

BIRDMEN INVADE ENGLAND AGAIN

HIGHEST WATER MARK IN HISTORY OF PEORIA

Illinois River Was Within Few Inches of the Record This Morning and Rapidly Climbing Upward.

DIKE WAS WASHED AWAY BY TORRENT

Water is Pouring Over Land Behind Levee at Hollis, With Pekin Dike About Ready to Go.

[United Press Leased Wire Service.] PEORIA, Ill., Jan. 24.—The Peoria and Pekin Union railroad dike at Hollis yielded to the Illinois river floods early today and water is pouring over property on the west side of the stream. The water first went over the top of the dike and is carrying away portions of the structure. The Terminal dike, guarding the LaMarsh drainage district, near Pekin, was holding early today, but it, too, was threatened.

The highest water in the history of Peoria was promised before night. At 7 o'clock this morning the stage was 22.7 feet and a height of more than 25 feet is indicated. The highest former stage was 23 feet, in March, 1904.

Second Flood Coming.
YUMA, Ariz., Jan. 24.—The crest of a second flood was reported to be coming down the Colorado and Gila rivers today. However, the flood receded several feet from Saturday's high mark which threatened to wipe out the city and the worst was believed to be over.

Homeless and destitute Mexicans, their houses in the lowlands washed away, were sheltered today in tents and shacks on the high ground. Many refugees from the valley who arrived here, have been left destitute. Yuma's business district, practically wiped out Saturday, will be rebuilt on a new site, well back from the danger line. The known drowned in

Fell Sixteen Stories.
[United Press Leased Wire Service.] CHICAGO, Jan. 24.—Miss Minnie E. Werner, 23, a stenographer, fell sixteen stories from a window in the rear room of the Transportation building, in the heart of the loop today.

She struck a canvass covered auto truck, which served as a net, breaking the fall, but was badly crushed and will probably die. She was conscious when taken to a hospital.

Stockmen's Convention.
[United Press Leased Wire Service.] EL PASO, Texas, Jan. 24.—More profit from cattle will be the slogan of the American Live-Stock association's three days annual convention opening

the flood still stood at one today, although four others are reported to have perished. Railway transportation is still suspended. The dams and levees in the Imperial valley, several of which were reported to be weakening, have held safely so far. The property loss in Yuma and Yuma valley was estimated at \$1,000,000.

Passed Flood Stage.
NATCHEZ, Miss., Jan. 24.—The Mississippi passed the flood stage here today. Lowlands unprotected by levees are under water. Farmers are moving out cattle and household goods.

Dam Torn Out.
DAVENPORT, Iowa, Jan. 24.—High water tore out eighty feet of the longitudinal dam of the new LeClaire ship canal last night, flooding an area that had been pumped out after several months of work. Machinery was wrecked and construction supplies washed away. The damage was estimated at \$25,000.

Above Flood Stage.
NATCHEZ, Miss., Jan. 24.—The Mississippi river at its junction with the Red river is above the flood stage. Farm land on both sides of the Red river is inundated. It is reported here the Texas and Pacific will suspend service this afternoon, because of the weakened condition of its road.

here tomorrow. Hundreds of delegates were arriving today. Some northwestern delegations were delayed by floods. The convention will consider methods of fighting alleged combinations of packers to keep down the price of live stock and plans to avoid market fluctuations.

Frenchman Shot Himself.
[United Press Leased Wire Service.] DALLAS, Texas, Jan. 24.—Eugene Joffre, 45, said to be a cousin of the French commander in chief, today was found in his home near the city with a bullet wound in his head. A revolver lay near him. He is expected to die. He came here from France when a boy.

DIED CURSING AMERICANS AFTER MURDERING ONE

Execution of Mexican Brothers Who Killed Ranchman Bert Akers.

[United Press Leased Wire Service.] EL PASO, Texas, Jan. 24.—Ill-feeling against Americans in Mexico was increased by the execution of two Juarez Mexicans for the murder of one American.

Bernardo and Frederico Duran who died with a curse on their lips for Americans, had many friends in Juarez and reprisals are feared today.

