

NC-4 MAKES AZORES IN 15 HOURS 13 MINUTES; AVERAGES 90 MILES AN HOUR FOR THE FLIGHT; FOGBOUND NC-1 FOUND; CREW SAFE ON SHIP; FLAGSHIP NC-3 ASTRAY 250 MILES OFF FAYAL

RANTZAU QUILTS VERSAILLES TO RUSH TO BERLIN

Several Members of German
Peace Delegation Go
With Their Chief.

TRIP FOLLOWS A MEETING

Allied Missions Guarded in
Teutonic Capital as Meet-
ings Protest Terms.

By the Associated Press.
VERSAILLES, May 17.—Count Ulrich
von Brockdorff-Rantzau, Foreign Min-
ister and head of the German peace
delegation, started for Berlin to-night
accompanied by several members of
the delegation. The party travelled on
special cars attached to the regular
train for Cologne.

The decision to make the journey to
Berlin was reached at a full meeting
of the German delegates this afternoon.
Count von Brockdorff-Rantzau, ac-
cording to one report, is proceeding to
Spa, where he will meet technical ex-
perts who have gone there from Ber-
lin. The Count is expected to return
to Versailles on Monday.

Before departing Count von Brock-
dorff-Rantzau forwarded to M. Clem-
enceau a new note dealing with the
Saar coal district.

By a Staff Correspondent of THE SUN.
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PARIS, May 17.—Count von Brock-
dorff-Rantzau, the head of the German
peace mission, and the other German
delegates have decided to risk all upon
an outright refusal to sign the present
treaty. This information comes from
sources that are apparently of the high-
est reliability.

Not only will the present German
delegates refuse to sign but they will
tell the Allies that no delegates rep-
resenting the present German Government
will sign. This will place the Allies face
to face with the question whether they
would rather have the German Independ-
ent Socialists, who virtually are Bol-
sheviks, sign the treaty as it stands or
modify the present draft, in which case
the Ebert-Scheidemann Government will
sign it if it makes the necessary modifi-
cations in terms.

The German delegates will risk the
retention of their government in power
on the unwillingness of the Allies to
give recognition to an Independent So-
cialist government in Germany. To bear
out this information it is pointed out
that the Independent Socialists are the
only party in Germany which is advocat-
ing the signing of the treaty.

The German delegates are becoming in-
creasingly restive over the difficulties
involved in the interchange of notes with
the Allies and the delays in receiving
the replies of the Allies and are con-
sidering a renewed demand for oral
conversations with the Big Four, espe-
cially with President Wilson, to whom
Count Brockdorff-Rantzau is eager to
present his plea for a new democratic
Germany.

The pride of the Germans here has
been hurt by the indifference with which
the Allies receive their multitudes of
notes. It is likely now that they will
ask for an extension beyond the allotted
three days, possibly for another simi-
lar period, pleading the lack of time and
counting upon the delay to increase the
ferment in Germany.

POPULACE GATHERS TO VOICE PROTESTS

Government Arranging to
Take a Plebiscite.

By the Associated Press.
BERLIN, May 16 (delayed).—Mass
demonstrations are the order of the day
both in Berlin and in the provinces. A
crowd estimated at 200,000 persons and
including people from the frontier re-
gions, assembled on Thursday, the ma-
jority at the Reichstag building, and
adopted strongly worded resolutions
against the peace terms. The neighbor-
hood of the Hotel Adlon, the headquar-
ters of the Allied missions, has been
placed under guard of a cordon of police.
The German Government has ar-
ranged for a plebiscite if the Allies re-
fuse to make concessions in the treaty
of peace, according to the *Zeitung am
Mittag*.

Rome, May 17.—The entire German
diplomats has addressed a petition to
the Pope praying for his good offices to
mitigate the conditions of peace which,
in their judgment, it is "impossible to
accept." Pope Benedict, with a view to
cooperating in the speedy reestablishment
of a lasting and humanitarian peace
throughout the world, has taken steps
to communicate the petition to one of
the most important delegations at the
Peace Conference with the object of hav-
ing the conditions imposed on Germany
so modified as to make them acceptable.

