

signed solely to attempt to start a break in the McAneny ranks. McAneny Loses Strength. Dr. O. M. Waller, one of his supporters, left the room after the first ballot and did not return.

The third ballot resulted as follows: Mitchell, 34; Whitman, 29; McAneny, 25. On the fourth Whitman gained two votes at the expense of McAneny, giving him 31 and McAneny 23.

The fifth ballot showed no change for Mitchell, but Whitman gained two more votes from McAneny, giving him 33, to McAneny's 21.

On the sixth Mitchell gained two, making his showing 36 votes. Whitman dropped to 32 and McAneny to 20.

The seventh ballot resulted in the same vote cast in the sixth, and on motion of Joseph M. Price, the McAneny leader, an adjournment for ten minutes was taken.

The break in the McAneny support and the evident intention to caucus on the question of throwing his remaining 20 votes in a bunch to either one or the other of the other two candidates led to immediate claims by Mitchell and Whitman men.

The Progressives, under the leadership of William H. Hotchkiss, who was handling the Mitchell boom, declared they had at least 9 of the 20 McAneny votes, and 9 would give Mitchell enough to nominate, but the Whitman men were equally confident in claiming that they would gain the entire 20 from McAneny's ranks.

After the brief adjournment it appeared that the McAneny men had determined to stick to the Borough President for a short time at least. The eighth ballot, which was taken after a few speeches, resulted in the loss of 40 votes from Mitchell's total, which went to McAneny, Whitman remaining the same.

Mitchell 35, Whitman 32 and McAneny 21 was the count on the eighth ballot, but the ninth began to show the effects of the McAneny caucus upstairs.

President of the Aldermen, George McAneny; Borough President of Manhattan, Marcus M. Marks; Borough President of Brooklyn, Lewis H. Pounds; Borough President of The Bronx, Cyrus C. Miller; Borough President of Queens, Robert W. Higbie; Borough President of Richmond, George Cromwell; District Attorney of New York County, Charles S. Whitman.

For Mayor, George McAneny; Controller, William A. Prendergast; President of the Board of Aldermen, Marcus M. Marks; Borough President of Manhattan, Frank L. Polk; Borough President of Brooklyn, Lewis H. Pounds; Borough President of The Bronx, Cyrus C. Miller; Borough President of Queens, Robert W. Higbie; Borough President of Richmond, George Cromwell; District Attorney of New York County, Charles S. Whitman.

The platform committee's report, interjected at this point, was laid over until the candidates had been selected, and with the calls for "Question" on Mr. Bannard's motion it seemed likely that the balloting would be started without debate.

William M. Ivins objected to the rush, however, saying that he did not believe that "even Mr. Murphy would try to handle such a matter in that manner," and adding that if there was to be no consideration he thought he had better retire from the meeting.

Edward M. Bassett, speaking for McAneny, declared that the Borough President was the kind of candidate who would "wear best" and who "would keep growing all the time."

He spoke of McAneny's record in the Board of Estimate, his subway record, and the manner in which he had carried through the hard task of street widenings.

Henry Moskowitz, who had been selected to make the Mitchell speech, and who is a pronounced Progressive, said he felt it his duty to play "fusion politics," and in that attitude he announced he would continue to work for the success of the ticket, whoever was nominated.

"Mitchell is an available candidate. He is a Wilson Democrat, not an anti-Tammany Democrat, but a true blue Democrat," said Moskowitz. "His subway record is good. It has been charged that we, who have changed from McAneny to Mitchell, did so at the dictation of a newspaper. I say we have simply taken cognizance of an attitude, which happens to be represented by a newspaper."

He spoke of Mitchell's record in police matters, when he was acting Mayor, and admitting that police corruption and efficiency and economy would be the issues, declared that Mitchell would be the ideal candidate on those issues.

Henry L. Stimson, for Whitman, maintained the cardinal issue to be considered was to see to it there was no chance for a relapse to a Tammany government in this city.

Whitman's Record on Bench. He spoke of Whitman's constructive record as a magistrate, in the establishment of the night court, and of his service as legal adviser to Mayor Low. Then, turning to the police issue, he said he had perhaps gained a perspective on that because of his residence in Washington, and therefore being outside of New York at the time that was uppermost.

CHARLES S. WHITMAN. Who was named for District Attorney again.



Who the nominees for Borough President were to be. The leaders were obliged to submit the list for Mr. Mitchell's endorsement before he was satisfied that they were not selected with a partisan purpose.

During the campaign Mr. Mitchell and Mayor Gaynor never met. When the Mayor was holding his reception at the City Hall, Mr. Mitchell, the President of the Board of Aldermen, came along the line.

