

ZELEA NOW DEFIANT ORDER THE PROTECTION OF MEXICO

KNOX IS NOT SOLE JUDGE

Former Dictator Claims He Is Responsible Only to His Government, and Declares This Country Is Misinformed

ROOT HAD CONFIDENCE OF CENTRAL AMERICA

Now the Latin Republics Are Pulling Apart From the Bond of Union, According to the Fugitive From Nicaragua.

KILLING OF AMERICANS

Mexico, City, Dec. 29.—"Mr. Knox is not my judge. I am answerable to my government."

Jose Santos Zelaya, who arrived this morning from Salina Cruz, thus replied to a question tonight as to what attitude he would assume should Secretary Knox seek to extradite him from this country.

Zelaya refused to discuss such a probability, but strongly intimated that the secretary of state would not have the right to request his presence in the United States.

"I have no feeling against the American people at large, nor the government," he said. "Secretary Knox has been systematically misinformed, and public opinion in the United States has been prepared against me, but the real facts must become known in time, and it is to time I trust for my vindication."

Marines in Battle.

Zelaya said American marines were engaged in several recent battles in Nicaragua and that twenty of them were killed.

"Do you know that there were four hundred Americans fighting with the insurgents at the battle of the Colorado Junction on November 1 the bodies of twenty American marines were picked up by our forces, all dead, and all from American gunboats anchored in the river to protect American interests? The official explanation given me was that these men were deserters."

Zelaya believes the confederation of all Central American republics will ultimately be brought about, as he says the great masses of the people are uniting and the principal obstacle to this has been the selfish attitude of power in power, animated by private interests.

Was Willing to Retire.

President Zelaya declared that on December 20, 1907, he had wired Washington his willingness to resign the presidency and from politics altogether if a confederation of the five Central American states could be brought about.

"The immediate outlook in Central America," said Zelaya, "is difficult to prophesy. The struggle between the present government and the forces of Estrada will probably reach a climax in a short time, but in the constructive work of the future, I am sure that we are all of our people—for we are all Central Americans at heart without sectional

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ADMIRAL KIMBALL, U. S. N.

His headquarters at present are at Corinto in the Nicaragua zone of trouble. Scores of Americans at present in the peppy little republic have been compelled to turn to him for protection, as the native Nicaraguan, whether regular or insurgent, does not seem to respect very much the authority of the United States civil representatives.

TRAGEDY OF LIVES IS BEING ENACTED

When the local unions of carpenters last night voted \$25 as a sick benefit to R. M. Boyle there was revealed a story that rivals Longfellow's classic "Evangeline" in pathos, and eclipses it in the tragedy of two human lives.

In this modern version there are details of a cross-continental chase lasting a year and a half, the exchange of wealth and position for poverty, and, finally, the contracting of a disease that may shorten one unfortunate life and still further overcast another.

Through it all runs a strain of womanly devotion and love.

R. M. Boyle, Mason, Elk, and a member of the Carpenters' union, former man of wealth, is slowly dying at a private sanitarium in Salt Lake, while the fraternal organizations to which he belongs are doing all in their power to make his last days comfortable. Boyle was the junior member of the firm of contractors known as McCaffery & Boyle, one of the most prosperous contracting companies in Pittsburgh up to three years ago. The head members of the firm were wealthy and risk was high after progressing splendidly for a time, the pipe-layers encountered insurmountable obstacles, and the firm of McCaffery & Boyle went to the wall.

The junior member did not recover from the shock. He moved from Pittsburgh to Washington, tried several different ventures, but the adverse effect of the big failure seemed to cast a shadow over his operations and in a luckless way he drifted.

Eighteen months ago he left his wife at Washington and came west. In the days before he became a big contractor

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Striped Clothing and Prison Cell

NEW TRIAL IS DENIED MORSE

"Ice King" Will Begin the New Year in Federal Penitentiary at Atlanta if Writ of Error Fails to Effect Stay

SUPREME COURT HAS REFUSED TO INTERFERE

Judge Hough's Memorandum Regarding the Jury Holds Out No Hope That Verdict Will Not Be Allowed to Stand

WIFE REMAINS FAITHFUL

New York, Dec. 29.—Only a technical legal shadow now stands between Charles W. Morse, banker and one-time ice king, and a fifteen-year sentence in the federal prison at Atlanta.

Judge Hough, in the United States circuit court, today denied his motion for a new trial, but Martin W. Littleton, his counsel, announced that one more stand would be taken.

Tomorrow he will move in the circuit court for a writ of error. If this is denied Morse will begin the new year serving his sentence for violation of the national banking laws, the supreme court of the United States having previously refused to interfere in the case.

