

POLICE BATTLE IN DARK CELLAR WITH ROBBERS

Two Officers Wounded and Negro Desperado Slain in Sunday Morning Battle.

ONE POLICEMAN BADLY HURT

Arthur Cunningham Was First Thought Seriously Injured.

FIGHT IN MAURER'S BASEMENT

Concealed Robbers Open Fire When Called on to Surrender.

DEAD MAN WORKED AS WAITER

Employed at Restaurant Whose Owner He Sought to Rob.

ONE OF ROBBERS GETS AWAY

Companion of Dead Bandit Escapes While Fierce Conflict is in Progress, but Police Are on His Trail.

A negro desperado killed a policeman dangerously wounded and another officer suffering from a bullet wound in the shoulder where a ball from the negro's gun took effect, is the result of a pistol battle in the dark cellar of Ed Maurer's restaurant at 1206 Farnam street at 7 o'clock Sunday morning, when two negroes who plotted to rob Mr. Maurer were brought to bay.

The policeman who is most dangerously injured is Arthur Cunningham, about 40 years old, and one of the best liked officers in the department. He received a bullet in the groin, which, taking an upward course, landed in his stomach. He also was wounded in the leg.

The policeman wounded in the shoulder is Patrolman Ezra B. Ferris, another popular officer. His wound is only a superficial one and he will recover.

Louis Wesley, 35 years old, who up until last Friday was employed at the restaurant as a waiter, is the negro who was killed. Credit for his death is given to Officer Cunningham, who risked instant death by walking up to the very muzzle of the desperado's gun and killed him with a single shot.

Story of the Battle.

The shooting took place at 7 o'clock Sunday morning.

Edward Spain, night porter at the restaurant, opened up the place and went down into the cellar, followed by Mr. Maurer. As Spain reached the bottom two men, their faces and hands swathed to conceal them, held him covered with automatic pistols.

"When does Maurer come down?" they demanded.

Mr. Maurer was close at the heels of his porter and heard their question. By the dim light of a small incandescent lamp he could make out the figures with the pistols. He immediately realized the situation and slipped quietly back upstairs and called police headquarters.

Patrolman Ezra Ferris from central station responded and was met by Officer Cunningham the patrolman on the Farnam street beat. Together they went into the cellar, with Mr. Maurer in the rear.

As they reached the bottom of the steps all of the cellar lights went out and the door of the big ice box in one corner slammed. The officers turned on one light.

"Come out of that ice box, men, or we'll come in and get you," called Cunningham.

Shooting from inside box.

The answer was a crash of pistol shots. One of the bullets crashed through the heavy walls of the ice box and the bullet with its force partly spent, struck Ferris.

(Continued on Page Two.)

INCOME TAX FOR 425,000

That Many Must Be Able to Account to Collector Next Year.

LAW PRACTICALLY IN EFFECT

When Returns Are Made in March, 1914, They Will Cover Incomes from Same Date Year Before to December 31, 1913.

WASHINGTON, D. C., Sept. 28.—According to estimates today by treasury experts, 425,000 American citizens must keep such accurate account of their incomes this year that they will be able to account to the income tax collector next year exactly how much they owe the government under the new income tax law.

So far as the taxable American is concerned, the income tax law practically now is in force against him. The tariff bill in which the law is embodied will not be signed until next week and the first returns do not have to be made to the internal revenue collectors before March 1, 1914. But when the returns are made they will cover the income of citizens from March 1, 1913, to December 31, and the first payment of tax will be for money received during this period.

Every single person (citizen or foreign resident), whose income exceeds \$1,000, and every person with an income above \$14,000, is expected to report his or her receipts in detail to the government agents March 1 of each year.

The estimate completed today indicates that the income tax will produce \$2,250,000 from the 425,000 persons taxed. To this will be added the \$35,000,000 or more produced by the present corporation tax, which is continued as part of the law. The income tax estimates follow:

Table with 3 columns: Income, Number, Total Tax. Rows include \$5,000 to \$50,000, \$50,000 to \$100,000, etc.

Totals \$2,250,000. The general public is expected to give close study to the new law in the next few months as the first burden of the tax payment rests with the individual citizen and his failure to report his income is punishable by a fine. It is admitted that when the first returns are made many taxable persons probably will escape payment, but with each year the government's list of persons with taxable incomes will be made more nearly complete.

