

"All the News That's Fit to Print."

The New York Times.

THE WEATHER

Today fair; tomorrow cloudy, probably followed by showers by night. Temperature yesterday—Max. 67, min. 50. For weather report see Page 59.

VOL. LXXVI...No. 25,819.

NEW YORK, SATURDAY, MAY 21, 1927.

TWO CENTS in Greater | THREE CENTS | FOUR CENTS Elsewhere in the U. S.

LINDBERGH SPEEDS ACROSS NORTH ATLANTIC, KEEPING TO SCHEDULE OF 100 MILES AN HOUR; SIGHTED PASSING ST. JOHN'S, N. F., AT 7:15 P. M.

LOWMAN GETS POST AS ANDREWS QUILTS IN BIG DRY SHIFT

Mellon, in Same Stroke, Names Chief Chemist Doran Commissioner in Place of Haynes.

STEP TO CHECK FRICTION

Andrews Will Retire Aug. 1 With Work Completed—Haynes Is Forced Out in Shake-Up.

MOVE SATISFIES ALL SIDES

Both Nominees Are on Record as Prohibition Advocates and Are Acceptable to Dry League.

Special to The New York Times.

WASHINGTON, May 20.—In the most drastic overturn in the history of dry enforcement, which is expected to lead to further changes in the Washington headquarters as well as in the field, Secretary Mellon at one stroke today accepted the resignation of General Lincoln C. Andrews of New York, as Assistant Secretary of the Treasury in charge of prohibition enforcement, and appointed a successor to Major Roy A. Haynes of Ohio, the Acting Commissioner of Prohibition.

Mr. Mellon designated Seymour W. Lowman, former Lieutenant Governor of New York, for Presidential appointment to the post of General Andrews and named Dr. James M. Doran of North Dakota, now Chief Chemist of the Prohibition Unit, to be Prohibition Commissioner in place of Major Haynes.

End of Factionalism Expected.

Hope was expressed today by Administration officials that the retirement of General Andrews and Major Haynes would end the factionalism in the Prohibition Bureau, which, in their opinion, has tended to lessen the efficiency of enforcement. Major Haynes, a former officer of the Anti-Saloon League, has been at swords' points with his Treasury superiors for years and the law enforcement work of General Andrews has been frequently criticized by Wayne B. Wheeler and others associated with the Anti-Saloon League.

Major Haynes's failure to land the Prohibition Commissioner's post is regarded as a defeat for the Anti-Saloon League and a victory for dry leaders who do not train with the Wheeler organization. At the same time league officials take comfort from the prospective retirement of General Andrews, whom they have long regarded as "unfriendly" to their purposes.

Party Chiefs Sponsored Lowman.

Mr. Lowman was endorsed for the assistant secretaryship by National Committee-men Hillis and Ogden L. Mills, Under Secretary of the Treasury. He was the running mate of Mr. Mills on the Republican gubernatorial ticket in New York last year, and has a record as a dry that makes him acceptable to most of the dry leaders. He was originally considered for Commissioner of Prohibition, but a switch was made when General Andrews gave notice of his resignation.

It is assumed here that Secretary Mellon consulted with the President before he announced his designation of Mr. Lowman. Mr. Lowman will come to Washington on June 1 to familiarize himself with the duties of his new office, but he does not expect to be sworn in until General Andrews quits, on Aug. 1.

No provision has been made for Mr. Haynes to remain in the dry service and he is expected to resign forthwith. He is now functioning as "Acting Commissioner" under a temporary arrangement that became effective under the reorganization law on April 1. Herbert D. White, special investigator, probably will be named Assistant Commissioner. James E. Jones and L. G. Nutt, who were appointed Deputy Commissioners in April, will remain in those positions at least for the present.

Mellon Stresses Promotion System.

In announcing the appointment of Dr. Doran, Secretary Mellon stated that because of his long service and intimate knowledge of the work, Dr. Doran was well qualified for the post of Commissioner that became effective April 1.