"Well, well!" exclaimed Mayor Gaynor. "So you are Mitchell. Dear me! You are just a young man, but I always like to see a young man get on, and you seem to be getting along all right."

Soon after Mr. Mitchell started the aldermen by announcing that they were a useless and an archaic institution and ought to be abolished. He set up new offices at No. 51 Chambers street and began to investigate the aldermen in cooperation with the Board of Estimate, of which he was a member.

When Mayor Gaynor was struck down by the bullet of a would-be assassin on a shipboard at Hoboken, in August, 1910, Mr. Mitchell became acting Mayor. Relations between Mayor Gaynor and himself had not been cordial and important matters were decided and consulted with the Mayor's secretary. In almost everything he did, and it was not until Mayor Gaynor began to get well, at Deepwells, Long Island, that he took up the police situation.

Throughout the subway situation, lasting three years, Mr. Mitchell stood at times alone in opposition to the dual system that was adopted last spring. He favored the tri-borough plan and after the dual system was adopted he made a decided stand against the adoption of the contract because he maintained that the bankers' profits on the sale of the bonds would be \$11,050,000. This, through excessive interest, he said, would fall on the city. He also declared that the preferential payments guaranteed to the Interborough Rapid Transit Company 10 per cent of the present subway profits for fifty-three years, the compounded interest rate, he maintained, would produce \$90,000,000 surplus in the sinking fund.

During the fusion nominating contest Mr. Mitchell felt called upon to explain his attitude on the subway question. He declared that he was not in favor of upsetting the present contract and would do nothing to that effect if he were elected Mayor. The latter part of Mr. Mitchell's administration before his appointment to the Collectors'hip was given up to the programme of "port development." In this Mr. Mitchell differed with Dock Commissioner Tomkins, Mayor Gaynor and the Board of Estimate upheld Mr. Mitchell and Commissioner Tomkins resigned. His plan was to have an elevated freight railway along the lower West Side waterfront and open up the marginal way to all railroads by means of an elevator system for handling freight by float.

Mr. Mitchell was married in April, 1893, to Miss Alice D. Child, daughter of Franklin D. Child, of No. 7 West 29th street.

Several women driving their automobiles to town passed on the road a short distance from the pond and made complaint. A short time later policemen swooped down on the bathers. Four were held and four were freed.

CONCEDE TO BANKERS RIGHT TO BE HEARD

Democrats Amend Currency Bill to Provide for an Advisory Board of Twelve.

BUT RESTRICTED TO ADVICE

Chairman Glass Happy Over Committee Action, but Annoyed by Mr. Eagle's Bitter Attack on Measure.

Washington, July 31.—As forecasted in The Tribune yesterday, the Democrats of the House committee wrote into the currency bill to-day an important amendment, creating an advisory board of bankers—a distinct concession to the banking interests. Members of the advisory board will not vote, but they may make suggestions to the Federal Reserve Board. It is planned that the bankers' board shall consist of twelve members, named by as many regional reserve associations.

Chairman Glass was in high spirits over the adoption of the amendment, but his elation vanished when he heard of a statement given out by Mr. Eagle, the first Democrat of the House committee to rebel openly against the bill, denouncing the measure as "fundamentally bad."

In concluding his denunciation of the imperfections of the Glass measure from sixteen different phases, Mr. Eagle said: "There is practically no difference in principle, and there is no difference in the objects sought to be accomplished, between the Aldrich bill recently proposed by the Monetary Commission, upon the one hand, and the said Glass bill, upon the other hand. The object of each," he added, "was to protect the banks of the country to avail themselves of their reserve for loaning purposes and to be guaranteed against loss by the establishment of a paternalistic relationship or private partnership with the government."

Like the Aldrich Plan. "If the said Glass measure shall be enacted into law embodying its existing fundamental principles," Mr. Eagle continued, "it will require only a simple amendment for the establishment of one central or head bank over the twelve regional banks, and (2) giving such central bank itself the power to issue the currency upon bank assets, to change the thin disguise of said Glass bill into the actual substance of the said Aldrich measure. Both the Aldrich measure and the Glass bill make the assets of the banks the security for the issuance of currency."

The keynote of Mr. Eagle's long criticism is that the Glass bill is an asset currency measure, that the Federal government alone has the power to issue and coin money; that it cannot delegate that power; that "it is a cheat and fraud upon the taxpayers of the United States" to refund the 2 per cent bonds for 3 per cent bonds, and that the powers of the Federal Reserve Board will be greater than those conferred on any similar number of men "in all the history of time."

