

OPPOSITION TO INCOME TAX

Senator Sutherland Makes an Extended Speech Against Proposed Addition to Tariff Bill.

SHOULD BE LEFT TO STATES

Utah Man Says Proposed A Cause Double Taxation

ITS VALIDITY IS QUESTIONED

Senators Ask Questions Regarding This Feature of Speech.

SPEECH BY SENATOR DEPEW

New York Orator Makes an Extended Address in Favor of the Passage of the Aldrich-Payne Bill.

WASHINGTON, May 17.—A comprehensive discussion of the income tax by Senator Sutherland of Utah and an extended speech by Senator Dewey in support of the pending tariff consumed most of the session of the senate today. Mr. Sutherland argued against the constitutionality of a federal income tax law and declared that such a tax should be left as a means of revenue for the states.

Before adjournment two hours were devoted to a discussion of the outlying schedule of the tariff bill and at 5:26 o'clock the senate adjourned.

Fifty-seven senators answered to their names when the senate met at 10 o'clock today, relying doubt as to the ability of that body to obtain a quorum early in the day to consider the tariff bill. When the name of Senator Jones of Washington was called his colleague, Mr. DeWitt, announced that he had gone to the White House and was not able to be present.

"I am not a protectionist in spots," said Mr. Sutherland of Utah, in beginning an address in support of the tariff bill as reported by the finance committee and in opposition to the adoption of an income tax provision. If, he said, there was any question about the amount of duty to be levied on a particular article, he preferred to solve it by having the duty a little too high, rather than too low. He could not advocate taxing the products of his own state and deny protection to the products of any other state.

Speaking of the income tax Mr. Sutherland said the framers of the constitution had contemplated having the federal government obtain its revenues by imposing taxes upon a class of subjects, which the states, either under the constitution, or by compact consent, did not or could not tax to the fullest extent that would be possible.

The federal government, under the constitution, he said, was given power to impose duties on imports which power was substantially exclusive by common consent. The imposition of internal revenue taxes upon buyers and tobacco has been given over to the federal government.

"I think," said Mr. Sutherland, "except in cases of necessity the taxes of the federal government should be confined to those things which either under the constitution or under the operation of a common consent power of the general government are exclusive."

Any effort, he said, to impose taxes upon objects that states tax is bound to result in confusion or double taxation. Taking that view he regarded the income tax as a revenue measure for raising revenue for the general government.

Mr. Sutherland discussed various questions relating to what he claims were the unconstitutional features of the income tax and was at times interrupted by Senators Bailey, Borah, Cummins, Owen and Heyburn.

Decorations for Heroic Queen

King Manuel Recognizes Act of Amelie in Guarding Son from Assassins.

LISBON, May 17.—King Manuel has bestowed upon Queen Amelie, widow of King Carlos, the decorations of three orders for the heroic act displayed by her majesty on the occasion of the assassinations of her husband and son in February of 1908.

He three times that after King Carlos had been shot Prince Louise had been shot dead, the queen, with noble courage and no timid instinct, flung herself in front of her son, Manuel, and endeavored to thrust a dagger into the breast of the assassin, who was armed with a revolver, leveled at him.

His majesty has decorated also the policeman who shot Bulesa, the man who killed the king, with the order of the Tower and the Sword. This decoration gives the recipient the rank of an officer and entitles him to a royal pension.

Charged With Father's Murder

Daughter of Wealthy St. Paul Butcher Under Arrest—Believed to Be Insane.

ST. PAUL, Minn., May 17.—Louise Arbogast, the 15-year-old daughter of the late Louis Arbogast, the wealthy butcher who was killed in his home early Thursday morning in the Ramsey county jail under commitment from the police court. She is formally charged with murder. It is believed the girl was insane.

STEEL MEASURE IS PASSED

House Asks Attorney General as to Progress in Tennessee Merger Case.

WASHINGTON, May 17.—The house today passed the Burren resolution calling on the attorney general to inform it what steps if any had been taken by him or any official of his department to annul the contract whereby the United States Steel corporation acquired the interests of the Tennessee Coal and Iron company.