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'Too Old,' Says Hughes at 65, To Run for the Presidency

Declaring that he was "too old to run for President," Charles Evans Hughes, after feasting in the morning papers yesterday of a movement to start a Hughes boom in the event that President Coolidge should decide not to become a candidate for re-election, issued a statement declaring he would not accept a nomination. He was 65 years old April 11.

"I know nothing of the movement to which reference is made," Mr. Hughes said. "There should be no doubt as to my own attitude. I am for President Coolidge, first, last and all the time, and I believe that he will be renominated and re-elected. I do not wish my name to be used in any contingency. I am too old to run for President and I would neither seek nor accept the nomination."

SINCLAIR SENTENCED TO 3 MONTHS IN JAIL

Oil Man Is Also Ordered to Pay \$500 Fine for Refusing to Reply to Senators.

APPEALS AND GIVES BOND

Littleton Argues in Vain That His Client Exercised His Constitutional Rights.

Special to The New York Times.

WASHINGTON, May 20.—Harry F. Sinclair, oil operator, under indictment with former Secretary Fall for conspiracy to defraud the Government, was sentenced today to serve three months in jail and to pay a fine of \$500 on a charge of contempt of the Senate committee which investigated the naval reserve oil leases. Immediately after Justice William Hitz pronounced the sentence in the District of Columbia Supreme Court, Sinclair gave bond in the sum of \$5,000 pending appeal to the Appellate Court.

The penalty was imposed notwithstanding the plea by Martin W. Littleton, Sinclair's counsel, that the Court do nothing which would humiliate, shame, disgrace, mortify or worry his client, and despite Mr. Littleton's argument that the entire proceedings, beginning with Mr. Sinclair's appearance before the Senate committee March 22, 1924, and ending with the sentence, were "irregular."

Mr. Sinclair was originally charged with refusing to answer nine questions by the Senate committee regarding the lease of the Teapot Dome reserve in Wyoming by his Mammoth Oil Company. Sinclair's counsel filed a demurrer, and the number of questions was reduced to six.

A special appeal was then allowed, but the progress of this was blocked by the Walsh bill, initiated by Senator Walsh of Montana, "prosecutor" for the Senate committee, and designed to prevent appeals from interlocutory orders of the criminal courts. Following the passage by Congress of the Walsh bill, Sinclair was tried in April and sentenced. The number of questions involved was reduced at the trial to four.

No Crime, Says Littleton.

When Sinclair stood up for sentence, he declared that he had nothing to say. Mr. Littleton, however, related the history of similar cases, and stated that when he advised Mr. Sinclair to refuse to answer the Senate committee's questions he was not giving his client a "horseback opinion," but an opinion which was founded on substantial law.

"My client has done nothing to warrant this proceeding," he said. "The question of the right of either house of Congress, acting separately or together, to compel a citizen to testify has never been definitely decided and, in fact, the United States Supreme Court in the case of Kilbourne versus Thompson deliberately refused to decide that question."

"The committee which summoned Mr. Sinclair was denied nothing, nor did he impose a single obstruction in the path of the committee. There is no crime committed here, no offense involving moral turpitude—merely a citizen of the United States who had and exercised a right which belongs to every American gentleman."

The Four Questions Asked.

The four questions which Mr. Sinclair declined to answer, on advice from Mr. Littleton, and which were included in the indictment, follow: By Senator Walsh—Mr. Sinclair, I desire to interrogate you about matters concerning which the committee had no knowledge of or reliable information.

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LINDBERGH LEAVES NEW YORK AT 7:52 A. M.

With Cool Determination He Braves Death to Get Off in the Misty Dawn, Winning Out by Luck and Skill.

PLANE FALTERS AND THEN RISES AND IS OFF

Hundreds Gasp as Unconquerable Youth by Sheer Wizardry Lifts Machine Carrying 5,200-Pound Load, With Failure a Few Yards Off.

By RUSSELL OWEN.

Staff Correspondent of The Times, Who Reported the Polar Flights of Byrd and Amundsen.

