax increase for high-earning residents of high-tax states who claim more than \$10,000 per year in SALT.

Democrats swept four Republican-held districts in Orange County, Calif., where at least 40 percent of taxpayers claim the SALT tax break, defeating a pair of Republican incumbents and winning seats vacated by Reps. Ed Royce and Darrell Issa. Those districts include longtime Republican strongholds, like Newport Beach, and rank among the country's largest users of the state and local tax break.

Rep. Barbara Comstock lost a seat in Northern Virginia, where more than half of taxpayers claim the SALT deduction, by nearly 13 points. Rep. Erik Paulsen of Minnesota, a huge champion of the tax bill, lost by about the same margin in a district where 40 percent of taxpayers claim the deduction.

"The state and local tax deduction being capped at \$10,000 hurt a lot of people in our district and our state," Mike Levin, a Democrat who won an open seat that was pre-

viously held by Issa, said in an interview shortly before the election.

The SALT cap may not have been the primary motivation for voters in choosing Democratic candidates. But a review of polling data over the past year suggests that the limit has some key Republican constituencies feeling bittersweet about the new law — and more willing to back Democrats in House elections.

New Jersey Democrats wasted little time after the election to begin pushing to lift the SALT cap. On Monday, Reps. Bill Pascrell and Josh Gottheimer called for reinstatement of the full deduction, in a news conference in front of a salt depot in Ramsey, N.J.

Before the new law, taxpayers could deduct the full amount of state and local taxes — including income and property taxes — they paid each year from their federal tax returns. The deduction particularly benefits high earners who are more likely to itemize their deductions, instead of claiming the standard deduction. And it tends to benefit taxpayers in more liberal states, like New York and California, where tax rates are often higher.

It also costs the federal government billions of dollars each year and lawmakers looked to limit the tax break to help pay for the \$1.5 trillion tax cut. The cap is expected to generate about \$70 billion per year, according to the Tax Policy Center.

In their first draft of a tax bill last year, House Republicans proposed to scrap the deduction entirely. That caused an outcry from several Republican lawmakers who represent high-tax districts in New Jersey and California. Even after party leaders offered the \$10,000 cap as a compromise,

several of those Republicans voted against the final bill, saying it would raise taxes for their constituents.

Rep. Dana Rohrabacher, R-Calif., in an op-ed column explaining his 'no' vote, said that the law "would raise taxes for many of my constituents."

Rep. John J. Faso, R-N.Y., complained in a news release that the SALT cap "impacts New York families more severely than those in other states."

Rohrabacher and Faso lost their seats, as did Leonard Lance of New Jersey, who similarly voted against the tax bill.

The law, as enacted, cuts taxes for most Americans in the first year. But about 2 million Americans who claim more than \$10,000 a year under SALT will see a net tax increase this year from the law, according to the independent Tax Policy Center in Washington. They account for about 1 percent point of the 6.3 percent of taxpayers who will see a tax increase this year from the changes to the individual tax code, the center's data shows. Analyses suggest that group skews heavily toward households earning \$200,000 or more.

In the months leading up to the election, the online research platform SurveyMonkey interviewed nearly 30,000 registered voters about their opinions on the tax law, their voting intentions and other topics. A New York Times analysis of that data suggests that the cap on the SALT deduction may have had a significant effect on voters' views of the tax law — and perhaps even on how they voted.

Voters in areas where a large share of households take the SALT deduction were significantly more likely to say that they opposed the tax law. That was true even controlling for factors like educa-

tion, income and partisanship. Even among Republicans, the tax law was significantly less popular in ZIP codes where a large share of households took the SALT deduction in 2016.

Voters in those areas were also more likely to say they planned to support Democratic candidates in the midterms, although it is unlikely enough votes were swayed to affect the outcome in all but the tightest of congressional races. (Other factors, such as education, gender and race had a far bigger impact.)

By contrast, there is essentially no evidence that other elements of the tax law helped Republicans. Republican incumbents fared no better in districts where voters got larger tax cuts, for example. And a majority of independent voters said they opposed the law, according to the SurveyMonkey data. Republicans struggled in the suburbs in the midterms, for many reasons — chief among them a growing dislike for Trump among voters who graduated from college, especially women.

Those losses included a drubbing in the districts where the SALT deduction is most heavily claimed. Democrats won 10 of the 20 Republican-held districts where the largest proportion of taxpayers claim the deduction, including seats in California, Virginia and New Jersey.

Some Democratic challengers in those districts criticized the SALT limit on the campaign trail.