Bernstorff Is Trying to Form War Cabinet

BERLIN, May 17.—Persistent,
but contradictory, reports of
a Government crisis are heard
in Berlin. The weekly news-
paper published by the Inde-
pendent Socialist, *Breitfeins*,
says Count von Bernstorff has
been making an effort to form
a new Cabinet which would in-
clude Dr. Dernburg, Matthias
Erzberger and Gustave Noske,
the Minister of Defence.
On the other hand, there are
reports from official circles that
a plan is on foot to create a
Cabinet of pacifists in the hope
of winning for Germany the con-
fidence of the Allies. This Cab-
inet would include Karl Kautsky,
Dr. Muehlen, Dr. Forster, Herr
Hoferding and Privy Councillor
Willing, the brother-in-law of
Maximilian Harden.
Among those mentioned as
possible successors to Count von
Brockdorff-Rantzau as Foreign
Minister are Count von Kessler,
former German Minister at War-
saw, and Herr von Gerlach.

EX-KAISER ASKS FATE OF WEALTH

Former Ruler Seeks Speedy
Settlement of Family's
Vast Properties.

SONS IN NEED OF MONEY

Wilhelm's Wealth Estimated
at \$30,000,000—Recently
Received \$400,000.

By KARL H. VON WIEGAND.
Staff Correspondent of THE SUN.
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BERLIN, May 15 (delayed).—The
former Kaiser and his sons are press-
ing the German Government for a
settlement of their property affairs.
Not knowing what their fate is to be
and fearing, it is said, that the Rad-
icals may succeed the present Gov-
ernment and may be less disposed to
accord the former Emperor the same
measure of justice and right that is
extended to other private citizens,
William Hohenzollern is said to be
extremely desirous that the present
Government shall decide what is to
be recognized as his private property
and what lands are his.

The sons also desire that their
father shall be placed in a position
to settle with them their family af-
fairs, so that they may know where
they stand in worldly goods. The
former Kaiser has had one payment
of money since he left the country
and crossed into Holland; that was
in December, when in answer to his
request 1,000,000 gulden, approxi-
mately \$400,000, was placed to his
credit in Holland.

Conferences Help Division.

During the last two weeks there
have been numerous conferences be-
tween Eitel Friedrich, who holds a
power of attorney for the family
from the former Kaiser, with his
legal advisers, and the Prussian Min-
istry of Finance, while Herr von
Mueller, who was attached to the
suite of the Crown Prince during
the war, has been representing the
latter.

The Government has decided, it is
understood, that Cecilienhof, the
country place near Potsdam where
the Crown Prince was living with his

Soldiers Work Hard in Devastated France

A PICTURE presented in let-
ters received from sol-
diers differs much from that
which many persons hold of idle
men merely marking time until
they are able to start back home.
It appears that the national
roads of northern France are be-
ing made over by our men, who
find their toil frequently
lightened by the tobacco sent to
them by the donors of the smoke
fund. These letters appear on
page 1, section 4, and should en-
courage further contributions to
the fund.

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with any other fund, organiza-
tion or publication. It employs
no agents or solicitors.

COURT DECISION GIVES NEW HOPE TO BREWERIES

Judge Hand Calls on Plants
to Show 2 3/4 P. C. Beer Is
Not Intoxicating.

THREE POINTS RAISED

Whole Prohibition Programme
May Rest Upon Decision in
U. S. Tribunal.

Beer containing 2 3/4 per cent alcohol
escaped summary execution yes-
terday. Judge Augustus Hand in the
Federal district court ruled that Elihu
Root and his associates for the Hoff-
man brewery in this city may come
into court on Friday and attempt
to prove that their proposed product
is not intoxicating.

Under the terms of Judge Hand's
decision if they succeed in their con-
tention the manufacture of this beer
can be continued despite the war time
prohibition act.