"Flying Wedge" of Policemen Catches Thief

Force Going to Work Yesterday Afternoon Keeps Thief from Making Touchdown.

Paul Drenko is accused of making the fatal mistake of robbing a man just at 4 o'clock in the afternoon.

If Drenko did the job, it must be his first offense in Omaha, as any ordinary thief knows the police force for the third watch of the day marches to work just at 4 o'clock.

The result of Drenko's alleged ignorance sent 1500 people to follow twenty policemen into the alley between Dodge and Douglas streets, and Drenko was caught like a fox pursued by ten hunters and fifty hounds.

Just as the force, which goes to work at 4 o'clock, was marching up Dodge street yesterday afternoon, William Kamau, a Greek, ran up to an officer at Sixteenth and Dodge streets and said he had been robbed of \$25. The officer turned and saw the alleged thief running toward the alley between Dodge and Douglas. He shouted for the man to stop, pulled his gun and fired four shots into the air.

The shots didn't stop the thief, but broke up the line of policemen, and they all started after the thief. Into the alley the twenty blue coats plunged, like a foot ball squad making the flying wedge. They filled the alley with blue. It looked as though the thief was about to make a touchdown. The police went into the alley so fast that some of the men and a full back were knocked against the telephone poles and brick walls, rolling along the paved alley as though a quarterback had got tangled between their legs.

Then the gathering in began. Every man who ran out of a saloon or restaurant to see what had happened, or "beat it" too hard when the shots were fired, was brought to the patrol box.

One by one the police came up while waiting for the man. Each had nailed a man. Some had traveling men with grips, others had people who quit work early.

"This man was running as hard as he could go," explained a patrolman at the box.

"You bet I was running," laughed the "prisoner."

"There was some shooting going on and this man was running," said another blue coat.

"Who wouldn't run?" said the man who had a roll of bread under his arm.

Then the man who was wanted was led up. A policeman put his hand in Drenko's pockets. He pulled out a roll of money. It was \$25.

All the men arrested for running on the streets when a policeman was shooting were told to move on.

Wants Receiver for U. S. Express

John L. Dudley, Stockholder of Concern, Asks that it Be Dissolved.

NEW YORK, May 17.—The fact that John L. Dudley of this city has applied to the court for the appointment of a receiver and for the dissolution of the United States Express company became known today, when an argument on the application was made in court.

Counsel for Mr. Dudley, who asserts he is a stockholder, today applied to the supreme court for a writ of mandamus to compel Edward T. Platt, the treasurer of the company, to permit an examination of its books. Decision was reserved.

MISTAKING TWIN FOR GHOST MURDERER BECOMES MANIC

Mexican Babble Out Story of Crime and Clears Up an Old Mystery.

ZACATECAS, Mexico, May 17.—Rendered insane by the appearance of the twin brother of his victim, whom he believed was the ghost of the man he had murdered, the ghost of Antonio Aguilar fell to his knees pleading for mercy and babbling the story of his crime. Until that moment the murder of Eustacia Aguilar had been veiled in mystery. Eustacia's twin brother, Juan, who had been absent from home for years, returned to the city yesterday and accidentally met his brother Antonio. The latter did not know of the return of Juan and when he saw him on the street his resemblance to the murdered brother was so striking that he thought the spirit of the nephew he had killed had returned to haunt him. He was taken into custody and is believed to be hopelessly insane.

Norwegians Celebrate Day Marking Their Independence

Monday was a big day in Norwegian communities in Minnesota and the Dakotas, but the day was passed by in Omaha with little note, as there are few Norwegians or descendants of Norwegians in this city.

The day was a big one to those with ancestry dating back to the land of the midnight sun, for it was the anniversary of the date Norway secured its freedom from Denmark and became an independent state on the first time since the days of the Vikings of old.