Mr. Littleton's recent application for a new trial for Morse was made on the ground that the jury was improperly guarded and that some of the jurors drank to excess in the trial.

With respect to this charge, the court holds that the fact that the jurymen were in custody of secret service men, instead of regular deputy marshals, was well known to both counsel and jurors when the trial began. The court also notes that more than a year has elapsed since Morse was convicted and sentenced, and that a writ of certiorari has been denied by the United States supreme court.

Nothing Was Concealed.

"So far as the record of these affidavits show," says Judge Hough's memorandum, there was nothing concealed or secretive about the appointment of these men, and it has not been urged that merely because they were not regularly sworn in as jurors they were not eligible for selection."

As to the drinking charges, Judge Hough says: "Legislation must advance a good deal before a prisoner may claim to be entitled to a jury of teetotalers, in New York at all events."

Judge Hough points out that it was by direction of a prisoner's attorneys that the jury was selected, and that the affidavits submitted by Morse's counsel showed merely that in the entire trial only twenty bottles of liquor and some individual drinks had been consumed by the jury. "And it is not contended that any one was at all intoxicated," adds the court. All parties agreed, the memorandum continues, that President Taft had determined to go ahead with his legislative program and send in a message dealing with the Sherman anti-trust act brought an unusually large number of congressional callers to the White House today. Among these was Representative Martin of South Dakota, himself the author of several bills designed to bring corporations under federal control.

Mr. Martin urged the President to make recommendations stronger as to federal licenses, so as to provide that any corporation not taking advantage of the licenses within a year should be prohibited from doing interstate business.

Newspapers Not Hostile.

As to the charges that the jurors were permitted to read newspapers with "hostile" accounts of the trial, Judge Hough said: "This case was dull; it took a long time to exhibit necessary preliminary facts; the evidence was incomplete and incorrect, but there is no evidence that they were hostile or biased as even probably to affect the minds of men quite able to perceive incomplete and incorrect evidence. The reading of daily journals in unlawful, this point requires no further consideration."

Mrs. Morse, who has remained constantly loyal to her husband throughout his fight for freedom, is greatly upset by the turn of affairs today. If he must serve his sentence, it is said that she probably will accompany him south. Mr. Littleton's motion for a writ of error on Judge Hough's decision, however, sets as a temporary stay of execution.

FELL DOWN EMBANKMENT Brigadier General Edwards Meets With Mishap in Porto Rico.

San Juan, P. R., Dec. 29.—Brigadier General Charles F. Edwards, chief of the bureau of insular affairs in the United States, met with a mishap last night which kept him in bed today. During the reception of General Edwards and Secretary of War Dickinson, Colonel Howes took the general outside the mansion to show him where a wall was crumbling as the result of the dredging being done in the harbor.

In the darkness General Edwards missed his footing and fell down a fifteen-foot embankment. His left leg was wrenched and his body and right arm bruised. General Edwards was so far recovered from the accident this afternoon that he was able to accompany Secretary Dickinson on an inspection of the city departments.

CONFESSED TO MURDER.

Medford, Wis., Dec. 29.—John A. Johnson today confessed to the murder of Mrs. Anna Sherkey of Hannibal, Wis., on December 15, and was sentenced to life imprisonment by Judge Parish. Johnson said he had killed Mrs. Sherkey because she had accused him of being lazy.



MRS. C. W. MORSE, Who has worked incessantly to save her husband from prison. Her efforts are in vain, and she will probably follow Morse to the southern city in which he will be confined.

EXPECTS TO RETURN FIFTY YEARS HENCE

Parting Remarks of Wu Ting Fang, Ambassador Recalled by Chinese Government.

New York, Dec. 29.—"I'll be back here in 1959, fifty years from now, just as sure as I sit in this chair today," declared Dr. Wu Ting Fang, retiring Chinese minister to the United States, as he bid good-bye to his friends on the afternoon of the Lusitania, sailing for Europe today. Dr. Wu smiled as he made this assertion, but he declared he was not joking. He expressed his belief, however, at the improbability of meeting his present-day auditors on the auspicious day of his return. "I hope I'll find you all here, but I fear not," he declared. The trouble will be with you, not with me. And your trouble will be the trouble of Americans—is too hasty eating and too little attention to the proper mode of living in many other things. One of the party asked the diplomat how old he was now, but Dr. Wu evaded the question. "You Americans worship the Almighty Dollar too much," the diplomat concluded, with his customary frankness. "I by no means despise it, but one should not permit a desire for money to cause him to forget all the rules of health."

ANTI-TRUST LEGISLATION

Representative Martin of South Dakota Talks to President Regarding Good and Bad Trusts.