Two primary methods of collecting the tax are contained in the law. One is the individual return made by the citizen; the other the returns by corporations and other employers who pay their employees' taxes "at the source."

Under the law as it will be signed by President Wilson next week, every large company employing labor will be compelled to report any regular salaries it pays in excess of the \$3,000 figure and will pay the taxes for its employees and deduct the tax from their pay envelopes.

This payment "at the source" will apply to salaries, rent, interest, royalties, partnership profits and some other sources of income. And persons receiving such incomes must be prepared to show that the money has paid its tax at its source.

Right to Exemptions. In figuring up his net income for the taxpayer the American business man, after deducting \$3,000 for himself, or \$4,000 if married, will have the right to claim the following exemptions:

Necessary expenses of carrying on business, not including personal, living or family expenses. Interest paid out on indebtedness. National, state, county, school or municipal taxes paid within the year.

Trade losses, or storm or fire losses, not covered by insurance. Worthless debts charged off during the year. A reasonable allowance for the depreciation of property.

Evidence from company's income if it has already been taxed. Interest from state, municipal or government bonds. It is clear provision of the law, however, that the taxable person must make a return to the internal revenue collector for his "entire net income" and exemptions claimed under the law must be submitted to the federal officers for them to determine upon their reasonableness or legality.

The amount of the income tax as finally agreed upon follows: From \$3,000 to \$5,000, 1 per cent; from \$5,000 to \$10,000, 2 per cent; from \$10,000 to \$20,000, 3 per cent; from \$20,000 to \$50,000, 4 per cent; from \$50,000 to \$100,000, 5 per cent; above \$100,000, 6 per cent; above \$500,000, 7 per cent.

A single man with an income of \$25,000, for example would pay 1 per cent on \$3,000 and 2 per cent on \$5,000, total tax of \$700. If married the first tax of 1 per cent would apply to only \$4,000 of the income.

Mother Witnesses Son's Crucifixion

ST. LOUIS, Sept. 28.—James Johnoff today received a letter from his mother in Bulgaria telling him of the crucifixion by the Greeks of her son, S. Johnoff, a former student at Christian Brothers college, St. Louis.

The letter states that the mother witnessed the crucifixion of her son, who was slain with fifteen other Bulgarian city officials.

M'COOK BOY IS FATALLY SHOT WITH SMALL RIFLE. M'COOK, Neb., Sept. 28.—(Special Telegram.)—Toots' McBrien, son of W. S. McBrien of South M'Cook, was accidentally fatally shot this evening by a neighbor boy, John Hartman, while the boys were playing with a .22-caliber automatic rifle.

AK-SAR-BEN FESTIVAL STARTS SECOND WEEK WITH CONFETTI

Indications that More Visitors Will Come Than Ever Before.

INTEREST IN EVENTS KEEN

Confetti is to Be Barred at the Carnival for Two Days.

RAIN STOPS OUTDOOR SHOW

But the Attendance at Night Performance at Auditorium Large When Irvin Staged Most of His Wild West Show.

Ak-Sar-Ben Carnival Dates

Automobile Floral Parade, Tuesday afternoon. Electrical Parade, Wednesday night. German Day Parade, Thursday afternoon.

Coronation Ball, Friday evening. Douglas County Fair and Live Stock Show each at carnival grounds.

Irvin Bros. Frontier Day Wild West Show, Bourke Ball Park, every afternoon.

Ak-Sar-Ben & Irvin Bros. Indoor Circus at the Auditorium, every evening. King's Highway open daily from 9 a. m. to 11 p. m.

CARNIVAL ATTENDANCE.

Table with 2 columns: Day, Attendance. Rows include Wednesday (1913), Thursday (1913), Friday (1913).

After the most successful first week in the history of Ak-Sar-Ben, from both the standpoint of attendance at the carnival and enthusiasm among both Omaha and out-of-town people, the second week, which promises to be more successful than the first, starts today when the doors of the carnival open again. The total attendance at the carnival last week, regardless of the wet weather of the opening day, was 28,396, while last year the total attendance was but 20,237.

Saturday was the biggest day last week, with an attendance of over 18,000, and, as Saturday generally runs from 5,000 to 15,000 lower than the parade days, it can easily be seen that the carnival will record greater crowds than ever before.