On March 17, 1814, ninety-five years ago, the treaty of peace was signed with Denmark, a three years' war brought to its close and Norway was free. For upwards of 300 years the country had been ruled by the Danes, and Norwegians chafed under the yoke of bondage. Smaller wars were waged at odd times, but in 1814 began the final war with Denmark, which was terminated the same year that America declared the British for the second time. Norway enjoyed strict independence for only a short time, however, and to preserve its independence from other countries and for mutual protection it joined Sweden and Karl Johan, a Frenchman, was chosen king of the two countries, this dual government continuing until 1905. Four years ago Norway broke with Sweden and is again an independent state, ruled by a Dane—King Hakon.

"People in this country call May 17 the Norwegians' Fourth of July," said G. Wilg, tinner at Twenty-seventh and Leavenworth

CAPTAIN HAINS TO SING SING

Slayer of William C. Annis Will Be Taken to New York Penitentiary Today.

SENTENCE IS INDETERMINATE

Maximum is Sixteen Years and Minimum Eight Years.

MOTION FOR NEW TRIAL DENIED

Court Holds that No Errors of Law Were Made.

APPEAL TO HIGHER COURT

No Application Will Be Made for Certificate of Reasonable Doubt.

Act as Stay of Execution.

FLUSHING, N. Y., May 17.—Unless some unlooked for legal obstacle is interposed, Captain Peter C. Hains, Jr., U. S. A., who was convicted of manslaughter in the first degree for killing William E. Annis at the Bayshore Yacht club last August, will be taken to Sing Sing tomorrow and at once will begin serving the sentence imposed today by Justice Garretson in the supreme court. The sentence is an indeterminate one, under which the minimum period of imprisonment will be eight years and the maximum sixteen years. His time in prison must be spent at hard labor.

Counsel for Hains late today practically agreed to their client's immediate transfer to Sing Sing when they announced after a consultation with General Hains, his father, and Major John F. Hains, a brother, that no application would be made for a certificate of reasonable doubt to act as a stay of execution. An appeal, based on the general court record in the case, will be taken in regular course, however.

Upon learning the decision of counsel the sheriff of Queens county said that, acting upon the suggestion of the court, he would take his prisoner to Sing Sing within twenty-four hours.

Given Indeterminate Sentence. Captain Peter C. Hains, Jr., U. S. A., who was convicted for manslaughter in the first degree for killing William E. Annis at the Bayshore Yacht club last August, was sentenced today by Justice Garretson in the supreme court to an indeterminate sentence of not less than eight years nor more than sixteen years, at hard labor in state's prison.

John F. McIntyre, counsel for the defendant, made the usual motions for a new trial, which were denied. The court clerk then instructed Captain Hains to come to the bar and proceeded to ask him the questions usually put to a man about to be sentenced. The prisoner seemed dazed and seemed to have some difficulty in understanding the questions. Lawyers McIntyre and Young of the defense stood either side of Captain Hains and assisted him in answering the questions of the court clerk. In passing sentence Justice Garretson said the defendant had a fair trial and had been defended by experienced lawyers. A jury had found a verdict commensurate with the requirements of the law. He said he was not aware that any errors of law had been committed during the trial. Although there had been a great deal of sympathy injected into the case, the law did not allow a man to punish another for wrong he had suffered or to wreak vengeance upon the man who wronged him. After Justice Garretson had imposed the sentence, Captain Hains sat down and dropped his head on the table before him. He seemed overcome with emotion for a few moments, but soon recovered himself and sat upright starting for the court house.

General Hains, the defendant's father, and Major John Hains, who were in court, displayed much emotion when the captain was sentenced. Immediately after sentence the prisoner's lawyers asked for a stay of sentence for a few days in order to take an appeal. Justice Garretson said the case would take the usual course and gave the defense twenty-four hours in which to file an appeal. He then remanded Captain Hains to the custody of the sheriff.

Father and Son Killed. RICHMOND, Ind., May 17.—Ech Meek and his son Raymond, a boy of 12, were killed this morning by Joseph Raliback, Raliback was wounded in the leg. Raliback used a shotgun.

George Meredith III. NEW YORK, May 17.—George Meredith, the English novelist, was taken ill May 14, since when he has gradually grown worse.