Washington, Dec. 29.—The announcement yesterday that President Taft had determined to go ahead with his legislative program and send in a message dealing with the Sherman anti-trust act brought an unusually large number of congressional callers to the White House today. Among these was Representative Martin of South Dakota, himself the author of several bills designed to bring corporations under federal control.

Mr. Martin urged the President to make recommendations stronger as to federal licenses, so as to provide that any corporation not taking advantage of the licenses within a year should be prohibited from doing interstate business.

TOO BASHFUL TO LIVE.

Young Man of Toledo, Ohio, Aged 22 Years, Kills Himself.

Toledo, O., Dec. 29.—Lonesome, although at home with his parents and in the midst of the city, because his abnormal bashfulness prevented him from having chums and companions like other young men, Henry Weite, aged 22, shot and killed himself today.

CHAMPION OF OPPRESSED

Centenary of the Birth of Gladstone Celebrated by People of Many Countries.

London, Dec. 29.—The centenary of the birth of William Ewart Gladstone was commemorated today not only in the land of his birth, but in countries like Greece, the Balkans and Armenia, whose peoples still cherish the memory of the statesman's exertions in their behalf. Many foreign delegates, representatives of Finland, Russia, Holland, Bulgaria, Greece, Servia, Armenia and other states, joined in services which were held at Westminster. At Harward, where Mr. Gladstone died on Jan. 19, 1898, and at other points throughout the country, largely attended memorial meetings were held. The statue of Gladstone in the Strand was fairly hidden beneath floral offerings that had come from all parts of the world, while his tomb in Westminster abbey was covered with tributes, including a large solid silver wreath received from the government of Bulgaria.

TEACHERS SELECT A NEW PRESIDENT

CONTEST IS SHARP ONE

Mathonihah Thomas Is Named After Election of Professor Joseph F. Merrill Had Appeared Almost a Sure Thing

ASSOCIATION WINDS UP ANNUAL MEETING

Hearty Response to the Governor's Appeal Is Embodied in Resolutions Adopted at the Final Business Session.

OTHER OFFICERS CHOSEN

OFFICERS SELECTED BY STATE TEACHERS' CONVENTION.

President—Mathonihah Thomas, Salt Lake.
First Vice President—John M. Mills of Ogden.
Second Vice President—James E. Moss, Granite High School.
Director—Erson Ryan, Heber City.
Secretary to be appointed by President-elect after next convention.

By a series of eleven-hour operations that would put to shame the wire-pulling of the most skillfully conducted political convention, the Salt Lake teachers, led by Supervisor John S. Welch, yesterday elected Mathonihah Thomas of Salt Lake president of the Utah Teachers' association. Professor Joseph F. Merrill of the University of Utah, who had practically no opposition up to within a few hours of the election, was defeated by a scant majority.

The election of Mr. Thomas was accomplished after a strenuous campaign in which Supervisor Welch rallied about him some of the most influential workers of the association, and with the support of delegates from various parts of the state, the convention was controlled by Professor Thomas. So safely was the election in the hands of the Education Review, the official organ of the association, attempted to increase membership fees and throw in annual subscriptions to the paper, this resolution was tabled without debate.

Contest Is Close One.

However, the election of Mr. Thomas was not accomplished without a struggle—the prettiest that has ever marked the Salt Lake Teachers' annual. The high school principals of the state were back of the university man, and the election of Professor Merrill seemed assured on a viva voce vote, but when a rising vote was demanded Mr. Thomas was seen to have a slight lead. The nominating speech of Mr. Welch had much to do with the election.

Mr. Thomas is a member of the board of education in Salt Lake, and is also a member of the board of trustees of the Agricultural college at Logan. He has filed a number of bills with the legislature, and was not content for the other officers, and elections were by acclamation.

While the business session was the most important part of the convention, yesterday, the last day of the annual meeting, was marked by a procession of the high school and officers were elected for the different departments, following a discussion of various educational topics. In the afternoon Dr. Thomas M. Balliet and Miss Ada Van Stone Harris made their farewell addresses and the program leading up to the business session was highly entertaining.

Play in School Life.

President Driggs introduced Prof. Milton Bennion of the university at the opening of the afternoon session, and the university man offered prayer. This was followed by two violin solos by Morris Andrews of Salt Lake, accompanied by Miss Margaret Andrews. Dr. Thomas M. Balliet, talking on "The Function of Play in Education," declared that play was a necessary part of life.

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MATHONIAH THOMAS, Newly Elected president of Utah Teachers' Association.

BELIEVES DAUGHTER WAS KILLED BY RIVAL

Death of Bessie May Priest Near Los Angeles Viewed With Suspicion by Mother.