Their execution by a firing squad for the killing of Bert Akers, American ranchman, last Friday, was one of the most gruesome incidents of the Mexican trouble seen near El Paso. The captain of the firing squad who had embraced them a moment before the execution, put his revolver to their heads and gave each of the brothers the "mercy shot," the rifle-men's bullets having failed to bring instant death.

About fifty Americans, including several women, witnessed the execution and heard the Durans hurl vile oaths at the Americans. The execution took place in the Juarez cemetery Sunday at 5 a. m. the fashionable hour for such parties in Mexico. The two corpses were publicly exhibited all Sunday in Juarez. Frederico, the older Duran, died

protesting his brother's innocence, and declaring against the forfeiting of two Mexican lives for one American.

"We are dying for the cause of Mexico against Americans," shouted Frederico Duran before the firing squad carried out the Carranzista orders.

Looking More Hopeful.
WASHINGTON, Jan. 24.—Summary execution by Carranza authorities at Juarez of the two murderers of Bert L. Akers, American ranchman, was regarded by officials here today as an earnest demonstration of Carranza's anxiety to protect Americans. Official notification of the executions was expected today.

Punishment of the murderers also somewhat allayed pro-intervention agitation in congress. With the reconvening of the senate today, occasional speeches attacking the administration's policy were expected, but the period of a daily and general onslaught seemed to have passed.

No immediate action was planned in either the senate or house foreign relations committees on various inter-vention and other Mexican resolutions. That the administration would not submit its report on Mexican affairs complying with Senator Fall's resolution until after the president returns from his western speaking tour two weeks hence, was officially stated.

BALKANS

[By Henry Wood, Correspondent.]
ROME, Jan. 24.—The remnants of the Montenegrin army are today in grave danger of capture. Austrian troops, having occupied the Montenegrin seaport of Dubrovnik, are moving eastward out of the Adriatic from Scutari. The situation of General Martinevitch's forces is most critical. If the Montenegrins escape the Austrian net and reach the Adriatic they will be transported to the island of Corfu. As rapidly as possible the Serbs in Albania are being loaded upon troop ships for Corfu. Within another fortnight only Italian expeditionary forces in Albania will dispute possession of the eastern Adriatic coast with the Austrians. Montenegrin government officials who arrived here today from Brindisi, said the complete evacuation of their little country by Montenegrin troops had been planned before they sailed. The Montenegrins were to fall back across the Albanian border upon Scutari, being joined there by a few thousand Serbs and Albanian irregulars under Essad Pasha. They planned a last stand at Scutari, hoping to be able to retreat to transports on the

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GERMANY

[United Press Leased Wire Service.] BERLIN, (via wireless to Sayville, N. Y.), Jan. 24.—German naval aviators bombarded the station at Dover, England, and the barracks and docks early Sunday, the admiralty announced today.

RAINING BOMBS.
BERLIN (via wireless to Sayville, N. Y.), Jan. 24.—Bombs thrown by French aviators in their raid on Metz, capital of Lorraine, fell upon the bishop's residence, it was officially announced this afternoon. Two civilians were killed and eight wounded. One of the enemy's aeroplanes was shot down and its occupants captured.

Bombs also fell in the hospital court at Metz, the war office announced. It was also stated that several inhabitants of Monastir, Serbia, were killed and wounded by bombs thrown by aviators from the allies' camp in Greece.

German aviators bombarded the railroad stations and military establishments behind the enemy's lines on the west front, continued the official report. In general air engagements, the Germans had the upper hand. Lively artillery and aeroplane actions occurred along the entire west front.

"On the eastern front, German artillery north of Dvinsk, set afire a Russian railroad train."

PLANT WRECKED BY EXPLOSION

Many Persons Reported Injured and Several Are Missing in the Wreckage.

ONE BODY RECOVERED

Unconscious Girl Was Taken Out of the Ruins With Both of Her Legs Broken.

[United Press Leased Wire Service.] BUFFALO, N. Y., Jan. 24.—An explosion wrecked the Kelker Blowing company plant here this afternoon. Early reports were that many persons had been injured and that several were missing.

