THE WEATHER
Fair tonight. Friday probably fair, with easterly winds.

Oregon Daily Journal

WITH HER THE UNION SHE FLIES OWN WINGS

TEMPERATURES TODAY

Boston, 5 a. m.	26	Portland, 5 a. m.	28
New York "	10	Seattle "	36
Charleston "	38	Boise "	26
Wash'ton "	14	San Fran "	48
Chicago, 7 a. m.	8	Roseburg "	34
Kan. City "	14	Spokane "	14
St. Paul "	18	Marshfield "	36
Portland humidity, 5 a. m.			72

VOL. XI. NO 293. PORTLAND, OREGON, THURSDAY EVENING, FEBRUARY 13, 1913.—TWENTY-TWO PAGES PRICE TWO CENTS. ON TRAINS AND NEWS STANDS FIVE CENTS.

SHOT AND SHELL TEAR CITY OF MEXICO, WRECK AMERICAN CLUB AND SHATTER PALACE

Battle for Possession of Capital Is Renewed at 8 This Morning; Diaz Concentrates Attack on Madero's Palace Which Totters Under Fire.

BOMB DROPS IN THE LIBRARY OF AMERICAN CLUB

Consul Wilson Has Americans Removed From Danger Zone in Automobiles; 700 Carried From Business District Where Battle Is Being Waged.

(United Press Leased Wire.)

Mexico City, Mex., Feb. 13.—The library of the American club was wrecked here today at noon by shrapnel fired directly into the building. Bullets perforated scores of pictures on the walls, including portraits of Washington, Lincoln, McKinley and Taft. No one was killed.

Mexico City, Mex., Feb. 13.—After a short lull in the battle between Diaz and Madero, which began at 10 o'clock, firing was soon resumed. Diaz centered the fire of his guns on the national palace and portions of it soon were tottering. Great holes were torn in the walls by shot and shell and it was expected the position of the Maderist garrison soon would be untenable.

Mexico City, Mex., Feb. 13.—At 9 o'clock the artillery duel between the Diaz and Madero forces continued, with Madero's heavy guns inflicting heavy damage on the arsenal.

Many shells from Diaz' machine guns and cannon flew far out of the fighting zone, killing and wounding many non-combatants. Both sides are ignoring all rules of civilized warfare.

Today's change in the position of the cannon and machine guns subjected foreigners and public buildings to a racking cross fire. Government troops have seized and occupied many houses owned by foreign residents.

tA 10 o'clock there was a lull in the firing, although the shells still fell intermittently. So far the area of the bombardment has been much wider than yesterday.

Scores of additional dead and wounded were added to yesterday's casualties. Many non-combatants also met death, but there were fewer women and children among the number than yesterday.

At 5 a. m. today General Diaz issued the following statement: "I wish to reiterate a previous statement that I shall not accept an official position in Mexico. I sincerely regret the loss of 22 of my men and the unknown number of the enemy killed. At this hour, 5 o'clock, I am seeking peace, but at the same time I am preparing for the supreme struggle. I am confident of success.

"I ask your moral support in the fight I am making to bring peace and to save the nationality of my country."

Battle Resumed at Dawn.

The battle between the Madero and Diaz forces for control of Mexico City was resumed at 8:10 a. m. today. Except for the fact that the belligerants had drawn somewhat closer, the position of the two forces were practically the same as yesterday.

Madero's forces assumed the aggressive today, and supplied with additional ammunition, pressed heavier guns into service. Diaz replied with cannon and machine guns.

Bursting shells are still falling in territory outside the fighting zone, thereby jeopardizing the lives and property of American, English, German, and other foreign residents.

Practically no effort has been made to move the dead and wounded and the capital's blood-bespattered streets are literally choked with torn and dismembered bodies. Many of the wounded have died from a lack of medical attention and the city is threatened with pestilence as a result of the presence everywhere in the business district of decomposing bodies.

Americans and other foreign residents of the capital spent a night of terror. Marauders, liberated convicts of Belem prison, roamed the residence district, pillaging, sacking and burning deserted houses. This continued until daylight.

Americans Leave City.