The carrying out of the Federal Reserve Board system," Mr. Eagle said, "depends in its infinite ramifications upon the actions of one man chosen as President, who may make or ruin the prosperity of the masses according to his degree of character, experience, foresight and wisdom. The whole scheme as constructed of necessity effecting an oligarchy of boundless wealth forced into controlling the policies of the nation in order to protect its own proper interests, as well also as to govern the financial destiny of the nation."

Puzzle to Mr. Eagle. Mr. Eagle said he could not conceive how just and sane men could "embark upon such perilous and untried enterprise," when all that was needed now was to provide a currency "sufficient in volume and distributable under terms and conditions to effect the movement of crops, unusual developments in commerce, and the stress of panic conditions—which may be done by principles so ancient, safe and democratic that each man may know what has been done, may understand the system set up and may have no advantage over any other man—a system which will confer every needed benefit without entailing any of the numberless curses proposed by the Glass bill."

Under the Constitution, asserted Mr. Eagle, it was neither a duty nor was it proper for the government to establish such a paternalistic attitude as proposed in the administration bill. He denied that the Glass measure was "sound and workable," and declared that as now written the measure would "crucify the country banks."

"I think the Glass bill is fundamentally bad," Mr. Eagle added. "I will not now point out the specific provisions that are bad, because they could be cured by an amendment, but I will consider the purpose and effect of the bill as a whole."

RUNS AEROPLANE INTO POLE TO SAVE SCORES

George M. Dyott, After Quick Flight from Brighton to Asbury Park, Risks Life in Midst of Crowd on Beach.

Asbury Park, N. J., July 31.—At the risk of his own life, George M. Dyott, an aviator, saved scores of spectators who ran across the landing stage when his monoplane glided down to Bradley Beach at the end of his twenty-eight-mile flight from the Brighton Beach racetrack late this afternoon.

Dyott was about to alight there was a rush of spectators toward the machine. To avoid hitting them the aviator turned the aeroplane's nose sharply upward, barely missing one of the men. Directly in front of him was the telegraph pole. There was no time to avoid hitting it, and the aviator turned the head of his machine into the sand. It struck heavily, turned a complete somersault, and as it did so Dyott was flung out, just missing the pole. He got up quickly, uninjured but the rudder and one plane of the machine were smashed.

He said that as soon as he repaired the damaged plane he would continue his trip to Washington, which he expected to make in something better than four hours. More than fifteen thousand persons saw Dyott's landing and cheered him for his courage in risking his life to avoid the crowd. This is said to be the first incident of its kind in America. Several French aviators have been injured in keeping their machines from running into crowds, which, out of the control of the police, surged across the aviators' path.

One of the better known of these accidents is that which overtook Lieutenant Faucompre, head of the military aviation centre at Juvisy, in August. Finding his power insufficient to carry him above the crowd which encircled the field, he landed, and as his machine was about to plough its way into the spectators, he turned it sharply to one side. The impetus flung it upon one of the planes, which was crushed, and the young officer was hurled to the ground. Less fortunate than Dyott, he was picked up unconscious, with a thigh and two ribs broken.

Dyott left Brighton Beach at 5:50 p. m. and landed at 6:28 p. m. He made the trip at an average speed of 43 miles an hour and at an average height of 5,000 feet. His machine is a Dyott, of his own design and manufacture. It is a monoplane, equipped with a 50-horsepower motor and capable of making 75 miles an hour.

SULZER DENIES ELKUS LETTER

Statement of election expenses to the Secretary of State he could not be charged with violating the law, saying that the law does not require the giving of the names of contributors. He said that he had carefully read over both the corrupt practices law and Section 776 of the Penal Code relative to the filing of election expenses. The latter provides, among other things, that "Every candidate who is voted for at any public election held within the state shall, within ten days after such election, file, as hereinafter provided, an itemized statement showing in detail all the moneys contributed or expended by him, directly or indirectly, by himself or through any other person, in aid of his election. Such statement shall give the names of the various persons who received such money, the specific nature of each item and the purpose for which it was expended or contributed."

At the conclusion of the hearing of the Frawley committee to-day, which was devoted to highway contracts, Chairman Frawley announced that the next meeting of the committee will be held on Wednesday morning at 10:30 o'clock in New York City. Eugene Lamb Richards, counsel for the committee, said that the investigation into the Governor's campaign expenses will be continued at that time, and that the selection of New York as the place of the meeting was for the convenience of a large number of "financiers and financial institutions whom we shall want to call as witnesses. Some of these distinguished gentlemen have been in Europe," he said, "but they are expected back, and I think that next week we shall be able to get some of them before the committee."