At 2:15 p. m. one body had been removed from the ruins. The body of a girl, unconscious, was taken out shortly afterwards. Both of her legs were broken.

Early estimates of the police were that fifteen persons were missing and unaccounted for. They declared a score were injured.

Up to 2:30 p. m., two bodies, those of a man and a woman, both mutilated beyond recognition, had been recovered. At that time the two plants owned by the company, were burning fiercely and firemen are unable to reach the interior of the building.

RUSSIA

[United Press Leased Wire Service.] PETROGRAD, Jan. 24.—Russian torpedo boats have sunk thirty-three Turkish sailing ships and destroyed seven at their docks in a raid along the Anatolian coast, the ministry of marine announced today.

The torpedo flotilla also bombarded three wharves and destroyed the stores, barracks and customs houses at the Turkish village of Samson and Onnepatz on the Asia Minor coast of the Black sea.

PRESSING ENEMY BACK.

PETROGRAD, Jan. 24.—Heavy fighting has been resumed about the Stripa river in Galicia, and along the Bessarabian frontier, according to advices here today. By simultaneous assaults, the Slavs are pressing the enemy back from the Stripa and attempting to bend the Austrian right flank near Czernowitz.

ENGLAND

[United Press Leased Wire Service.] LONDON, Jan. 24.—A renewal of German aerial attacks on London, probably by squadrons of German Fokkers, the "Uhlans of the air," was predicted by the London press today, in commenting on the raids on the Kent coast yesterday, in which one person was killed and six injured.

Aeronautic experts declared that aeroplane attacks probably would supplant Zeppelin visits until the weather is more favorable for voyages by the sky dreadnoughts. They called upon the government to make better preparations to defend London against the giant Fokker battle planes. The Times assailed the censor for forbidding publication of the exact localities attacked yesterday.

The Times declared that both raids were witnessed by large numbers of people, and that the German aviators certainly knew exactly where they were. Questioning the military advantage of suppressing such information, the Times declared: "There were two raids yesterday, one delivered in bright moonlight and the other at high noon. They were witnessed by large numbers of people who know exactly where it took place. The enemy airmen were certainly under no illusions as to their whereabouts."

"Berlin is no doubt informed by this time and in a day or two if the censor permits, we shall publish an account of the locality from German sources." The Daily Mail declared the Sunday raids showed the folly of believing that London has been made immune from air attacks, simply because no Zeppelin has attacked the city for several months.

"The raids on Kent promptly confirmed Flight Commander Billings' prediction that aeroplane raids are apt to become more dangerous than Zeppelin raids," said the Mail.

Some of the aeronautic writers be-

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TURKEY

[United Press Leased Wire Service.] CONSTANTINOPLE, Jan. 24.—Turkish troops and Persian irregulars occupied the Persian town of Kengavar, fifty-five miles southwest of Hamadan, on January 16, the war office announced today. Chakpakistan is also reported to have been taken. The Turks continue to advance on Assadabad.

"Turkish troops and natives also repulsed a Russian cavalry regiment which advanced from Maraga in the direction of Mirandab," the war office reported. "The Russians lost 100 dead. Another Russian regiment was defeated south of Urmis."

Danbury Hatters Must Spend Their Last Days in Poverty

[United Press Leased Wire Service.] NEW YORK, Jan. 24.—After fighting through the federal courts for thirteen years, 188 aged Danbury hatters have reached the point where they feel there is nothing left to do but sacrifice their savings and the homes in which they had hoped to spend the few remaining years most of them have to live. Within the next two months, homes and savings will be seized to satisfy the \$252,000 judgment standing against them in the famous Danbury hatters' case.

Martin Lawler, one of the original defendants, now living in New York today told of the discouragement of the aged union men. The order of sale of their homes has been approved by the federal court. "We Danbury hatters," said Lawler, "have made our fight and lost. Our appeal to congress was, we know, a forlorn hope, but it was under the law which that congress passed, that we were prosecuted and we felt it was no more than right that congress should pay the judgment. It is generally conceded that the Sherman anti-trust law was not intended to apply to organizations; still we have no redress and now we have no hope.