Only two events were scheduled for Ak-Sar-Ben yesterday, the wild west at Bourke park and the wild west at the Auditorium, but the rain caused the opening event at the ball park to be postponed and the evening indoor performance at the Auditorium profit thereby.

The show at the Auditorium last night was more than well patronized and the large building was packed to capacity.

The rain was doubly welcome to the carnival men because it cleaned the confetti-packed streets and washed the tents and fronts and prevented the showmen and concession merchants indulging in hurling maledictions at themselves because they could not enjoy the business that lovely weather would bring if they were allowed to open.

The carnival men believe that the rain will serve the same purpose the rain of the first day did. Rain inevitably brings out crowds the following day and a big business is anticipated tomorrow. Today absolutely no confetti will be thrown and the governors of the Ak-Sar-Ben believe people who remained away from the carnival before, because of the confetti will attend this evening when they will not be annoyed interfering young men with that.

This week is the big week. The first parade, the floral automobile parade, will be held tomorrow. Over fifty machines have entered and all have been decorated by experts, many by Gus Renze at the Den. The board of governors and Dad Weaver assert that it will be the best floral parade ever held.

Electrical Parade Wednesday. Wednesday evening comes the big electrical parade. Gus Renze and his big floats are known from one end of the country to the other and Renze has outdone himself this year in his efforts to have bigger and better floats.

Wednesday is the big day at the carnival, and every body will have a special stunt for that night.

On Thursday, the German day parade is the principal event. The German day parade is an innovation for the Ak-Sar-Ben, but it is expected to prove a popular one. Because of the change in the program, which necessitates the use of the Brandeis theater for the speaking in place of the Auditorium, where the wild west show is being held, the route of the parade has been changed and will not follow the route of the other parades.

Friday evening is the evening of the crowning event of King Ak-Sar-Ben XIX. On that evening the coronation ball will be held at the Den and the king and queen for the ensuing year will have the jeweled crowns placed on their heads and the royal scepters in their hands. The ball is to be exclusive this year, no one being admitted as spectators as has been the custom in previous years.

Saturday the festivities will close as the carnival comes to a conclusion that night. Every thing up to date has pointed to a most successful year and if pleasant weather prevails the remainder of the week there is little doubt that the Ak-Sar-Ben will not establish a record that will stand for sometime.

HENRY F. MUNROE IS DEAD; MAIL CARRIER FOR 27 YEARS

Henry Franklin Munroe, 45 years of age, who was a mail carrier in Omaha for twenty-seven years, died last yesterday at his home at 2043 North Twentieth street. Mr. Munroe came to Omaha twenty-eight years ago. He left a widow and two sons, George O. and Frank F. Munroe.

Uncle Sam—What Other Games Have You?



From the New York Tribune.

WOMAN IN THE CASE

She is Believed to Know Much About Sulzer's Deals.

TRAILED WEEKS BY DETECTIVES

Colwell, Alleged to Have Been Executive's "Dummy" in Financial Ventures, Has Not Yet Been Produced.

ALBANY, N. Y., Sept. 28.—A mysterious woman who is believed by the board of managers of the impeachment trial of Governor Sulzer to be conversant with many of his Wall street transactions is being sought.

Detectives have been searching for her in New York for weeks, it was learned tonight, but have been unable to locate her.

On one occasion a detective called at her home and a woman who answered the door said she was the much-wanted witness. But the process server, convinced that he was talking with a maid, left without serving the papers.

The search has not been abandoned, however. Her testimony is desired to be introduced next week along with that regarding the governor's dealings in stocks.

Colwell Not Produced. Frederick L. Colwell, alleged to have been the governor's "dummy" in certain Wall street ventures, was not produced by attorneys for the defense today, and tonight it appears more unlikely than ever that he will testify. Friends of the governor said today that illness might prevent Colwell from taking the stand.

They still were firm in their assertion, however, that he was not attempting to conceal himself.

Charges that the governor barred his political influence will be taken up early next week, it developed today. Two witnesses, Chester G. Platt, the governor's secretary, and John A. Waldron, a recorder of legislative bills, have been served with subpoenas duces tecum in connection with this feature of the case.

Platt was ordered to produce the reports of John N. Carlisle, state highway commissioner, in connection with certain projected road improvements in the counties of Greene, Essex and Warren. These reports were made while Carlisle was a member of a committee of inquiry appointed by the governor. The report opposed approval of the bill for improvement in Greene county. Waldron must produce the bills.