As the prohibition amendment to the
Constitution deals with "intoxicating
liquors," it also follows that if 2 3/4 per
cent beer is decided to be non-intoxi-
cating it can also continue to be made
after the constitutional amendment
goes into effect January 20, 1920.

Upon the result of the decision hangs
the fate of 1,500 breweries, members of
the American Brewers Association,
whose property is worth \$1,000,000,000
and who are paying for the expenses
of the Hoffman litigation, regarding it
as a test suit. Judge Hand's decision
sets aside all the minor objections on
the part of the Government and clears
the way for a speedy decision of the
case strictly on the intoxicating or
non-intoxicating powers of the pro-
posed brew and a final decision by the
Supreme Court of the United States
upon its merits.

Brewers Claim Victory.

Though they realize the fight for their
product is not yet over, representatives
of the brewers declared yesterday that
they had won an important victory, as
Judge Hand in his opinion knocks out
some of the arbitrary powers in the en-
forcement of prohibition claimed by the
Federal administrative and judicial of-
ficers. He made important decisions on
these three points:

1. The kind of beer that is pro-
hibited by the war time prohibition
act is "intoxicating beer," and not all
beer as the District Attorney and
Attorney-General contended.
2. On a proper showing the Dis-
trict Attorney, despite his quali-
fied character, may be enjoined
from construing and enforcing a
statute to the irreparable damage
of property in a manner with which
the court disagrees.
3. If Congress intends that non-
intoxicating beverages may be pro-
hibited as a method of assuring the
enforcement of the prohibition
against intoxicating beverages, it
must say so plainly and explicitly
—which it has not yet done.

U. S. Plea Is Denied.

Judge Hand yesterday denied the mo-
tion of Francis G. Caffey, United States
District Attorney, and William C. Fitts,
special Assistant Attorney-General, ask-
ing for the dismissal of the application
in equity of the Hoffman breweries for
an injunction to restrain the District At-
torney from prosecuting the company
and the Collector of Internal Revenue
from seizing the product if it made the
2 3/4 per cent beer. The Federal officials
claimed that the court has no power to
restrain the District Attorney from the
performance of his duty and that the
statute provided for the prohibition of all
beer after July 1.

For the breweries Mr. Root contended
that the statute prohibits only "intoxi-
cating" beer and that 2 3/4 per cent
beer is not intoxicating. He contended
that the District Attorney was to be
allowed to proceed with prosecutions and
the Collector with seizures upon an inter-
dictum which would be impractical
chilly may be found to be impractical
in the face of the contention that a
hitherto legitimate business is to be de-
stroyed, and the further possibility that
the whole prohibition programme may
be tied up in the courts and delayed on
this theory.

The portion of Judge Hand's opinion
which brought comment on this possi-
bility was the following:
"It is now well settled by the deci-
sions of the Supreme Court that a court

Commander of the NC-4 and Four of His Crew.



LIEUT.
E. F.
STONE
PILOT.

LIEUT.
WALTER
HINTON
PILOT.

ENSIGN
H. C.
ROOD
RADIO
OPERATOR.

LIEUT. COMMANDER
ALBERT
CUSHING
READ
NAVIGATOR.

LIEUT.
J. L.
BRESEE
ENGINEER.

READ LOOKS FIT; REACHES FAYAL

Flew at 3,000 Feet Until He
Encountered Fog 200 Miles
From Island.

By the Associated Press.
Horta, Island of Fayal, May 17.—
Commander Read looked to be in
splendid condition on his arrival here.
When about 200 miles from Corvo Is-
land, he said, he met bad weather
and fog. This continued to the end.
His plane flew at an altitude of 3,000
feet, then was compelled to come down
close to the water owing to the fog.
"There was no mishap or untoward
occurrence during the passage, and
the NC-4 was found to be in perfect
condition."

