

FOUR MARINES KILLED AND SIX WOUNDED IN NICARAGUA

Americans Capture Rebel Leader After Hard Fight—Zeledon Wounded and Dies After Being Captured

Washington, Oct. 5.—Four American marines were killed and six were wounded yesterday when the American forces took the town of Coyotepe, from Nicaraguan rebels, according to a cablegram received early this morning by Minister Castrillo from the minister of foreign affairs of Nicaragua.

The cablegram from Castrillo, dated Managua, Oct. 4, follows:

"Masaya was taken today by assault. We had 100 dead and 200 wounded. The Americans early took Coyotepe with four dead and six wounded. Correa simultaneously took Barranca. Zeledon fled with his followers but was captured eight leagues from Masaya. He was wounded and died later. Today I visited the American legation to express deepest sympathy for the marines' death. Granada municipality requested the marines' bodies for burial in that city. I beg you to express to the department of state my deep sympathy.

"MINISTER OF AFFAIRS CHAMORRO."

Zeledon was a rebel general of Honduras in the employ of Mena, the fallen dictator, who was recently captured and sent to Panama for exile. For nearly a week after the American forces opened the way from Managua to Granada, where the condition of foreigners was pitiful, Zeledon's rebel forces, entrenched on two hills at Barranca, commanded the line of communication by rail and interfered with the movement of supplies and prevented famine sufferers from making escape.

Rear Admiral Southerland had several interviews with the rebel chief after the surrender of Mena, but found Zeledon not only determined to refuse the offer of amnesty but determined to retain his position threatening the railroad. The admiral was finally obliged to deliver an ultimatum that after 24 hours' notice the American forces would undertake to drive him from the hills. The time limit expired at 8 o'clock yesterday morning and, as the official cablegram indicates, the American marines did exactly as they had undertaken to do.

A regiment of marines was on both sides of the Barranca hills in command of Colonel John H. Pendleton. The First and Second battalions were between Managua and Masaya, the Third between Masaya and Granada, so it is impossible to judge in which battalion the fatalities occurred.

Minister Weitzel, in a dispatch, said the Americans had driven Seleden from the Barranca hills in 37 minutes, but said nothing of Corea's participation in the battle. The dispatch said it was rumored at Managua that American marines were killed and wounded, but gave nothing definite.

READY FOR VISIT OF BATTLESHIP FLEET

New York, Oct. 5.—Before this time next week the mightiest fleet of warships ever assembled under the American flag will be riding at anchor in the Hudson river. Rear Admiral Osterhaus is due to arrive with 16 battleships tomorrow, being followed on Thursday next by the reserve, including 11 battleships and four armored cruisers. Other arrivals before the end of the week will make a total of 32 battleships, 4 armored cruisers, 4 protected cruisers, 21 special type vessels, 3 colliers, 8 naval militia ships, 28 destroyers, 15 torpedo boats and 19 submarines, a total of 127 vessels. The secretary of the navy will inspect the vessels on Monday week, and the next day the fleet will be reviewed by President Taft.

TREATY OF PEACE NOT YET SIGNED

Lausanne, Switzerland, Oct. 5.—The Turkish-Italian peace treaty, awaiting ratification, provides Turkish recognition of Italian sovereignty in Tripoli, according to the Lausanne Gazette. Italy, it is said, is to pay indemnity to Turkey and recognize the religious authority of the khalif over Tripoli.

HOCKIN TO GIVE TESTIMONY FOR THE GOVERNMENT

Secretary-Treasurer of the Structural Iron Workers Said to Have Tried to Double-cross Everybody.

Indianapolis, Oct. 5.—Herbert I. Hockin, said by Ortie E. McManigal to have been one of the organizers of the dynamiting crew, has given information against other defendants in the trial of the alleged dynamite plotters, according to a statement by District Attorney Miller in court today.

According to McManigal, Hockin, who is acting as secretary-treasurer of the International Association of Bridge and Structural Iron Workers, was holder of the McManamars in causing explosions against employers of non-union labor and was the inventor of an alarm clock scheme by which the Los Angeles Times building was blown up.

"Hockin has been double-crossing everybody," said Miller. "He not only double-crossed McManigal, but double-crossed the union. He has been double-crossing these defendants. Why not stop now to tell you just how he personally delivered evidence here at the federal building, tending to incriminate the other defendants?"

All 45 defendants looked toward Hockin, who sat in their midst, his head buried in a newspaper. Miller declared that McManigal, Hockin and J. B. McNamara quarreled over the fixed price paid for dynamiting jobs and McManigal threatened to expose the others.

CONFESSES TO PLOT TO MURDER HUSBAND

Tulsa, Okla., Oct. 5.—The Reuter murder case, one of the most sensational in the records of Tulsa, was called in court today, and it is expected the trial will get under way the first of next week. Charles T. Reuter, a lawyer, formerly of Peoria, Ill., was murdered in his home in the best residence section of this city on the night of May 5 last. The police investigation resulted in indictments for murder being returned against Mrs. Laura M. Reuter, widow of the slain man, and Guy D. Mackenzie, "Dud" Bellow and Joe Baker. Bellow is alleged to have confessed that the motive for the murder was "love, revenge and robbery," though declaring at the same time that the wife had no knowledge that her husband was to be killed. Mrs. Reuter is confident of acquittal, and public sentiment now appears to be strong in her favor.