Thousands of foreigners, representing all nationalities, flocked to the American quarter last night. Ambassador

(Continued on Page Two.)

WIRES OUT OF MEXICO CITY GO DOWN; CABLE OFFICE CENTER OF FIRE

Last Message by Way of Vera Cruz Says Foreigners in the American Embassy Safe.

(United Press Leased Wire.)

Mexico City, Mex., Feb. 13.—Enormous slaughter marks this afternoon's fighting here. The dead are accumulating in the streets and all thoroughfares in the battle zone are blocked with bodies, both of soldiers and civilians.

Cannonading increased this afternoon, the Diaz shells bursting over a large section of the city. The fighting was fiercest, however, in the vicinity of the national palace.

A messenger from the American embassy reached the telegraph office this afternoon and reported all foreigners there were safe. He came through bullet-swept streets and his escape from death was considered miraculous.

The Mexican cable building, where newspaper correspondents were writing dispatches, was struck five times inside of two minutes this afternoon. The correspondents stuck to their desks, however, and the cable operators remained at their keys through the danger and din.

The Mexican Cable company's office apparently is the center of fire for the Diaz guns. There is a hail of shrapnel about the building whence the newspaper dispatches are sent. The Jardin hotel has been hit many times by shell and many of the buildings surrounding it are damaged.

Washington, Feb. 13.—Communication between Vera Cruz and Mexico City was suddenly cut off this afternoon, according to reports just received by the state department here from Vera Cruz. State department officials are seeking verification.

It is not known whether the wires were cut or whether the instruments in the Mexico City cable office were abandoned in the face of the artillery fire, reported in an earlier bulletin.

HERE'S THE RECORD AT SALEM: 31 BILLS PASSED IN 31 DAYS

While Multnomah County and Eastern Oregon Solons Are Playing Politics, Hundreds of Other Bills Wait Action.

IN 9 DAYS ACTION MUST BE TAKEN ON $8,000,000

This Is Why Governor Sent Peremptory Word to Recalcitrant "Lawmakers."

(Staff Correspondence.)

Salem, Or., Feb. 13.—Thirty-one bills have been passed by both houses and sent to the governor in the first 31 days of the session—just a bill a day—out of 939 bills introduced. Such is the extraordinary record made up to today by the 90 gentlemen who comprise the Oregon legislature.

Never before at any legislative assembly in Oregon have so many bills been introduced and so few of them enacted into laws after 31 days of legislative endeavor.

Not one appropriation measure of any consequence is included in these 31 bills. And this in spite of the fact that there is nearly $9,000,000 in appropriation requests, as Governor West pointed out in his message telling the legislature to get down to business yesterday, that must be disposed of somehow before adjournment. Including today, there are just nine more working days to do this in.

In fact, until last Tuesday, when the $50,000 Deschutes survey bill was passed in the house, no appropriation measures carrying more than $5000 or $10,000 or so had passed either house. Yesterday the house passed the $500,000 Columbia Southern reclamation project appropriation. That is as far as it has gone in 31 days.

Of the 31, 27 Are Minor.

More than this, only four of the 31 measures passed have been measures of real constructive importance. The four are the Malarkey minimum wage law, the widow's pension law, the law increasing salaries of all circuit judges to $4000 and the sterilization law.

The senate has been moving along and keeping pretty well abreast of its work, but in the house, where the organization has been steam-rolling this and steam-rolling that, with the idea principally of putting the governor in the hole, work has piled up to a terrific extent.

It has reached such a pass now that despairing of accomplishing anything in the nine remaining days, the house leaders are advocating a resolution to continue the session for 40 "working days" or until March 1, thus adding an additional week.

Pay in Eight for Extra Week.

The state constitution provides that the legislature shall hold session for 40 days and be paid therefor. Now, in the twenty-seventh legislature since this constitution went into effect, the

(Continued on Page Six.)

MAUS THINKS THIS POST TOO FAR TO BE AFFECTED

(Special to The Journal.)

Vancouver, Wash., Feb. 13.—"They have been looking for trouble for several years down in Mexico," said General Marion P. Maus today, "and now it looks like they were going to get it.