The members of the crew had no sleep,
but nourished themselves fairly well on
sandwiches. The men were all fit and
anxious to continue on their voyage to
Europe.
Commander Read said the NC-4 had
made a landing at sea close to Horta, but
the NC-3 had not been heard from for
considerable time. He was of the opin-
ion that possibly she had gone on to
Ponta Delgada.
During the early part of the flight the
seaplanes were favored with full moon-
light and they met three steamships on
the way.

Wilson's See Soldiers Act.
Paris, May 17.—The President and
Mrs. Wilson to-night attended a musical
comedy entitled "Who Can Tell," pro-
duced by the officers and men of the
Eighty-eighth American Division.

AUSTRIAN INDEMNITY TO BE \$1,250,000,000

Set at Twentieth of Germany's
in Treaty.

PARIS, May 17.—The indemnity clause
of the Austrian peace treaty provides
for a payment one-twentieth as large as
that demanded from Germany. The
sum asked for is 5,000,000,000 gold
marks, approximately \$1,250,000,000,
without bond.
It has been requested by the Italians
that the Austrian treaty provide for the
return to Rome of the many priceless
art treasures taken by Austria as booty
in previous wars.
The provisional Government of Vor-
arberg, the former Austrian crownland
which recently voted for a union with
Switzerland, has made arrangements for
representation of its interests in Paris.
According to the *Vorarlberg Tageblatt*,
M. Ender, as head of the provincial
Government, has left for Paris empow-
ered to act as delegate to the Peace
Conference.

BULGARIA IN UPROAR; TROOPS FIGHT REDS

Loyal Garrison and Soviets in
Clashes at Sofia.

LONDON, May 17.—Sanguinary encoun-
ters have occurred at Sofia between the
garrison and revolutionaries who de-
manded the resignation of the Govern-
ment and the establishment of a Soviet
Government, according to a despatch from Vienna.
All Bulgaria is reported to be in an
uproar.
Rustchuk, Philippopolis and Varna
are also said to have become affected
by the revolutionary movement.

NAVY LOG TELLS FLIGHT DETAILS

Radiograms From Seaplanes
and Watching Warships
Report Progress.

Special Despatch to THE SUN.
WASHINGTON, May 17.—The Navy
Department made every effort to-day
to keep in touch with the naval planes
on the transatlantic flight, but there
were heart breaking delays in the mes-
sages as they were received here. The
last message came soon after 7 o'clock
to-night. It was received by Admiral
Jackson on the U. S. S. *Melville* at
Punta Delgada, relayed here and made
public at once. The message read:
"I S W—S O S. Landing now.
NC-1."

Also this message was received from
the NC-1 and relayed to Washington
by Admiral Jackson:
"We want bearing. Lost in fog
about position 20."
"This is the last information the Navy
Department has received, it was ex-
plained. The destroyers *Phillips*,
Waters, *Harding* and *Bent* have been
detached to search for the NC-1.
The I S W preceding the S O S, the
Navy Department said, means a general
signal of distress. The fact that this
signal was sent out does not mean neces-
sarily that the NC-1 is in imminent dan-
ger, however, as the flying boats were

(Continued on Third Page.)
IF YOU HAVE A BACKWARD CHILD
see advertisement on page 15, Sec. 4-440.

Lieut.-Commander Read Reaches Island of Flores in Flight of 1,200 Miles Across Atlantic With- out Single Mishap.

SOARS TO 3,000 FEET TO OBTAIN
VIEW OF LITTLE ISLAND HE SOUGHT

Then Dips Into Mist and Skims Into Port 200
Feet Above the Surface of the Sea—Proves
Accuracy of His Steering.

HIS FOUR MOTORS NEVER FALTERED

Fog Reported Lifting at Night and Destroyers
Expected Quickly to Pick Up the Craft
of Towers and Belling
Resting on Water.

Special Despatch to THE SUN.
WASHINGTON, May 17.—The Navy Department late
to-night received this message:

"U. S. S. *Harding* reports crew of NC-1 safe on board
steamship *Iona*. Plane was being towed, but towline
parted. Latitude 39 degrees 40 minutes; longitude 30
degrees 24 minutes."