Barter Alleged. According to a charge made by Eugene Lamb Richards in his opening address on behalf of the assembly managers \$100,000 was expended from the general fund of the state for the Greene highway. It is alleged that the governor signed the bill in exchange for the vote of Assemblyman J. Lewis Parrie for his direct primary bill.

A similar trade is alleged to have been effected between Assemblyman H. G. Prime, Jr., and the governor. Prime voted for the governor's direct primary bill.

James C. Garrison is still in the Albany county penitentiary for contempt of the assembly. Supreme Court Justice Cochrane at Hudson denied Garrison's application for a writ of habeas corpus on the ground that the court was without jurisdiction.

CUT OUT GAMING FEATURE FROM SHOW ON HIGHWAY

"It has been cut out and will stay out," said "Dad" Weaver, speaking of the gambling on the King's Highway which was exposed by The Bee. A visit to the booth where the game was going on Friday night showed that the Ak-Sar-Ben governors had been busy. No money passed across the counter as the night before and every man or boy who stepped up and threw the three base balls at the tennins was given a 5-cent cigar or a package of chewing gum, whether he knocked any pins down or not. For every pin over seven which was knocked down the reward was greater. And what is more, the proprietor of the booth said he made just as much money as he did before and took in just as much.

WAR DEPARTMENT SUMMONS PORFIRIO DIAZ TO COME BACK

Wants Former President to Return to Mexico for Active Army Service.

HIS REPLY IS NONCOMMITTAL

He Asks Minister to Await Arrival of Letter He Will Send.

HUERTA SAYS REVOLT ENDED

Lind May Suggest Confidential Agent Sent to Rebels.

CARRANZA IS STILL FOR WAR

Says Whoever Proclaims Self President as Result of Scheduled Election Will Be Considered Traitor.

MEXICO CITY, Sept. 28.—General Porfirio Diaz, ex-president of Mexico, has been summoned by the War department to return to Mexico for active army service.

A cablegram sent to General Diaz today brought a noncommittal reply from the ex-president, asking that the war minister await the arrival of a letter which he would send him.

General Diaz now is at Biarritz, France. It is recognized here that General Diaz is too old to render service except possibly in an advisory capacity, and it is assumed that such will be expected of him.

The last words of General Diaz when he left Mexico were to the effect that he would return only if the country needed his services in the event of a foreign invasion.

No intimation is given as to the reason prompting his recall. His resignation from the army was accepted by President Madero.

Messages were sent by order of President Huerta today to all the consuls representing Mexico in foreign countries to the effect that the revolution was ended and that the elections would be held according to the government program.

Carranza for War. DOUGLARS, Ariz., Sept. 27.—"I declare that whoever proclaims himself president of Mexico as the result of the elections Huerta promises in October will be considered a traitor to the country. If he falls into our hands he will be tried under the law of January 25, 1912, and the same treatment will be accorded to all who recognize him as president."

Lind Has Suggestion. VERA CRUZ, Mex., Sept. 27.—It is reported that President Wilson's representative, John Lind, intends to suggest to the administration at Washington the advisability of sending a confidential agent to treat with the rebels in a capacity similar to his own. It is urged in view of General Huerta's promises for fair elections that it is opportune to urge upon the rebels compliance and co-operation.

This declaration formed a part of a lengthy message received here today from Governor Venustiano Carranza, the constitutional leader, at Hermosillo. It is in response to a request that he state his position on the candidacy of Federico Gamboa for the Mexican presidency.

The law to which Carranza refers was that enacted by Benito Juarez. It provides that all traitors may be summarily executed without trial. Under it Maximilian was put to death.

Rebel Chiefs All with Him. In his message, Carranza announced that he had just received visits from representatives of constitutional leaders in Coahuila, Durango, Zacatecas, Chihuahua, Sinaloa, Sonora and other states, and all were in accord with his declaration.

"Our aim," continued the message, "is to exterminate Huerta and his entire following of traitors and assassins, and to prove ourselves good patriots, which our country expects us to do. Peace in Mexico is impossible until the party or the state has been exterminated. The constitutionalists will continue to fight on battlefields against usurpers."

"The present state of revolt makes it impossible to hold legal elections in Mexico."

HIGHWAY ASSOCIATION TO MEET AT CENTRAL CITY

The regular annual meeting of the Platte Valley Transcontinental Highway association has been called to assemble at Central City, Neb., October 5, at 10 a. m. Matters relating to the route will also be taken up for consideration.

