

WEATHER FORECAST. For Nebraska—Fair. For Iowa—Fair.

MOISANT FLYERS DEFY CURRENTS

Simon and Barrier Give Thrilling Exhibitions in Air at Omaha Speedway.

THEY MAKE DANGEROUS CURVES

Exhibition Exceeds Expectations of the Crowd Present.

BARRIER MAKES A BEE LINE

After Going a Mile He Makes a Curved Turn in Air.

SIMON EXECUTES QUICK TURNS

Aviators Enjoy Their Work as Much as Spectators on Solid Terra Firma.

Flyers, sailing up and down around across the Omaha speedway track, Rene Simon and Rene Barrier gave a wonderful exhibition of aviator skill at the opening of the second annual Omaha Aero meet Monday afternoon.

They were the only ones to fly on the first day, but each on his trip in the Moisant monoplane, performed a series of thrilling curves, turns, and glides that were far beyond that which any of the small audience assembled had expected.

Barrier made the first rise into the air, soaring straight away into the wind to the south and continuing on a bee line, until, a good mile away, he was nearly above the Lane cutoff, when he turned in a beautiful wide swing to the east and soon was making rings around the big mile race track.

Simon, not content with making fly as pretty a start to the south as Barrier, amused himself and thrilled the crowd by cutting in and around the grandstand, running down with terrific speed to within a few feet of the ground, when with a sudden start of his motor, he soared away like a huge bird, curving, dipping and swinging in dangerous angles.

A very small crowd witnessed the opening flights, but the expectations of all were exceeded by far. Barrier, from the second he left the ground, until the wheels of the machine touched in a most graceful drop to the earth again, was gone eighteen and one-half minutes. He had in that time gone a little more than twenty-two miles reckoning on the speed that his machine would travel in that time, an estimate was in the air fifteen minutes.

Constitutional Cabinet for China

Responsible Ministry of Ten Members Succeeds the Grand Council at Peking.

PEKING, May 8.—The long awaited edict abolishing the grand council and substituting a constitutional cabinet of ten members was issued today.

The cabinet as announced, however, is made up of the present grand councilors with the addition of Liang Tun Yen, the former president of the foreign board.

Prince Ching becomes premier and minister of foreign affairs and Na-Tung and Hieu-Chang are made vice prime ministers. Liang Tun Yen is named second foreign minister. Otherwise the presidents of the various boards become the ministers respectively of their departments. The change is in line with the demands of the national assembly for a constitutional cabinet responsible to that body instead of to the throne.

WILL OF NIELS POULSON

American Scandinavian Foundation Is Residuary Legatee of Iron Magnate.

NEW YORK, May 8.—The American Scandinavian foundation is made the residuary legatee of Niels Poulson, president of the Hecla Iron works and reputed multimillionaire, in his will, which was filed in Brooklyn today. The will carries individual bequests, aggregating several hundred dollars.

Mr. Poulson's housekeeper, Nielsene Christensen, was left \$50,000, and stenographer-secretary, Annie Brush, \$30,000. His \$200,000 residue, which has been lying in trust for his wife, is bequeathed to William M. Dickman, as executor of the will.

Germany Sends Warning to France

Occupation of Fez Likely to Lead to Trouble—Relief Expedition Making Slow Progress.

BERLIN, May 8.—Germany has warned France of the dangerous consequences likely to follow the occupation of Fez by French troops.

Further than this the government has taken no step, though watching developments in Morocco closely. The telegram from Berlin to Paris published today that Germany had decided to send three cruisers to Moroccan waters in order to display the flag at Casablanca, Rabat, Mogador and El Arach.

In view of the hint from Berlin it is believed here that the French flying column from the southwest that has been trying to the relief of Fez will be halted outside the capital.

TANGIER, Morocco, May 8.—The French, British and Austrian consuls received advice from Fez today. The messages are of a pessimistic character. Other official couriers and those of news agencies which are expected did not arrive during the day.

The dispatches received state that Colonel Brunard's relief expedition is still close to El Knitra, the French advance being barely thirty miles beyond Rabat.

This column was expected to reach El Knitra on May 7 and to make the journey from there to Fez by forced marches not later than last Sunday.

CHAPLAIN BREWER IS BEFORE COURT-MARTIAL

Officer of Sixth Artillery Must Answer Charge of Conduct Unbecoming an Officer.