The message was despatched from Horta and received
at the Department at 10:55 P. M. It bore no signature, but
apparently was filed at 8:50 P. M. Washington time.

The Navy Department issued this statement to-night:
"An unsigned despatch has been received from Horta
filed at 7:31 P. M. and received at 8:46 P. M. Washington
time, as follows:

"NC-1 forced to land at 8:19 A. M. Washington
time near Corvo. NC-4 at Horta. Last news of NC-3
at 5:14 A. M., when she asked for compass signals near
station 18. Destroyers now searching for both planes.
Destroyer *Harding* in position latitude 39 degrees 50
minutes, longitude 30 degrees 55 minutes, on course 289
[This course locates her just southeast of the island of
Flores], speed 22 knots, reports hearing NC-1 signals
at 4:27 P. M. Washington time. Signals getting stronger
as approaching."

WASHINGTON, May 17.—Neither the blackness of night
over the Atlantic nor an unexpected bank of thick fog shroud-
ing the tiny, scattered Azores could prevent the American sea-
plane NC-4 from successfully completing the longest and critical
lap of the aerial passage of the Atlantic Ocean.

Flying at ninety land miles an hour, an average she main-
tained during her fifteen hours and thirteen minutes in the
air, she split her way through the fog, straight as a speeding
bullet, and dropped easily down upon the waters of the harbor
of the port of Horta, on the island of Flores, where the Ameri-
can naval vessel *Columbia* was waiting to welcome her at
9:20 A. M., New York time (1:20 P. M. Azores time).

Miles Ahead of the Flagship.

Possibly it was the fact that the NC-4 narrowly escaped
being left ingloriously behind as a hoodoo ship, unworthy of
the high enterprise, at Trepassey that sent her roaring through
the mist, miles ahead of the flagship NC-3 and the veteran,
unfailing NC-1. Certainly her commander, Lieutenant-Com-
mander A. C. Read, was on his mettle as he crouched all night
alone in the forward cockpit with his navigating instruments
and night glasses, picking up destroyer after destroyer by
their flares, searchlights and star shells. On him, even more
than upon the five men in the compartments behind him,
rested the responsibility of retrieving the reputation of his
ship, which had lagged with faltering engines on the first
flight from Rockaway to Halifax.

The commander and his pilots, engineers and radio man doubly were
determined, for not only must they reach the Azores, 1,200 miles, through
the night, but they must also show the fast flying NC-3 and NC-1 their
quality. It was not a race, but not a naval officer in all Washington
doubted that each man in the hull of the NC-4 was strained almost to the
breaking point throughout the night, lest by any fault of his the NC-4
should drop behind the other sea-
planes.

Speed Unslackened in Fog.
And the men of the NC-4, rousing
suddenly into the unexpected fog at
the end of the journey—the fog which
was expected about Newfoundland at
the beginning and treacherously rose
from the sea at the end instead—ac-
cepted it merely as another obstacle
which certainly would be overcome,
and went shooting through the air at
unslackened speed past the last de-
stroyer—station ship 21 in the open
sea—and sighted the mist hidden Is-
land of Flores.
Behind them came the other planes
with men aboard no less courageous
but with wits unsharpened by the
keen suffering undergone by the men
of the NC-4, who waited days at Chat-
ham, bound there by rough weather
and the silent, sullen engines of their
mount. Perhaps more confident than
Commander Read, for neither had ex-
perienced serious trouble on the flight,
they did not note the bank of fog
ahead until they shot into it, travel-
ing a mile and a half every sixty
seconds.
About 250 Miles From Corvo.
Both seaplanes, however, as the
crisp despatches by wireless and cable
pieced together tell the story, went
astray in one of the gaps between the
last few destroyers, the NC-3, flagship
of the fleet, between station ships
17 and 18, 250 miles from the
little island of Corvo, toward which
they headed, and the NC-1 just before