Although there is no fund available for paying the committee's expenses at the present time, because Governor Sulzer vetoed an item of \$140,000 in the annual supply bill, an appropriation of \$70,000 can be drawn upon after October 1, an item for that amount having been provided for in the annual appropriation bill.

To Wait in Sarecky Case. Mr. Richards said that in regard to Sarecky, who refused to testify yesterday, and against whom proceedings to have him arrested for contempt are to be brought, he thought the committee should wait until Attorney General Carmody had rendered his opinion as to the powers of the committee, requested by the Governor.

"I have no question, however," he said, "about the powers of this committee to investigate this matter or any other matter that is connected with these questions which are submitted by the Governor himself to the extraordinary session of the Legislature and which are germane to the very questions which he called the Legislature together to consider."

Mr. Richards expressed the opinion that after getting the opinion of the Attorney General the Governor might think it not only wise but possibly the proper thing "to permit the opening of the door to see what is behind it."

DEMOCRATS SPLIT ON MEXICO POLICY

Continued from first page.

Whether, under all the conditions, the Democrats in Congress will seek in any formal manner to impress their views on the President has not been decided, although there are some who believe that course would be wise. In any event, nothing of the kind is likely to be done until after Ambassador Wilson has appeared before the House committee.

It is quite certain that should the President show any desire for the opinions of his colleagues in Congress they would be expressed with the utmost frankness. Some Democratic Senators say that any suggestion of the recognition of Huerta seems to irritate the President, and for that reason they have not sought "to inflame him" with their advice.

The military-naval authorities, whose views, it is true, are likely to be extreme, are convinced there is no alternative for intervention. Some recent occurrences have emphasized this conclusion and the officers are on the alert. Most of those in Washington, or who are on duty which separates them from their regiments, have written to the War Department, expressing their readiness to report to their respective commands. Considerable excitement prevails among members of the commissioned personnel of the army, navy and marine corps because of their belief that there will be extensive military operations. Such officers fully appreciate the seriousness of the conditions and are convinced that troops must be sent across the border into Mexico.

In the mean time members of the House and Senate committees on military and naval affairs have been in consultation with the officials of the War and Navy departments. Representative Hay, chairman of the House Military Committee, has introduced a bill providing for raising a volunteer army. The significance of this act is generally overlooked, even in Washington, but it is known that it has been brought before the House at the earliest possible moment during the present session, provided the Democratic caucus will consent to its consideration as an emergency measure, which will necessarily depend on the information possessed by the leaders.

Very little has been given out at the White House, the War or Navy Department, or the Capitol, but it is no secret that most of those in authority are entertaining the gravest apprehension regarding the outcome of the Mexican situation. Those of the military-naval service who have studied the situation express themselves candidly as at a loss to understand what effective measures may be taken to mediate, or with whom such negotiations would be conducted. They apprehend that mediation will not amount to more than a fleeting subterfuge and, at best, will serve only to postpone the necessity for intervention.

Army officers who have been in Mexico say that the recognition of the Huerta government furnishes the only possibility of avoiding intervention, and even such recognition may not bring about the stability of government in Mexico City which is essential if intervention is to be permanently avoided. Most officers familiar with the conditions in Mexico do not hesitate to say that intervention is inevitable and that it is only a question of time when it will have to be undertaken.

MITCHELL'S RISE DUE TO SKILL AS INVESTIGATOR

Work as Commissioner of Accounts Brought Him to Public Attention.

John Purroy Mitchell, who was appointed Collector of the Port by President Wilson last spring, is thirty-three years old. He is a grandson of John Mitchell, the Irish patriot who was banished to Australia in 1848 for fiery utterances in his Young Ireland movement newspaper. Like President Wilson, Collector Mitchell's ancestors were Scotch-Irish and his forebears were Presbyterian ministers. His mother was a sister of Henry D. Purroy, the anti-Tammany leader of the Bronx.

Mr. Mitchell was born in Fordham July 19, 1879. He entered St. John's College when he was twelve years old. At Columbia College, where he was studying in 1898, he made a record as a debater. His first office was as Assistant Corporation Counsel, for which he was named by William B. Ellison, who was a friend of Henry D. Purroy.

When Mayor McClellan began his investigation of the offices of Borough Presidents Mr. Ellison recommended young Mitchell to the Mayor to act as Commissioner of Accounts. On April 22, 1897, George Van Skat resigned and John Purroy Mitchell was appointed Commissioner of Accounts to continue the examination of Borough President Ahearn, who was later removed from office. The removal of Louis Haffen, Borough President of The Bronx, soon followed, and Borough President Bernal of Queens resigned. Mr. Mitchell was twenty-seven years old at the time. In the two years that followed the Commissioner of Accounts investigated the Fire Department, the Water and Police departments, the City Record and Tax departments, and his reputation as a successful investigator was established.