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A sluggish, gray monoplane lurched its way down Roosevelt Field yesterday morning, slowly gathering momentum. Inside sat a tall youngster, eyes glued to an instrument board or darting ahead for swift glances at the runway, his face drawn with the intensity of his purpose.

Death lay but a few seconds ahead of him if his skill failed or his courage faltered. For moments, as the heavy plane rose from the ground, dropped down, staggered again into the air and fell, he gambled for his life against a hazard which had already killed four men.

And then slowly, so slowly that those watching it stood fascinated, as if by his indomitable will alone, the young pilot lifted his plane. It dipped and then rose with renewed speed, climbing heavily but steadily toward the distant trees.

The spirit of unconquerable youth had won, and "Slim" Lindbergh was on his way to Paris.

All the romance which had surrounded this boy since his meteoric flight here from the Pacific Coast a week ago reached its climax in that take-off. The uncertainty of it, the frightful disaster which threatened him, the quick recoveries which showed a cool, keen mind fighting for mastery, made veteran pilots gaze in fascination.

"God be with him!" exclaimed Commander Byrd fervently, when at last it seemed that Lindbergh was safely on his way.

The boyish, smiling lad, with the quiet confidence of bravery and belief in his own ability, has won the hearts of every one who came near him. Until two weeks ago he was hardly considered a factor in the race to be first through the air to Paris, that long, treacherous flight of 3,600 miles. And then he came on with speed of the wind, making only one stop between the Pacific Coast and New York, and while rival camps squabbled over money or worked through long, tedious tests, Lindbergh rolled his plane out in the gray dawn and got away, all alone.

Youth Breaks All Barriers.

It may not have been the safest kind of flying; perhaps it was only a daring gesture, but it was magnificent. It was youth refusing to admit obstacles, breaking down barriers, and it brought him luck. For even as Lindbergh prepared his plane the fog that had choked his path to Newfoundland rolled back, and all the way from New York to Europe stretched a clear path of fair weather, with gentle favoring winds. Even the sun came out as he started, and it seemed that the fates which deal with brave men's lives were smiling at the youth who had defied them.

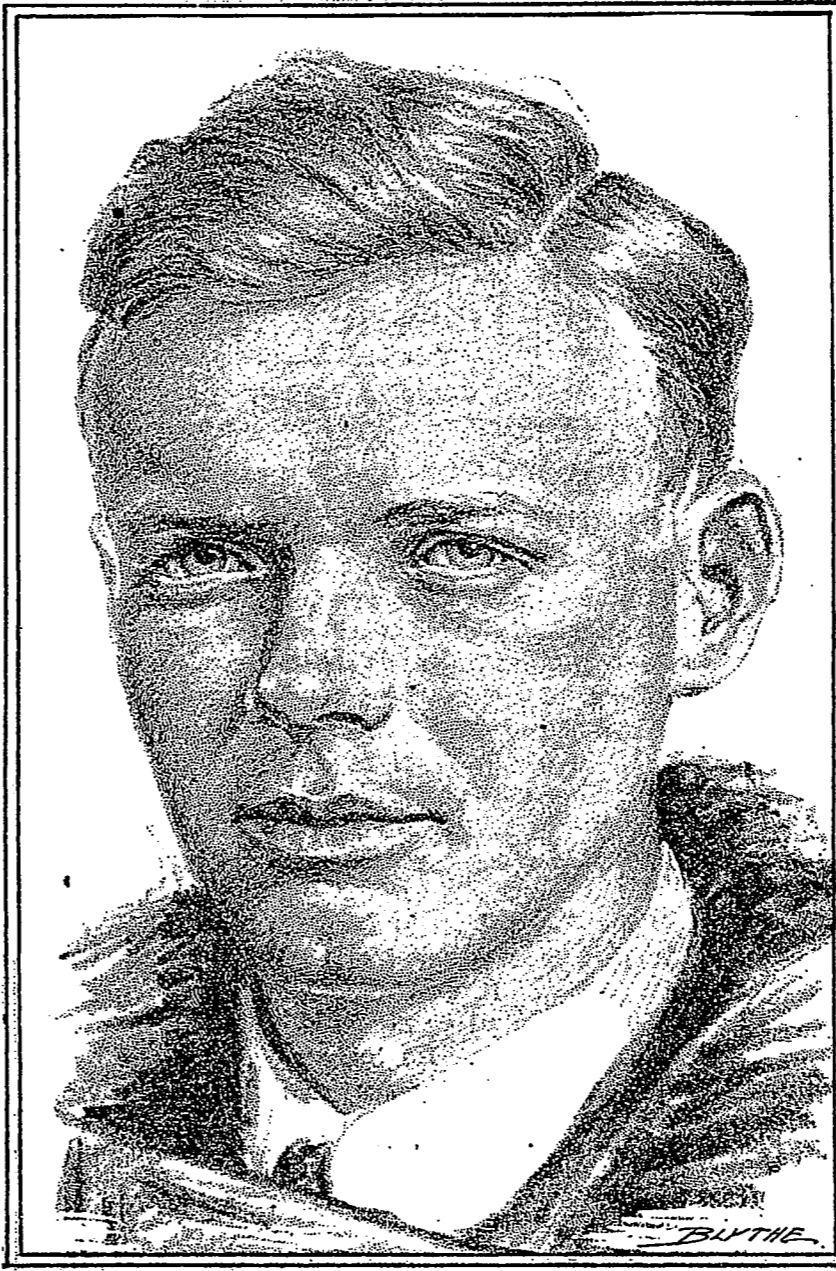
When Lindbergh made his decision to start just before midnight on Thursday, it seemed the height of folly. Heavy fog settled over Roosevelt Field under inky black skies which dripped slow drops of rain. It was dismal and threatening. But the young pilot, who has guided his temerity with a keen and thoughtful mind, saw in the late weather reports the possibility that the skies might clear to the north. All he needed was one look at Newfoundland before he left the land for his long, weary flight across the sea which had already claimed Nungesser and Coli.