PORT RILEY, Kan., May 8.—A court-martial met here today to try Chaplain Charles M. Brewer of the Sixth artillery on charges of conduct unbecoming an officer and a gentleman. The specifications of the charges have not been given out.

The court is presided over by Lieutenant Colonel Walter L. Finley, Thirteenth cavalry.

It was learned today that Chaplain Brewer had been under arrest six weeks.

Chaplain Brewer is 32 years old and holds the rank of first lieutenant. He was appointed from Alabama in 1907.

RIOT IN OKLAHOMA CITY

One Man Shot and Four Slightly Hurt When Mob Attacks a Street Car.

OKLAHOMA CITY, Okl., May 8.—One man was shot and four others were slightly injured here last night during a fight between special police employed by the Oklahoma Street Railway company and union men.

Tom Davis, a spectator, was shot through the hand. Two special policemen, a union man and a street car conductor received minor injuries.

The trouble followed the refusal of the street car company to meet the demands of the Car Men's Union for an increase in wages. An attempt was made by union men and their sympathizers to prevent the running of cars and when the police tried to make arrests the union men resisted. The disorder was soon quelled.

Final Argument in the Cunningham Coal Land Claims

Attorneys for Claimants Appear Before Secretary Fisher and Board of Land Review.

WASHINGTON, May 8.—After having been out of the public eye for some time, the Cunningham-Alaskan coal land claims, which brought about the Ballinger-Pinchot congressional investigation because of charges by Louis R. Glavis, a former field agent of the land office, today approached their determination. Attorneys for the Cunningham claimants appeared to argue their case before Secretary of the Interior Fisher, Land Commissioner Dennett and members of the board of land review of the general land office. It was expected the hearing would be concluded tomorrow.

E. C. Hughes of Seattle and John P. Gray of Wallace, Idaho, are representing the claimants.

Commissioner Dennett is charged with handing down the decision. Secretary Fisher determined to sit at the hearing, however, so that in case an appeal is made the land office will not be left without all parties concerned.

The Cunningham coal land claims, thirty-three in number, are so called because it was Clarence Cunningham of the state of Washington, who, while in Alaska in 1902, discovered the coal which led to the filing of claims by himself and by thirty-two others.

Opposition to the final granting of the claims was due to the charge that there was a conspiracy to defraud the government.

Glavis, who wrote to President Taft, charging former Secretary Ballinger with misadministration of the public land laws, started his case against the Cunningham claims early in 1908. He asserted that through an assignment of the Cunningham claims "the Guggenheims" were about to be given a monopoly of Alaskan coal.

The Ballinger-Pinchot committee filed two reports, the majority exonerating Secretary Ballinger and the minority pointing to a large degree the allegations made by Glavis. The majority did not pass on the merits of the claims.

The hearing starting today before Commissioner Dennett will probably decide whether the Cunningham claimants shall be granted patents to their coal lands or whether these lands shall revert to the public domain for future entry.

Mr. Hughes, arguing for the claimants, asserted that as they had paid the purchase price of the land and held receipts from the government for the money, this was equivalent to the actual delivery of patented lands. According to the Alaskan coal land law of 1904, which he declared was complete in itself, as soon as a claimant had staked off his land and had entered it in the register's office he had a right to make contracts to sell such land, provided the claimant was not legally disqualified.

Asked by Secretary Fisher whether he had read the brief presented in behalf of Clifford Pinchot in connection with the charges in the case, Mr. Hughes declared that this brief was only partly correct. He did not believe there had been intentional deceit, but asserted that the brief was in part correct and in part wrong.

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CREIGHTON LOSS IS ABOUT \$75,000

Liberal Arts Building of Creighton University is Guttered by Early Morning Fire.

IT ORIGINATES IN THE ATTIC

Old Church Chairs and Pews Burn in Short Time.

PROBABLY HIT BY LIGHTNING

Father Rigge Thinks This the Cause of the Fire.

FACULTY IS DRIVEN FROM BEDS

Vice President Places Total Loss at Seventy-Five Thousand—Classes Will Be Resumed This Morning.

Loss from fire at Creighton university Monday morning is placed at close to \$75,000 by Rev. W. F. Dooley, vice president of the institution.

The damage to the building is placed at \$50,000, while the loss incurred from the effects of the water and fire on the contents of the building will approximate \$25,000.

Classes were abandoned for Monday, but beginning Tuesday morning they will be resumed as usual, as the first and second floors, it is thought, will then be dry and safe enough to permit recitations in them. The third floor will be untenable for some time.