Los Angeles, Cal., Dec. 29.—In the belief that her 13-year-old daughter, Bessie May Priest, was poisoned Mrs. Jennie Priest has asked the district attorney to investigate the death of the young woman, which occurred in Golden on Christmas eve after an illness lasting twenty days.

It is alleged by the mother that Miss Priest was engaged to Harry Sayre, a Newark, N. J., millionaire's son, and she had a rival in the person of a woman whose identity is being concealed. Search is being made for this woman.

Five physicians who attended Miss Priest during her last illness agree that her death was due to poisoning. Two diagnosed her malady as ptomaine poisoning, a third as zinc poisoning and the others have not ventured an opinion.

It has been learned that Miss Priest was the guest of her supposed rival at a dinner in a restaurant and that she became violently ill immediately thereafter. In her delirium she constantly accused the woman with whom she had dined and during lucid periods she exhibited letters from Mr. Sayre in which he is alleged to have warned her against her alleged rival, though giving no reason for his fears. Mr. Sayre is in Ark.

OFFERED TO RAKKA BEY

Sultan of Turkey Has a Vacancy in the Office of Grand Vizier to Be Filled.

Constantinople, Dec. 29.—The sultan today accepted the resignation of Hilmi Pasha, the grand vizier. The Turkish press attributes the retirement of Hilmi Pasha to differences between the ministry which resigned last night and the committee of Union and Progress over a general policy of the government and to the reports from Baghdad of public discontent because of the existing monopoly of navigation.

The present cabinet will remain in office pending a decision by Rakka Bey relative to the acceptance of the grand vizier's office. It is anticipated most of the present ministers will retain their portfolios. The sultan has ordered that the ministry of war and marine, however, have expressed intentions of retiring.

Mr. Hilmi Pasha, who has been grand vizier since 1908, was a member of the committee of Union and Progress and had led to his resignation. He attributed his retirement to ill health and a desire to travel.

PRESIDENT TAFT WILL ACT, LEAVING TALK TO OTHERS

Expects to Have a Conservation Law on the Statute Books When Congress Adjourns.

Washington, Dec. 29.—"Acts, rather than declarations." President Taft is reported in this terse way to have described recently to callers his program for the conservation of natural resources. The President, it is said, has declared that when the present session of Congress ends, he will be able to point to the first practical conservation statutes ever placed upon the law books of the nation as his answer to the criticism that has been directed toward the White house.

Without waiting for the Ballinger-Pinchot investigation Mr. Taft soon will begin the preparation of his special message on conservation and he has received assurances from both houses of congress that while some trouble may be expected in the lower branch, his recommendations will be made into law before the spring adjournment.

The President is represented as holding that there is nothing in the Ballinger-Pinchot dispute that has a bearing on his own legislative program, and he will proceed regardless of it.

In the preparation of his special message, the President will have the cooperation of Secretary Ballinger and of Senator Nelson of Minnesota, chairman of the Senate committee on public lands. It is asserted that in the constructive work of legislation the President has had to depend almost wholly upon Mr. Ballinger, who has been at work for several months on the draft of proposed statutes that will meet intricate details of the problem of practical conservation.

The proposed new laws are ready to be

RAILROADS ARE VERY SLOW SETTLEMENT OF CLAIMS

Interstate Commerce Commission May Call the Attention of Congress to the Matter.

Washington, Dec. 29.—In a decision by the interstate commerce commission handed down today involving a claim of twenty cents in an overcharge on freight against the Aberdeen & Ashboro Railway company and other lines, railroads generally are severely reprimanded for their delay in adjusting their claims where there has been a palpable overcharge.

The railway had admitted the overcharge, but did not settle with the shipper until the latter had exhausted ordinary methods of collection and finally filed a formal complaint with the commission.

If carriers persist in their delay the commission intimates it may be under the necessity of calling the attention of Congress to the matter. Commissioner Harlan, in writing the report of the commission, says: "From shippers in all parts of the country and from local traffic associations which are making earnest efforts on fair and reasonable lines to secure uniformity in the practices of carriers in this regard many complaints have been received in the last year of the inattention of carriers to plain overcharge claims, and of their delay in adjusting them. And a survey of these complaints has led us to the conclusion that this practice or rather lack of practice among carriers is open to severe criticism."

A substantial portion of the time and labor of this commission is given

FIVE MEN KILLED IN BOILER EXPLOSION

Reading, Pa., Dec. 29.—Five men were instantly killed today by the explosion of a boiler at the new plant of the Metropolitan Electric company in West Reading.

The nightwatchman had just left the plant and the day force had arrived when the boiler exploded.

The men, who were thrown several hundred feet from the boiler house, were employees of Sims & Co. contractors, who are erecting a power house at the plant.