The huge hangar in which his plane was housed was closed to every one except the mechanics, who went over the plane with zealous care and partly filled the gasoline tank. Lindbergh, after a parting word with them, went to the Garden City Hotel at midnight for a brief sleep. He lay down with orders that he be called at 2:15 o'clock in the morning, but before 2 o'clock he was downstairs.

While he had been resting weather reports indicated that the fog was lifting all along the coast, although it was depressingly wet at the field. The clouds had opened and poured down a short deluge, which left puddles in which shone the glare of many lights. Through a small opening in the hangar door the silver nose of Lindbergh's plane gleamed through the glancing rain drops.

Hundreds of people had gathered at midnight, but the rain drove many of them away. There were still about 500 standing patiently, disdaining soaked feet and drenched clothing, in the hope that they might see one of the great dramas of the

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CAPTAIN CHARLES A. LINDBERGH,

The First American Flyer to Start on the Flight Between New York and Paris.

LINDBERGH'S STORY FOR THE TIMES

When next heard from, Lindbergh will write the story of his great exploit especially for readers of The Times and certain associated world newspapers. It will appear in New York exclusively in The Times.

BELLANCA FLIGHT HELD BACK BY WIND

Hop, Set for Dawn, Is Called Off After All Preparations—Bertaud Writ Thrown Out.

LONE FLIGHT GRIPS FRENCH IMAGINATION

With Captain Lindbergh well on his way to Paris last night, those connected with the Columbia Aircraft Company's Bellanca monoplane Columbia made arrangements for a hop-off from Roosevelt Field at 4 o'clock this morning. Before midnight Charles A. Levine, backer of the company, made a definite statement that the Bellanca plane would start at daylight.

At 1:30 A. M., however, Clarence Chamberlin, senior pilot of the monoplane, announced that there would be no start today. "The weather report shows north-west winds, which would give us a head wind all the way to Newfoundland," he said. "We will not make the attempt today."

Levine's statement earlier in the evening was supplemented by additional information from a spokesman for him.