"Congress has refused our appeals and we old men and the widows and orphans of those of us who have died or gone insane since this suit was begun, must pay. With the homes and the savings we have worked all our lives to accumulate; with the money that would pay for the necessities of life and the roofs that would shelter us during the few remaining years that most of us have to live, we must

pay. Many of us are far into the eighties, most of us are well past seventy and none of us is under fifty; and we must give our all to pay damages to a man most of us never saw, none of us ever worked for, and few of us ever heard before we were brought into court on his accusation concerning a matter of which few of us had ever heard and none of us had any interest in.

"There's poor old Billy Humphreys. He's one of us. Billy's way past eighty, and he has no one he can depend on for a place to sleep or a bite to eat or to take a bit of care of him. And Billy is blind. I wonder what will become of Billy when they take his bit of house and his bit of money."

"Then there's Henry Judd. Henry is eighty-five. About all he has is his home property and what he'll do when they sell that over his head, I don't know. Henry's children have grown up and gone away and he and his wife are alone.

"Owen Murray I don't know much about except that Owen is between eighty-three and eighty-four, and has none too much of the world's goods, even if left alone, to worry along 'till he dies.

"Besides them there's plenty and plenty of others. I was running through the list the other day and the first sixteen names among the defendants I counted figured an average of seventy-two years. Of course, lots and lots of us have died. The suit started with 243 defendants and there's only 188 of us left. Many and many a one of us was so old when the suit was started in 1903 that we weren't either active members of the union, nor working at the trade or doing anything but staying home and

minding our business even then and that's thirteen years ago.

"Then there's Ed Johnson and John J. Culhane; not dead, either of them, but for better or, I wouldn't say this prosecution brought it on, but I can think my own thoughts.

"I could sit here and tell you about these old men for hours and hours; and about the widows and children of the ones that are dead; who'll have every stick and stich they own taken from them.

"The American Federation of Labor may help us some, but there's no power on earth now that will save the homes to us. These home places have got to go under the hammer whether or no, because the American Federation of Labor stipulation that no financial help it gives us shall be used to pay any of the judgment and we have no place else to get a penny.

"It will likely be a couple of months before the houses are actually put on the block and the money in the bank taken, but auctioned off and taken they surely will be, for it was no longer ago than a few days that Loewe's attorney got up in federal court and said to the judge that he was anxious to have the property seized and the judgment satisfied as soon as possible because his clients, Loewe et al, were getting impatient for their money; the judgment with interest to date amounts to between \$308,000 and \$310,000 now."

The Danbury hatters' case originated in the suit filed under the Sherman anti-trust law in 1903 by Dietrich E. Loewe, a hat manufacturer of Danbury, Conn., against 243 members of the hatters' union, whom he charged with boycotting his establishment and damaging his business.

INCOME TAX LAW UPHELD BY THE SUPREME COURT

Law Was Passed by Congress Three Years Ago, After the States had Adopted Amendment.

CHIEF JUSTICE WHITE'S OPINION

Fifth Amendment Relied Upon by Opponent of Law, But This is Declared Weak by the Court.

[United Press Leased Wire Service.] WASHINGTON, Jan. 24.—The federal income tax was declared constitutional in the supreme court today.

The law was passed by congress in 1913, following the adoption by the states of the income tax amendment to the federal constitution. The decision was made in the case of Brushaber, versus Union Pacific, brought in the supreme court because the law collected taxes prior to the date on which it went into effect, because it collected taxes at the source and because it was charged it is discriminatory and taxes property without due process of law. The great powers of legislative bodies to levy taxes was pointed out by Chief Justice White in the decision, when he said:

"It is, of course, superfluous to say that arguments as to the expediency of levying such taxes or of the economic mistake or wrong involved in their imposition are beyond judicial cognizance."

Referring to the constitutional objections brought against the tax in this case, Chief Justice White said: "So far as these numerous and minute, not to say in many respects hypothetical, contentions are based upon an assumed violation of uniformity clause, their want of legal merit is at once apparent, since it is settled that clause exacts only a geographical uniformity and there is not a semblance of ground in any of the propositions for assuming that a violation of such uniformity is complained of."