Still, there is little evidence to suggest that SALT alone tipped those districts toward Democrats, who largely focused on health care in their policy pitch to voters.

The SALT provision appears to have gone largely unmentioned in Democratic attack ads, according to researchers.

In a Texas horse race, Will Hurd wins re-election to House

By MANNY FERNANDEZ
NEW YORK TIMES

HOUSTON — The Democratic challenger trying to unseat Rep. Will Hurd, a two-term Republican congressman in the Texas border region, conceded the race Monday, ending a nearly two-week dispute over the counting of provisional and other ballots in a tight race and sealing Hurd's re-election.

Hurd's majority-Hispanic district has been a hard-fought battleground for Democrats and Republicans. The 23rd District spans a wide swath of Far West Texas, including parts of San Antonio and some smaller border towns. The seat has flipped five times between Republicans and Democrats since the early 1990s, and Democrats were eager to make it six.

As it turned out, the race was so close that it took days of ballot examinations to determine the outcome.

Hurd and his opponent, Gina Ortiz Jones, a former Air Force intelligence officer finished the election with one of the tightest vote margins in the state.

Hurd had received 49.2 percent of the vote and Jones got 48.6 percent, with 1,150 votes separating the two candidates, according to state elections officials.

Hurd had declared himself the winner, but Jones said the election was far from over and refused to concede.

Her campaign waited as an unknown number of ballots were tallied in more than two dozen counties and went to court seeking a two-day extension to get the job done. The postelection limbo paralleled, on a smaller scale, the vote-counting controversy unfolding in Arizona, Florida and Georgia.

At the center of the Texas case was the counting of absentee, military and overseas ballots sent in by mail as well as provisional ballots, which are effectively temporary votes that are not yet official.

Jones and her campaign's lawyers challenged vote-total changes and the handling of the provisional ballot process by elections administrators in Medina County and in San Antonio's Bexar County.

In one moment that illustrated the lingering state of uncertainty over the election,

Jones went to Washington last week and attended a freshman orientation for incoming members of the House of Representatives, even though she had not actually won election to Congress. She joined the freshman class for a group photo outside the Capitol.

But in a statement released Monday, Jones conceded the race to Hurd.

"While we came up short this time, we ran a race of which we can be proud," she said. "I remain committed to serving my community and country, and I wish Will Hurd the courage to fight for TX-23 in the way in which our district deserves."

The race opened a window on the increasing diversity of Texas politics. Hurd is the first black Republican to represent Texas in Congress. Jones was seeking to become the country's first Filipina-American congresswoman and the state's first openly gay or lesbian member of Congress.

The outcome was a belated boost to Texas Republicans.

While Republicans won many local, state and federal races in the midterm election and maintained their overall dominance of Texas politics, the state's Democrats performed better than they had in decades, largely a result of a "Beto effect" — the uptick in voter turnout and enthusiasm created by Rep. Beto O'Rourke's high-profile underdog campaign, ultimately unsuccessful, to unseat Sen. Ted Cruz.

Texas Democrats flipped 16 state and federal seats to blue from red: 12 in the state House, two in the state Senate and two in Congress. In addition, some of the state's most outspoken far-right politicians had surprisingly narrow victories, including Lt. Gov. Dan Patrick, who was the Texas chairman of President Trump's campaign in 2016.

Hurd, a former CIA officer who is one of the few African-American Republicans in Congress, is regarded as one of the more moderate members of the state's Republican delegation.

He has spoken against Trump's planned border wall and co-authored a bill earlier this year to both protect the undocumented young immigrants known as Dreamers from deportation and strengthen border security.

For convenient home delivery, call 842-1111
or visit BuffaloNews.com/subscribe.

THE BUFFALO NEWS

The Buffalo News (ISSN 0745-2691) is published daily and Sunday at a price of \$339.00 per year by The Buffalo News, Inc., One News Plaza, Buffalo, New York 14240.
Periodicals postage paid at Buffalo, N.Y. POSTMASTER: Address changes to THE BUFFALO NEWS, ONE NEWS PLAZA, P.O. BOX 100, BUFFALO, N.Y. 14240

©Vol. CCLXXVII No. 41

SUBSCRIBER SERVICES DEPARTMENT:

Monday-Friday, from 6 a.m. to 4 p.m.
Saturdays 6-9 a.m. • Sundays 8-11 a.m.
Erie County (Main Number) 842-1111
All Other Areas (Toll Free) (800) 777-8640

HOME DELIVERY RATES PER MONTH

Daily & Sunday (7 Days) \$28.25*
Thurs., Fri., Sat., Sun. \$25.50*
Sun. Only \$19.75*
(Rates include full digital access.)