"After a conference at the Hotel Biltmore tonight between Charles A. Levine, Chairman of the Board of Directors of the Columbia Aircraft Corporation, and ex-Senator Charles Lockwood, representing Clarence D. Chamberlin, Mr. Levine decided that as a purely sporting proposition the flight should be made at once," the spokesman said.

He refused to reveal the name of the navigator who had been selected to replace Lloyd Bertaud and accompany Chamberlin on the flight. "The navigator," he said, "will not be announced until just before the flight."

Lloyd Bertaud was definitely grounded and eliminated from the flight by the decision of Supreme Court Justice Mitchell May in the Brooklyn Supreme Court yesterday.

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Strong Wind Is in His Favor.

ST. JOHN'S N. F., Saturday, May 21.—Strong westerly breezes, approaching gale force, were blowing here early tonight and marine authorities declared that they should be of great assistance to Captain Lindbergh in his transatlantic crossing.

Leaves American Continent.

SYDNEY, N. S., May 20.—Captain Lindbergh got his last sight of the American continent at 5 o'clock [4 o'clock Eastern Daylight Saving Time] this afternoon when he passed out into the Atlantic over Main-a-dieu, Cape Breton. The plane was flying low and at great speed, and her number, 211, was plainly visible to watchers with powerful glasses.

Should Lindbergh succeed in navigating through a fairly dense curtain over the Newfoundland banks he will have fair weather across the North Atlantic, ships at sea reporting good visibility with no indications of a storm within the next twenty-four hours.

Reaches Nova Scotia Coast.

HALIFAX, N. S., May 20.—Captain Lindbergh passed over Mulgrave on the Strait of Canso, which separates the mainland of Nova Scotia from Cape Breton Island, at 4:05 P. M. Atlantic Day Time [3:05 o'clock Eastern Daylight Saving Time]. He was flying high and the markings on his gray monoplane could not be seen.

Reaches Nova Scotia Coast.

YARMOUTH, N. S., May 20.—Captain Lindbergh passed over New Tusket, about forty miles from here, at 12:45 o'clock this afternoon [11:45 Eastern Daylight Time]. He was flying low, but traveling very fast.

Lindbergh Keeps to Schedule.

MIDDLEBORO, Mass., May 20.—A monoplane, believed to be that of Captain Lindbergh, was seen over West Middleboro about 9:15 this morning flying northeasterly. Chester Rice, clerk at the Middleboro police station, could not make out the letters on the wings, but is sure the numbers were 211.

Lindbergh Keeps to Schedule.

On the basis of the above dispatches, "Slim" Lindbergh is keeping as closely to his schedule as an express train at a speed

GETS HIS BEARINGS IN NEWFOUNDLAND

With the First Leg of His Flight to Paris Over, He Puts to Sea and Heads for Ireland

ALL OF THE "BREAKS" ARE IN HIS FAVOR

Fog Disperses, Weather Clears and Gentle Following Winds Help to Speed Him Along on His Hazardous Venture.

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ST. JOHN'S, N. F., May 20.—Captain Lindbergh's airplane passed over St. John's at 8:15 o'clock tonight [7:15 New York Daylight Saving Time]. It was seen by hundreds and disappeared seaward, heading for Ireland. It is assumed that it passed over Cape Race and places south of this in the dense fog which prevailed there all day.

It was flying quite low between the hills near St. John's and went east over the Signal Hill Station, following the track of Hawker and Greeve and also of Alcock and Brown on the first transatlantic flights eight years ago.

There was intense excitement during the passage of Lindbergh's plane, and citizens motoring in the suburbs or strolling on the country roads are coming back with tales of its transit. Many noted the fact that the flier seemed to be getting his bearing before setting out on the second leg of his flight.

Michael Sullivan, member of the Newfoundland Cabinet, saw the plane while motoring and followed its progress in his car on the road that leads to the signal station, keeping it in sight for several minutes, but when he reached the summit it had passed from sight, so great was its speed.

Robert Job, principal of the firm of Job Brothers, shipping merchants, also saw it and watched its course over the city. He could see it so distinctly as to notice that it had some letters on its side, though he could not make out words.

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It was estimated here that he might reach the Irish coast by daylight.

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