"So far as the due process clause of the fifth amendment is relied upon, it suffices to say that there is no basis for such reliance since it is equally well settled that such clause

is not a limitation upon the taxing power conferred upon congress by the constitution; in other words that the constitution does not conflict with itself by conferring upon the one hand a taxing power and taking the same power away on the other by the limitations of the due process clause.

"And no change in the situation here would arise even if it be conceded as we think it must be, that this doctrine would have no application in a case where although there was a seeming exercise of the taxing power, the act complained of was so arbitrary as to constrain to the conclusion that it was not the exertion of taxation, but a confiscation of property, that is a taking of the same in violation of the fifth amendment. We say this because none of the propositions relied upon in the remotest degree present such questions.

"It is true, as it is elaborately insisted, that although there be no express legislative provision prohibiting it, the progressive feature of the tax causes it to transcend the conception of all taxation and to be a mere arbitrary abuse of power which must be treated as wanting in due process."

Democratic leaders in congress almost immediately declared income taxes will be used to furnish the greater part of revenues needed for the proposed national defense program.

"We are now free to go ahead and revise to meet our needs," said Representative Hull of Tennessee, known as the father of the law. As it stands, the income tax law raises \$80,000,000 a year. As revised it is intended by the administration that it shall raise several times that amount.

One Suspect Arrested.

[United Press Leased Wire Service.] WASHINGTON, Jan. 24.—Postoffice inspectors today arrested at San Antonio, Texas, John Harrison, charged with participating in the hold-up of a Baltimore and Ohio train near Central station, W. Va., last October, when thousands of dollars in unsigned bank notes were taken.

The information came in a telegram from San Antonio to Chief Post-office Inspector Koons. Other arrests,

it was said, will follow shortly. Inspectors claimed they found two of the unsigned bank notes on Harrison, along with other evidence.

Governor Will Speak.

[United Press Leased Wire Service.] JEFFERSON CITY, Mo., Jan. 24.—Governor Elliott W. Major of Missouri will address at least three times every two years to keep them from falling into the hands of spies.

The "Green code" supposed the most secret of all, is said to be well understood by agents of European countries. The code by which American naval attaches communicate with Secretary Daniels, is equally well known.

Formerly when Washington sent a note to a European power, the embassy, after decoding the communication, always paraphrased it. This was done so that no code expert in the employ of a foreign government could lay the

SECRET CODE OF U. S. A. IS KNOWN BY EVERYBODY

Practically Every Belligerent Nation in Europe Can Read the Cipher

[By Carl W. Ackerman, United Press Staff Correspondent.]

BERLIN, Jan. 24. (Via Amsterdam.)—The supposedly secret diplomatic codes of the United States government are known to practically every belligerent in Europe, it was learned today. Col. E. M. House, who is conferring with American ambassadors in Europe as the confidential agent of President Wilson, will have this fact impressed upon him before he returns to Washington. Through him the state department will be asked to change its cipher.

It is now impossible for any diplomatic agent of the United States in Europe to cable a message to Washington with the certainty that it will be transmitted without its contents being known in Europe. In some instances officials of more than one belligerent country can know the contents of such a message before it reaches Washington.

American diplomats in Europe realize officials of the belligerent nations have not the time to examine all the dispatches they send to Washington. But when these officials know that important dispatches are about to be

transacted, as is often the case, they can be on the alert.

Not only is it possible for European belligerents to obtain such information, but it is known they have done so in numerous instances. A dispatch recently cabled to Washington by Ambassador Penfield at Vienna is an illustration. Penfield used the usual route, cabling via Bern and Paris. He first telegraphed to Bern such a dispatch was coming, then he telegraphed it in code. Four days later the American minister to Switzerland wired Penfield that his dispatch had not arrived. Penfield forwarded another version, which arrived before the original message. The original was mysteriously delayed.

There are now three diplomatic codes in use by American ambassadors, said to be from five to seven years old. Usually governments change their codes at least three times every two years to keep them from falling into the hands of spies.

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