It DOES Make a Difference

Not so very long ago it didn't much matter, according to the scheme of things, what kind of an article we bought. A hat was a hat, a suit of clothes was a suit of clothes, one kind of food was apparently as good as another.

That is all changed now. We somehow feel as if we aren't getting our money's worth unless our purchases are backed up with a reputation. We feel we have a right, that it is profitable for us, to know with whom we deal and what the reasons are for doing business here or there or anywhere.

Speaking of colloquially, "we're from Missouri." Nowadays we read our newspapers with care and we know a thing or two about quality, service, reliability, reputation, etc.

Let the careless buy where they will, but we prefer to take no chances so long as we may keep ourselves informed by the advertising columns of reliable newspapers like The Bee.

GRAND JURY FIRST OF YEAR

District Judges Decide that Body Shall Meet in January.

FIRE UPON BORDER PATROL

Federal Cavalrymen Empty Guns at American Troops.

SHOOT AT TEXAS RANGERS, ALSO

United States Army Officers Say Soldiers Did Not Return Fire, but Another Report is That They Did.

EL PASO, Tex., Sept. 28.—A detachment of United States troops from troop H, Second cavalry, were fired upon late this afternoon by Mexican federal cavalrymen, the Americans being on duty patrolling the international boundary about fifteen miles east of El Paso.

None of the Americans were wounded. Two Texas rangers, who were nearby, were also fired at by the Mexicans.

United States army officers stated tonight that their soldiers did not return the federal fire, although there were about forty shots fired at them. H. L. Rhodes, who was nearby when the Mexicans began shooting, stated that the American troops did return the fire and drove the Mexicans to cover. It is not known whether there were any of the Mexicans injured.

The Mexican troops were at a patrol station on the border, about two miles east of San Elizario, when thirty Mexican cavalrymen appeared on the Mexican side. The Mexicans were about 300 yards from the troopers when the shooting began.

The United States troop headquarters at Chisos, Tex., were notified soon after the shooting and went to San Elizario to conduct an investigation. At Juarez tonight the federal authorities are also investigating the shooting.

The Mexican troops which fired at the Americans composed a scouting party, which was sent east from Juarez this morning. Late tonight the troops had not returned to their barracks at Juarez. The border patrol in the vicinity of San Elizario has been doubled tonight.

Lincoln Minister Gives Testimony in Big Fraud Case

ST. LOUIS, Sept. 28.—The federal grand jury today returned an indictment charging Thomas H. Smart and eleven of his agents with wholesale frauds in the sale of New Jersey town lots.

The indictment charges that during the fall of 1911 Smart and his agents sold 509 town lots in what they called Spotswood Manor, N. J. The indictment states that the prospectus represented these lots as being within ten miles of New York and that Spotswood Manor was located on the Pennsylvania railroad.

Rev. George Allenbach, pastor of a German Lutheran church in Lincoln, Neb., was among the victims or whose testimony the indictments were returned.

PURSE SNATCHERS SECURE SMALL SUM FOR TROUBLE

"It made me leigh to think they only got 15 cents, and then I remembered that the bag was a gift and I 'it' out after them, but they got away," said Miss Pauline Griffith, 326 Davenport street, as she told Motorcycle Policemen Emery and Wheeler of her experiences with purse snatchers last night.

Two men sprang upon her at Twenty-fifth and Davenport and seized her handbag, which contained only some small change. The loss of the bag is Miss Griffith's only grievance.

SPECIAL COFFIN MADE FOR MAN WEIGHING 692

ST. LOUIS, Mo., Sept. 28.—A special coffin was made today for John B. Lynch, 45 years old, who died Friday of fatty degeneration of the heart. Lynch weighed 692 pounds. He will be buried Monday. Twelve pall bearers will carry the casket to the grave.

The Weather

Table with 3 columns: Hours, Temperature, Wind. Rows include 8 a.m., 9 a.m., 10 a.m., 11 a.m., 12 m., 1 p.m., 2 p.m., 3 p.m., 4 p.m., 5 p.m., 6 p.m., 7 p.m., 8 p.m.

Comparative Local Record.

Table with 3 columns: Highest yesterday, Lowest yesterday, Mean temperature, Precipitation, etc. for 1912, 1911, 1910, 1909, 1908.