"I have been ordered to Albany, N. Y., at once to assume command of the first brigade and shall leave tonight or tomorrow morning. We know very little of what is going to happen and it is apparently up to congress to act.

"There have been no orders affecting this post as relates to Mexico and I do not anticipate that there will be. The troops here are too far away."

General Maus is today directing a dozen or more men in packing his effects for shipment to New York.

DAILY INDICTMENTS FOR OFFICIALS OF P. R., L. & P. ON FENDER CHARGE IS JUDGE'S ORDER

President B. S. Josselyn and C. M. Clark of Philadelphia, Pa., chairman of the executive board of the Portland Railway, Light & Power Co., will be indicted daily by the grand jury if instructions given them at noon today by Circuit Judge McGinn are followed. The indictments will be brought for violation of the state law prescribing fenders which extend at least two feet in front of the platforms, and are not over three inches from the tracks in front.

Under statute, each car not properly equipped is the basis for an indictment, and each day the car is operated improperly equipped constitutes an offense. As the penalty is a $50 fine on first offense and $100 for each subsequent offense, the penalties will amount to an enormous amount should the grand jury hold the company to a strict interpretation of the statute.

Judge McGinn's action follows the indictment of F. W. Hild, general manager of the company, last week on a similar charge. He declared this morning that the employes of the company should not be made to suffer, but that indictments ought to be brought against the head men of the company, those "who cut the coupons from the bonds, the owners," as he stated it.

He said that it was the fact that big business interests refused to obey the laws, and held themselves above the government which caused anarchy, and that he was tired of having the company make promises which were never kept.

According to the state fender law street railway companies must be governed by that statute unless the city council pass an ordinance authorizing a certain fender and stating the reasons for adopting that fender. This statute was passed in 1903. In 1904 the Hunter fender was adopted by resolution and this was later held by the supreme court to be null and void on the grounds that fenders might be adopted only by ordinance. On October 12, 1910, the ordinance making the Nelson fender official was passed and July 1, 1911, was the date set for compliance. Another ordinance extending the time was passed and still other extensions have been given until July 31, 1913, was finally adopted as the limit.

M'WHORTER GETS TWO MONTHS, HUMPHREYS MUST PAY $1000 FINE IN ORCHARDS CASE

R. H. McWhorter and H. H. Humphreys, two of the defendants in the case of the government against members of the Columbia Orchards company, both of whom pleaded guilty before the December trial started, were given sentence by Judge Bean this morning in the United States district court. McWhorter received a sentence of two months in the county jail and Humphreys was fined $1000. Both of the fines were imposed according to the recommendation of United States District Attorney John McCourt.

The Columbia Orchards company was engaged in the sale of bonds for the development of a large tract of semi-arid land in eastern Oregon. The scheme was perfectly legitimate, but the misrepresentations made were the basis for government prosecution. It was proved that the company with all of its assets was worth only $150,000, yet bonds to the value of $4,000,000 were issued. Fake subsidiary companies were organized to promote the sale of these bonds.

"McWhorter was in the office of the concern and acted in about the capacity of a clerk or stenographer," said Mr. McCourt, in making the recommendations. "He was a kind of dummy officer. Biehl and DeLarm, ably assisted by Hodges, engineered the concern. McWhorter had no voice in the deals and probably did not know about the inside of many of them that were carried out. He had no idea of the amount of bonds issued.

"McWhorter seemed kind of dumb to me," continued the district attorney. "He says that he did what DeLarm told him, and I don't think he knew what he was doing. The postal inspector recommended two months' jail sentence, but I was inclined to believe that six months would be the better punishment. Humphreys was in practically the same circumstances."

McWhorter was taken into custody and committed to jail at noon after he had arranged some Seattle business affairs by long distance telephone. Humphreys went immediately into the clerk's office and tendered a check for $1000.

ONE STRAY BULLET WILL SEVER THE ROPE!

TAFT ORDERS WILSON TO DRAW ON U. S. TO PROTECT AMERICANS

Ambassador Is Given Carte Blanche in Expense Money; Red Cross Unrespected.

(United Press Leased Wire.)