*The Buffalo News publishes and delivers up to 12 holiday editions to ALL of its subscribers, including: New Years, Martin Luther King Jr. Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving and Christmas. Holiday editions may not be scheduled for the actual date of the holiday. Some holiday editions are scheduled for the preceding or following weekday. All non-7 day subscriptions will include delivery of the holiday editions. There will be an additional cost equal to that of the newsstand price for that day if the holiday occurs on a day not normally scheduled for delivery. Additionally, all subscriptions may include up to four Premium publications per year. For each Premium publication, you may be charged the equivalent of the newsstand price for that edition.

SINGLE COPY RATES

Daily \$1.50
Sunday \$3.50

UNDELIVERED OR DAMAGED PAPER?

Delivery of a replacement copy is available in designated areas of Erie and Niagara counties by calling our Subscriber Services Department before 8 a.m., Monday-Saturday; and before 11 a.m. on Sunday. Requests for credit due to service-related issues must be made within 5 days of the incident.

NEWS DEPARTMENT:

Erie County (Main Number) 849-4444
All Other Residents (Toll Free) (800) 777-8680

PUBLIC SERVICES:

Back Copies 849-5506
General Office 849-3434

TO PLACE ADVERTISING:

Celebrations Announcements 856-5555
Birthdays 849-4489
Classified Advertising 856-5555
Death Notices 856-5555
Obituaries 849-4109
Outside Erie County (Toll Free) (800) 777-8653
Advertising Services 849-3461
Display Advertising 849-3411

The Buffalo News accepts VISA, MasterCard, American Express and Discover. To make classified advertising payments call 856-5555. For circulation subscription payments, call 842-1111.

Mueller's team defends his legitimacy

By ANN E. MARIMOW
WASHINGTON POST

WASHINGTON — The elevation of Matthew Whitaker to acting attorney general does not affect special counsel Robert Mueller's eligibility to lead the investigation into Russian interference in the 2016 presidential election, Mueller's team said in a court filing Monday.

The special counsel's office was responding to an inquiry from the U.S. Court of Appeals for the District of Columbia Circuit in a case brought by Andrew Miller, an associate of Roger Stone, a longtime adviser to President Trump.

The case challenges the constitutionality of Mueller's position and centers on who is doing what job at the Justice

Department and oversight of the 18-month-long probe.

After oral argument this month, a three-judge panel asked Mueller and Miller to address implications for the case of the forced resignation of attorney general Jeff Sessions — and the man the president picked to succeed him, Whitaker. Whitaker is now supervising the special counsel probe and facing separate court challenges over whether his appointment is valid.

"The designation has no effect on the case," Mueller's team said of Whitaker's new position. "The validity of the Special Counsel's appointment" in May 2017 "cannot be retroactively affected by a change in the official who is serving as the Acting Attorney General."

Miller, the former Stone assistant, is trying to block a grand-jury subpoena from Mueller and has refused to testify. His attorney said Monday that Whitaker's replacing Sessions does not affect Miller's argument that Mueller was named unlawfully, in violation of the appointments clause of the Constitution. The special counsel's prosecutorial powers are too broad and the office is not subject to "substantial supervision and oversight," according to Miller's lawyer Paul Kamemar.

Mueller was appointed in May 2017 by Deputy Attorney General Rod Rosenstein after Trump fired FBI Director James Comey. Rosenstein got involved because Sessions had recused himself from matters involving the campaign. Mueller's team detailed in court

how Rosenstein, who was confirmed by the Senate, has directly supervised the investigation as envisioned under the special counsel guidelines.

New York State Electric & Gas Electric Corporation (NYSEG)

NYSEG has filed tariff revisions September 26, 2018 with the New York State Public Service Commission (PSC) to implement a tax credit associated with the Tax Cuts and Jobs Act of 2017, to become effective October 1, 2018. These tariff revisions reflect a \$22.9 million reduction in electricity delivery rates and a \$8.6 million reduction in natural gas delivery rates. The delivery rates for service that appear on a customer's bill shall be adjusted to reflect the tax credit.

Customers may see some charges prorated on an October or November bill to take into account energy delivered before and after the tax credits went into effect.

The credits to be applied to the per kilowatt-hour, per kilowatt, and per therm delivery rates are shown on a Statement for each tariff Schedule, available at nyseg.com.