AN OLD STORY, BUT IT FITS



TAX TITLE CASE DECIDED BY THE SUPREME COURT

Judgment Given by Judge MacLane in the Ada County District Court Is Affirmed.

Failure is Binding. "Sections 3149, 3150, 2066, 2067, 3159, 3160 and 3161 are recording statutes and relate to the recording of a judgment in the recorder's office in accordance with sections 4454 of the revised codes, and are for the purpose of giving notice to the world of such judgment as affecting the title to or possession of real property. "The failure to record a judgment recovered in a court of competent jurisdiction, having the effect of a lien on real property, with the recorder, is binding upon the property involved by such judgment, and also upon the parties to the suit and their privies, when entered as a judgment in a court of competent jurisdiction, and such a record of such judgment has the same actual constructive notice to the parties and privies to the suit, and reserves the same purpose as is provided by the recording statutes above cited."—Excerpt from the syllabus in the tax title case of Belle S. Smith versus Harry S. Kessler, Albert F. Isham and G. D. Hooseley.

The supreme court of this state today handed down an opinion in the tax title case of Belle S. Smith versus Harry S. Kessler, Albert F. Isham and G. D. Hooseley, appealed from the Third judicial district for Ada county. Judge John F. MacLane presiding, affirming the judgment given for the defendant in the action to quiet title. The opinion is written by Chief Justice Stewart and is concurred in by Justice Sullivan. Justice Ailshie concurs in the opinion so far as it affirms the judgment.

The litigation and its history is given by Chief Justice Stewart in opening his opinion with the following statement:

Facts Set Forth. "This is an action brought in the dis-

trict court by the appellant against the respondent and others to quiet title to the northeast quarter of the southeast quarter of section 13, township 3 north, range 2 east of Boise meridian. Under the pleadings both parties claim to be the owner of said property. The cause was tried to the court and findings of fact and conclusions of law were made and a decree entered in favor of the respondent. This appeal is from the judgment.

"It appears from the record that Harry S. Kessler was the owner in fee in the year 1907 of the land described in the complaint; that such property was assessed for taxes for the year 1906, and such tax became delinquent, and on the 15th day of July, 1907, said land was sold for such taxes to one G. D. Hooseley, and on the 17th day of January, 1908, Hooseley assigned the tax certificates issued to him to A. F. Isham, and that on the 13th day of September, 1911, Isham sold and assigned said tax certificate to the appellant, Belle S. Smith, and on the 15th day of September, 1911, the appellant, Belle S. Smith, received a tax deed for said property.

"At the trial of the cause the respondent offered in evidence, and the court admitted the same as evidence, the judgment roll filed in the office of the clerk of the district court of Ada county on the 8th day of November, 1909, in an action brought by Harry S. Kessler, the respondent, against Albert F. Isham, to quiet the title to the property described in the complaint in this action. This is assigned as an

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PROTECTION OF SETTLER IS THE FIRST CONCERN

Martin Speaks to Good Sized Crowd at Gooding in Spite of the Bad Weather.

(Capital News Special Service.) Gooding, Oct. 5.—Notwithstanding a steady rain which was falling, a crowd of nearly 300 enthusiastic Progressives assembled here last night to hear G. H. Martin, Progressive nominee for governor. In spite of the rain the meeting was much larger and more enthusiastic than the one held a few evenings ago by the Republicans at which Governor Gooding was compelled to go out and personally request friends to attend.

Mr. Martin spoke here on the Carey act policies that he advocates. He declared that he first favored a Carey Act commission, based along non-partisan lines, but told his audience that if he could not secure such a commission, and until a commission is created, he believed in looking first after the interests of the actual settler upon Carey act projects. He declared that he had no antagonism toward the promoters and investors, but announced his belief that the best way to protect the promoters and investors in their investments is to see that the settlers are protected and enabled to make payments as they fall due, which cannot be done, he declared, unless the company shall first be made to comply with the terms of its contract with the state and the settlers and until water is furnished as promised and agreed upon.

Mr. Martin also discussed taxation and other state issues and his remarks were received with applause and approval by his audience.

DRUG STORE AT NEW PLYMOUTH IS ROBBED

(Capital News Special Service.) New Plymouth Oct. 5.—The drug store of E. F. Swatman was entered and robbed last night, entrance having been effected by breaking a glass in the rear door by means of which the robber was enabled to unlock the door. Small jewelry and a watch to the total value of about \$100 was taken. There is no clue to the thief.