Washington, Feb. 13.—Notification of assaults in Acapulco on Surgeon Cameron and Ensign Guthrie, officers of the cruiser Denver, during an anti-American outbreak, was received by the state department today. Neither suffered severe injury. Open threats, it is said, continue against Americans.

Washington, Feb. 13.—Alarming reports from Ambassador Wilson of conditions today at Mexico City caused President Taft, at Secretary of State Knox's request, to give Wilson permission to draw funds to any amount for the care of American and foreign refugees. These dispatches also told of vain appeals of Wilson and the German ambassador for cessation of hostilities and confirmed the killing of Mrs. W. H. Holmes and Mrs. Percy Griffiths, both Americans.

"American residents," Wilson's dispatch said, "are sleeping on their arms prepared to defend their lives and property if necessity arises."

He also declared that the censorship

(Continued on Page Two.)

COMMISSION CHARTER REVISION COMMITTEE FORMALLY APPOINTED

Acting Mayor Baker Names Committeemen; Resolution Unanimously Adopted.

Commission government for Portland was brought another step nearer today when the city council unanimously adopted a resolution authorizing the appointment of a committee of nine to draft a commission charter for submission to the people at the primary election, May 3. Immediately after the adoption of the resolution, Acting Mayor Baker appointed a charter revision committee and announced that he would call a meeting of the committee before the end of the week.

The personnel of the new charter commission is nearly the same as that which drafted the "official" charter, rejected by a small margin at the November election, the only new member being W. C. Benbow, author of a proposed charter of that name.

Practically the same charter draft as that submitted in November will be put on the ballot again. The only changes will be a few offered by Mr. Benbow and already agreed upon between him and Mayor Rushlight. Acting Mayor Baker will preside at the meeting of the newly appointed commission, in the absence of Mayor Rushlight, who is in California on a honeymoon trip. Following is the personnel of the charter commission appointed today: Acting Mayor Baker, R. W. Montague, W. B. Ayer, P. L. Willis, F. S. Grant, T. M. Hurlburt, S. Grutze, W. F. Woodward and W. C. Benbow.

"Bob Knew No Fear"--B. Scott

Brother Is Washington Rancher

Pays Tribute to Antarctic Hero

Back in the mountains nine miles from White Salmon, Wash., Bruce Scott, reformed soldier of fortune and younger brother of Captain Robert F. Scott, dead Antarctic hero, has lived a year and a half as superintendent of an orchard. While the story of his brother's bravery in the last struggle for life was thrilling the world, the Washington rancher waited, loth to believe until the report had been fully authenticated. Then his great regret was that the brother should have died just as he was about to reap the honors for which he had striven so long.

A "younger son," Bruce Scott's life has led along far different paths from those traveled by his illustrious brother. Suffering all the handicaps of a younger son, his innate sympathy for the under dog caused him to fight on the side of the Boers in the South African war and the brothers once narrowly escaped fighting against each other. Now, at 36 years of age, Bruce Scott has the record of having fought in seven wars or insurrections in as many different lands.

It was the younger brother's marriage six years ago that brought him to the sedate life of a rancher.

"I would not be here now," he told the staff correspondent for The Journal who found him loading lumber on a sleigh on the Washington ranch yesterday, "save for the fact that I want to keep tame for the sake of my family. My daughter Josephine is now 4 years old, and I can't drag her and Mrs. Scott around the globe. From a soldier of fortune I have come to be a fortune hunter, that is if hard work can bring it to me."

The Brother's Tribute.

"Bob's death after he had reached the South Pole may have been glorious and added luster to England's name, but it seems sad to me that a man of his splendid calibre should die at a time when the entire world stood ready to do him honor. His ambition from boyhood had always been to better the world."

Such is the tribute paid by the younger brother to the memory of the

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HINT AT MYSTERY IN LOSS OF FUEL FROM CACHES SCOTT LEFT

Commander Evans of Terra Nova Says Story Will Never Be Told.

(United Press Leased Wire.)

Christ Church, N. Z., Feb. 13.—Suspicions that some mystery lies behind the deaths of Captain Robert Falcon Scott and his men on the South Polar expedition, are current here as a consequence of the reticence of Commander Evans of the Terra Nova, and other members of the Scott party.