In 1899, when he was being sought as the fusion candidate for President of the Board of Aldermen, Mr. Mitchell almost upset harmony by announcing that he would not go on the ticket until he knew

SARECKY'S LAWYER CALLS PROBE ILLEGAL

Says Frawley Committee Has No Right to Follow Up Present Inquiry.

Louis Marshall, counsel for Louis Sarecky, who formerly was secretary to Governor Sulzer, gave out a statement last night denying the right of the Frawley committee to enter at all upon the present investigation. The statement says in part: "Its (the committee's) powers, as those of the Legislature, are limited by the constitution. That instrument declares, in explicit terms (Article IV, Section 4) that the Governor shall have power to convene the Legislature on extraordinary occasions, and that at extraordinary sessions no subject shall be acted upon except such as the Governor may recommend for consideration."

"The regular session of the Legislature terminated prior to June 1, 1913. It was reconvened for an extraordinary session by the Governor, who recommended specific subjects for its consideration. The inquiry which this committee has sought to set in motion is not included within any of its recommended subjects. "That the power of legislative committees is strictly limited, and that they cannot create for themselves a jurisdiction which is not grounded upon the constitution and the laws, is evidenced by a long line of decisions, culminating in the decision rendered by the Court of Appeals in January, 1912, which, under similar conditions, denied an application to punish William Barnes, Jr., for contempt for declining to answer questions put to him by a legislative committee."

"Let it be believed from the precedents of the committee's counsel that I am personally concerned in this matter. I cheerfully state that during the campaign of 1912 I did not contribute a single penny for or on behalf of any candidate for office except those of the Republican party, to which I have the honor to belong, and only through the duty of a stated national, state, county and assembly district committee."

WANT SEABURY AS MAYOR Committee of Progressives Urges Justice to Enter the Race. A committee of Progressives called on Justice Samuel Seabury, of the Supreme Court, in his chambers yesterday and urged him to allow his name to go before the Fusion Committee of 1913, in hopes that he might be the compromise candidate for Mayor at the coming municipal election.

QUINLAN AGAIN CONVICTED Gets a Year for Calling Policeman "Bummy Ryan."

Paterson, N. J., July 31.—After Detective Sergeant Adolph Keppler had testified before Recorder James F. Carroll in police court this morning that they had attended an open air meeting of the Socialist party on Saturday near the City Hall and had heard Patrick Quinlan refer to Patrol Sergeant Charles Ryan as "Bummy" Ryan City Attorney Randall A. Lewis, who prosecuted the complaint against the I. W. W. orator rested his case. Henry Marelli, who represented Quinlan, put in no defence, and moved for the dismissal of the complaint upon the ground that no offence had been proved under the disorderly act.

Recorder Carroll denied the motion and summoned Quinlan to the bar said: "I find you guilty of using loud and offensive language and sentence you to one year in the county jail." This is the maximum sentence, and Quinlan was at once removed to the county jail. His only comment was: "They got my hair and I got their goat."

Quinlan referred to his hair, which had been cropped at state prison, at Trenton, where he was sent several weeks ago to begin a sentence of from two to seven years, and upon which conviction he is now out on \$5,000 bail. Counsel stated that the latest conviction would also be appealed, and that a writ of certiorari would be sought from Justice James F. Minturn, of the Supreme Court, at once.

COSTLY SWIM FOR BOYS Nabbed While Bathing in Rockefeller's Pond.

Cleveland, July 31.—Eight boys, ranging in age from four to fourteen years, were dragged into the City Hall in Cleveland Heights to-day to face the charge of bathing in John D. Rockefeller's pond. It is the finest kind of a swimming hole, but Mr. Rockefeller has issued an edict barring bathers from its placid depths. A dozen youngsters gathered at the pond to-day, stripped off their duds and dived in. They did not bother about bathing suits.

Several women driving their automobiles to town passed on the road a short distance from the pond and made complaint. A short time later policemen swooped down on the bathers. Four were held and four were freed.

STOCK SWINDLERS TO JAIL Judge Ray in the Criminal Branch of the United States District Court, yesterday sentenced Adam Hoch and Eugene S. Robinson, who were convicted of using the mails to defraud in selling stock of the American Tanning Company. Hoch must pay a fine of \$3,500 and go to prison for two years. Robinson's fine was \$7,500 and his jail sentence four years.