TAXICAB DRIVER OF SALT LAKE IS FOUND MURDERED

Salt Lake, Oct. 5.—The body of a man, dead from a bullet wound in the head, found early this morning in a taxicab on Third East and Ninth South streets, has been identified as T. E. White, driver of the machine. Two shots were heard in the vicinity about midnight. Otherwise the murder is a complete mystery. Two bullet holes were in White's head. The money and jewelry on his body was not taken, but one of his pockets was wrong side out. He left the cab stand a little before midnight, taking as a passenger a large woman wearing a veil. Mrs. White, who said she was married to the chauffeur two months ago, lives on the west side.

OLD RESIDENT OF PAYETTE VALLEY KILLED IN A FALL

(Capital News Special Service.) Payette, Oct. 5.—David Lamme, one of the oldest residents of this valley, fell from his wagon yesterday afternoon and was instantly killed. The physicians believe that he was stricken with apoplexy, which was the cause of death. He was driving along a smooth road when he fell out. He leaves a wife, who is visiting at McCall, but who has been called home by telephone. Deceased was 72 years of age and had lived here about 25 years. He owned considerable property in Payette and much farm land in the valley.

Father Objects to Football

Champaign, Ill., Oct. 5.—"Bob" Hoffman, brother of the former University of Chicago guard and considered the most likely of the candidates for end on the Illinois football team, in a letter received word from his father yesterday was told either to give up the game or pay his own way. He chose the former.

SAYS INTERVENTION WOULD BRING WAR

Los Angeles, Oct. 5.—Daniel H. Madero, of Monterey, Mexico, uncle of President Madero, declared today that the pacification of Mexico was proceeding surely and there was no excuse for American intervention. Intervention he said means war.

GREEKS TAKEN BACK HOME FOR WAR

Four Steamers Chartered to Transport Men From America

INCLUDE RESERVES AND THE VOLUNTEERS

Demonstrations by Turks at Constantinople—King Ferdinand Delivers Address to Bulgarian Parliament Urging All to Duty.

New York, Oct. 5.—Four steamers of the National Steam Navigation company, of Greece, have been chartered by the Greek government to transport from New York about 6400 American Greeks, volunteers and reservists, of the Greek army, to fight the Turks. The first steamer, the Macedonia, heavily laden with ammunition and stores, ready to sail at a moment's notice, carries 1600 fighting men as passengers.

Trust in Allah. Constantinople, Oct. 5.—Turkish demonstrators smashed windows in the Italian embassy and Greek consulate late last night. Police dispersed the crowd. The sultan, replying to a deputation of unionists today, said, "Allah will not permit the fatherland to be trampled on by a few enemies. I am confident that Allah, in whose keeping we all are, is with us."

Speech by King Ferdinand. Sofia, Bulgaria, Oct. 5.—King Ferdinand, of Bulgaria, in a speech today opening parliament, referred briefly to the military measures taken and said he and the ministers relied on the people's representatives in doing their duty. The deputies merely approved the proclamation of martial law and proceeded with other legislation. The powers have advised the Balkan states not to withdraw their representatives from Constantinople, pending results of steps taken by ambassador.

Servian Parliament Opened. Belgrade, Servia, Oct. 5.—The Servian parliament was opened today by the king amid enthusiasm. The king read his address previously sent to all legations except the Turkish.

Turks Want War. Constantinople, Oct. 5.—Sentiment in favor of war is increasing in Turkey. Several thousand persons had a mass meeting yesterday in the mosque of Sultan Ahmed I. at Stamboul, at which all references to the Balkan states were greeted with cries of "Cursed be Bulgaria, Servia, Greece and Montenegro." Several leaders of the Liberal party addressed the meeting, declaring that Turkey was ready to face all her foes. Hilmi Pasha and Munir Pasha have been appointed cabinet ministers without portfolios. This step was taken in view of the gravity of the situation.

There were continued reports yesterday of skirmishes on the frontier, but no definite news concerning them was received. The ambassadors visited the foreign minister today apparently without any special mission to perform. The Servian minister will depart from Constantinople today, leaving the legation in the hands of a charge d'affaires. Hostile demonstrations against the Italian embassy and the Bulgarian and other Balkan legations were renewed tonight by the populace. They were more violent in form than those of Thursday night. Many windows were broken by showers of bricks and stones and the troops were called to assist the police in dispersing the rioters.

Officers Off for Front. St. Petersburg, Oct. 5.—The departure from St. Petersburg last night for the front of the Bulgarian officers of the reserves was the occasion of a great Slav demonstration at the depot.

M. Bashnakoff, editor of the Official Messenger, who had been deputed by the Slavonian society to address an informal meeting in the imperial waiting room, assured his brother Slavs that Russia would support them for weal or woe. A Servian priest blessed the departing soldiers and bade them expel the Turks from Europe and restate the cross upon the mosque of St. Sophia in Constantinople, which originally was a Christian church constructed by Constantine the Great. Women brought flowers to the soldiers and Russian officers carried their Bulgarian comrades to the cars while the crowds cheered and sang the Russian and Bulgarian anthems. General Soukhomlinoff, the Russian minister of war, has gone to Poland to watch the progress of the mobilization.

Chicago Wheat Market. Chicago, Oct. 5.—December wheat closed today at 91 1/4.