The cause of the fire is yet undetermined. Father William F. Rigge, head of the natural science department, advances the theory that the flames may have been started by a stroke of lightning entering the building through an electric lighting transformer.

The loss incurred by the fire is fully covered by insurance.

Loss in the physics laboratory will be resumed as usual, as the first and second floors, it is thought, will then be dry and safe enough to permit recitations in them. The third floor will be untenable for some time.

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COAL MINERS TO DES MOINES

Unofficial Announcement that Capital Gets State Headquarters.

EXPRESS RATE CASE UP TODAY

Suit Involving the Reduction of Charges Will Be Tried Before Judge Smith McPherson.

(From a Staff Correspondent.)

DES MOINES, May 8.—(Special Telegram)—Local representatives of the Miners' union are confident that Des Moines will be made the location of the district headquarters for District No. 13 (1) that the general officers of the district will be moved here from Okaloosa. A vote has been taken in the local unions during the last two weeks and the recapitulation has not yet been tabulated. It is learned unofficially that the voting Des Moines is in the lead, with Albia second and Okaloosa third. The result will soon be announced.

Express Rate Case Today.

In endeavoring to win its case reducing express rates the state will bump squarely into the decision of Judge Sanborn, handed down in St. Paul, by which decision many good lawyers declare the field of power of a railway commission is limited to almost nothing. In this opinion Judge Sanborn holds that a state railway commission cannot reduce a rate when such reduction will up rate to charge on interstate rate. Judge McPherson will take up the case in the federal court tomorrow.

Stone to Be Tried for Murder.

John W. Stone, who walked into a store during the summer of 1898 and shot down Frank L. Kahler, and was later sent to the insane hospital, will be brought back to Des Moines and tried for murder. His trial will be brought about by repeated efforts of relatives and friends who live in Pennsylvania to secure his release from the asylum on the grounds that he is not insane. At the time of the crime no motive was assigned.

California Exposition Commission.

Governor Carroll has appointed as members of the commission provided for by the legislature to report on the San Francisco exposition Charles Escher, Jr., of Shelby county, M. A. Roney of Iowa county, Henry L. Adams of Fayette county, J. L. Wolfe of Clinton and George A. Wilson of Des Moines. The committee will report on the advisability of Iowa making a show there.

WESTERN MATTERS AT CAPITAL

Contract for Postoffice Building at Ames, Ia.—Examination for Rural Carriers.

(From a Staff Correspondent.)

WASHINGTON, May 8.—(Special Telegram)—George W. Siles of Chicago has been awarded the contract for the construction of the public building at Ames, Ia., at \$475,000.

Civil service examination will be held on June 5 for rural carriers at Comstock and Lynch, Neb.

Bill Favored by the Peers Provides for Smaller Chamber Divided into Three Classes.

LONDON, May 8.—Lord Lansdowne, leader of the opposition of the House of Lords, today introduced his bill for the reform of the upper house.

The unionists, he said, proposed a house to consist of 300 lords of Parliament, No peer should hold his seat for more than twelve years, but they would be eligible for re-election. The peers themselves would elect 100 members of the peerage possessing the statutory qualifications.

A second contingent would consist of 120 members to be elected from outside the House of Lords.

The third section of the house numbering 100, would be appointed by the crown on the recommendation of the cabinet. Princes of the royal blood would retain their seats, as also would two archbishops while five bishops would be elected.

Viscount Morley, who immediately followed Lansdowne, threw cold water on the plan. He said the government could not accept the proposals as a solution of the difficulty.

The bill passed its first reading.

MILLION IN MEXICAN GOLD COIN MELTED INTO BULLION

Heavy Shipments to Assay Office in New York Are All of Recent Coinage.

NEW YORK, May 8.—Mexican gold coin to the amount of nearly \$1,000,000 has been received at the federal subtreasury and assay office here within a short time past. It was learned today, substantially half the amount has been melted into bullion at the assay office. The remainder was deposited at the subtreasury. The gold was all of recent coinage.

It was reported that some one, possibly a high official of the Mexican government, anticipating a crisis in Mexican affairs, had shipped the gold here as a precautionary measure.

It was said later by the bankers through whom the shipment was made that it was in the regular course of their business as correspondents of a financial institution of Mexico City. It was possible, they said, that it reflected the alarm of some private individual over the Mexican situation.

Still on the Anxious Seat

U.S. SUPREME COURT

U.S. SUPREME COURT