Compress at Fort Smith Burns. FORT SMITH, Ark., May 17.—Fire here early today destroyed the Fort Smith compress and its contents of 5,000 bales of cotton. The loss is estimated at \$300,000 and is covered by insurance. The fire is supposed to have been started by an incendiary. Flames broke out simultaneously in a dozen different places in the yard.

Philadelphia, May 17.—The fastest vessel ever built on the Delaware river, the torpedo boat destroyer Lieutenant Smith, left Cramps' shipyard today for a three days' trial trip at sea. The builders have no doubt the new vessel will develop twenty-eight and a half knots an hour, the government requirement. The trial will take place off the coast of the Delaware peninsula between Cape Henlopen and Cape Henry.

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A SAD CASE



"My! I'm Sorry Henry's Spring Fever and My House Cleaning Comes at the Same Time." From the Cleveland Leader.

AMERICAN SHIP AT MESSINA

Captain Marshall Will Protect Interests of This Country.

EPIDEMIC THREATENS REFUGEES

Armenians Hesitate to Leave Camp for Fear of Further Violence—Turkish Officers Hang Singing Hymns.

MESSINA, Asiatic Turkey, Sunday, May 16.—Captain William A. Marshall, commanding the American armored cruiser, North Carolina, now in this port, has been investigating conditions. He had a conference with the governor of Adana province yesterday. As a result full protection has been promised American interests at Adana and guards are patrolling the American property there and elsewhere.

The conditions in the refugee camps are pitiable. Thousands of unfortunates are huddled together and lack food, shelter and medical aid. The authorities are making efforts to improve the situation and send the refugees back to their farms. Many Armenians are quartered at the American missions, and most of them decline to leave because of their lack of confidence in the protection offered. The greatest danger is from epidemic in the overcrowded camps and missions. Measles and typhoid fever already exist. It is urgently necessary that the refugees be dispersed as soon as possible. Money contributions were gladly needed. Captain Marshall is sending a medical relief party up to Adana.

The North Carolina will remain here for the present.

Montana in Port. ALEXANDRETTA, Asiatic Turkey, May 17.—The American cruiser Montana arrived here today. Alexandretta is quiet. The Montana accompanied the North Carolina from Cuba and came to this port, while the North Carolina went to Messina.

Five Officers Are Hanged. CONSTANTINOPLE, May 17.—Five more men were hanged at half past three o'clock this morning in front of the buildings of Parliament, opposite the Mosque of St. Sophia, in Stamboul. They had been found guilty by court martial of complicity in the murder of their officers in the revolutionary outbreak of April 13. Among them was one non-commissioned officer, the others were junior officers. The five men sang hymns while they were being conveyed from the war office, where they had been confined, to the place of execution. They continued their songs while the final preparations for the hanging were being completed and up to the very moment that the stools on which they were standing with the ropes around their necks were knocked out from under their feet. All through the condemned men were as calm as if saying their prayers in a mosque.

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Gold Key for Seattle Show Given to Taft

Instrument Made from Klondike Nuggets and Alaskan Marble Will Open Exposition.

WASHINGTON, May 17.—President Taft is to open the Yukon-Alaskan exposition at Seattle, June 1, with the splendid gold telegraphic key presented to him today by Secretary Ballinger and the congressional delegation from Washington. The key is mounted on Alaska marble and is ornamented with twenty-two handsome gold nuggets from Alaska. The key will be presented to the White House telegraph office and the president will touch it on the day of opening, thereby setting in motion the machinery of the exposition. Secretary Ballinger, in his speech of presentation, said:

"I present this key to you on behalf of the donor, Mr. George W. Carmack, as well as on behalf of the management of the Alaska, Yukon-Pacific exposition. I am informed that Mr. Carmack was the original discoverer of gold in the Klondike and that he had retained from his discovery claim the nuggets which ornament the polished piece of Alaskan marble upon which this key is mounted."

President Taft, in responding, said: "I accept with pleasure this unique telegraphic instrument bearing upon it the substantial evidence of the wealth of the far northwest. I shall use it with great pleasure to discharge the honorable duty which you impose upon me of opening the exposition by telegraph on the first of June next, and shall preserve the instrument as a memento of the important step in the progress of the northwest, especially that part of the northwest which we acquired from Russia and which is even now bringing back to the American people many fold of its original cost and offering to us for the future sources of wealth that can hardly be overestimated."

HARPER ASSETS ARE SOLD

Remains of Old Bank Failure Disposed of for Over Five Hundred Dollars.

CINCINNATI, May 17.—W. H. Stange paid \$25 today for the assets of E. L. Harper that remain in court custody as a result of the failure of Harper's Fidelity National bank, Cincinnati, some twenty years ago. Chief among the assets obtained by Stange is a court judgment by creditors against Harper for \$200,000. Harper, who served a term in the penitentiary on the charge of wrecking the bank, is said to be at present the president of a \$15,000,000 corporation in New York.

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BALDWIN AIRSHIP IN OMAHA

Big Dirigible Balloon Arrives at Fort Omaha and Will Sail.

OFFICERS MAKE IT WELCOME

Colonel Glasford Says it is Just Like Receiving a Whole Regiment of Reinforcements to Get Such a Gas Bag.

The United States dirigible balloon No. 1, otherwise known as the Baldwin air ship, arrived at Fort Omaha, Monday evening in a special car by express from Fort Meyer, Va.

The air ship will at once be placed in the big balloon house and inflated for experimental purposes. The big hydrogen gas tank is being filled for the purpose, and experimental flights will be made within a few days. It will require from thirty-six to fifty hours to inflate the balloon.

The gas bag is spindle shaped, ninety-six feet in length, with a diameter of nineteen feet and six inches and has a capacity of 30,000 cubic feet for gas. Inside the big bag is a smaller balloon for air, with 3,200 cubic feet capacity for preventive against undue expansion gas from in the big balloon.

The material of which the balloon is composed consists of two layers of Japanese silk, with a layer of vulcanized rubber between.

The car is built of spruce and is sixty-six feet long by two and one-half feet wide and two and one-half feet high.

The motor is a 30-horse power water cooled Curtis engine. The propeller is at the front of the car and is connected to the engine by a steel shaft. The screw has a diameter of ten feet and eight inches, with 60 revolutions per minute.

A vertical plane is provided at the rear end of the car for guiding and to prevent pitching. A double horizontal plane is provided at the front end of the car to control the vertical motion and prevent pitching.

Airship Lifts Half Ton. The balloon has a lifting-power of 1,200 pounds and is capable of a speed of nine and six-tenths of a mile per hour, and can run for two hours at this speed.

The airship has already made several successful flights at Fort Meyer and is under full control of the operator. It can easily carry two men.

A detail of sixteen officers of the Signal corps is under orders to proceed to Fort Omaha from Fort Leavenworth for instruction in ballooning. The detail will go under command of Major Edgar Rice, who is at present in charge of the signal school at Fort Leavenworth. The detail is expected to arrive in Omaha during the latter part of this or early next week.

"We are extremely glad that the dirigible balloon is here," said Colonel Glasford, "and we shall proceed with the experiments as soon as things can be made ready. The experiments will continue all during the summer. We do not know yet what other balloon equipment will be sent us, as we have to depend largely upon the papers for our information, until definite information is sent us from Washington."

Fort Omaha a Park. Fort Omaha is now at its prettiest and its park-like appearance makes it a pleasant resort. The grounds are spacious and are cared for constantly, surpassing in real beauty any of the Omaha parks. The officers will at all times be pleased to have people visit the grounds. There is much to see.

(Continued on Second Page.)

RICH FIND IN OLD SUIT CASE

True Tale from Denver that Reads Like the Most Romantic Fiction.

RULO, NEB., BOY IS BENEFICIARY

Quarreled with Father When Sixteen and Left His Home.

FATHER HAD DISOWNED HIM

Later Married