Evans and the Scott survivors are still on the Terra Nova, which lies at Port Lyttleton, the seaport of Christ Church. Evans declares the records of the Scott expedition will not be published unless they are given to the world by the families of the victims, and he also has laid the remainder of the Scott party under strict injunction not to talk.

The last message of Captain Scott said he could not account for a shortage of fuel which hindered his return to shelter, and which, practically, cost his life and those of Dr. Wilson, Captain Oates and Lieutenant Bowers. If the diaries of Wilson, Oates and Bowers make a similar comment, it is intimated that their families may demand a government investigation as to the identity of those who removed fuel from the caches and thus left Scott and his companions to freeze to death at the end of their journey back from the pole.

Commander Evans today absolutely refused to discuss the deaths of Scott and his companions, or to give any hint as to the cause of the absence of fuel on which their lives hung.

PORTLAND'S FREIGHT RATE TO ORIENT NOW IS EQUAL TO SOUND'S

Local Agent of Hamburg-American Line Makes Announcement.

At last Portland is to get rates to the orient equal to those from Puget Sound. Fritz Kirchoff, local agent of the Hamburg-American Steamship company, made the announcement this morning that that company is now receiving freight for the steamer Sithonia, due here May 13, on that basis.

Heretofore, since the direct steamers were taken off the run to the orient, and freight has gone from here to the far east in carriers going by way of the sound, shippers have found it necessary to pay additional rates on their cargo over what was paid from Puget Sound ports, as well as the additional insurance and higher rates for drafts.

The fact Portland shippers will get the same rate as those sending cargo from the sound will reduce the former expense to a minimum, it is said. Steamers of the Hamburg-American line will carry freight from here at the same rates as the lines from Puget Sound handle cargo on the basis of rates prescribed by the trans-Pacific tariff bureau.

Since the announcement that the Hamburg-American Steamship company would make Portland the terminus of its oriental service, the question of the basis on which they would make their rates has been freely discussed, but up to the present time there has been nothing official to indicate how they would be adjusted.

This announcement in connection with that made a week or so ago that Portland would have the preference in the matter of larger space allotment, as compared with that of other ports, seems to indicate that shippers will have no more difficulty in getting space for their cargoes to oriental ports.

The steamer which is to follow the Sithonia in 30 days has not been announced yet, but it is expected that she will be named within the next day or so.

SEATTLE TIMES IS BURNED OUT; 18 LINOTYPES LOST

Presses Undamaged Except by Water; Denny Building, Adjoining, Also Partly Ruined; All Occupants Escape.

ADJOINING TENANTS ARE ALSO SEVERE SUFFERERS

Loss, Which Is Principally to Buildings, Is Put at Sum of $250,000.

(United Press Leased Wire.)

Seattle, Wash., Feb. 13.—Fire loss estimated at between $250,000 and $500,000 was sustained by firms occupying the top floors of the Denny and Times buildings at Second and Union streets early this morning.

The heaviest loser, aside from the Denny estate, which owns the two buildings, is the Times Printing company, which occupied three floors of the corner building.

Among the firms in the Denny building, the heaviest loser is the Bartell Drug company, whose loss may reach $100,000. The whole basement, stocked with expensive wares, was flooded in six feet of water.

The fire, which was of mysterious origin, started either in a room of the Denny building facing the air shaft, or on the top floor of the Times building, at 3:55 this morning. It swept the three top floors of the Denny building then spread to the two top floors of the Times structure.

The loss of the Times includes 18 linotypes and other composing room property and damage by water to the office furniture and the presses. It is not thought the presses in the basement were damaged except by water.

Other losers, in addition to the Times, are the Bankers' Printing company, on the second floor, and the Merchants' Printing company on the third floor.

All tenants of the upper three floors of the Denny building suffered damage, some complete loss.

The Times plant was fully covered by insurance. The Times will be printed this afternoon in the Post-Intelligencer plant.

There was no loss of life, the Denny building being empty at the time, and all persons in the Times building escaping.

The Denny building is occupied almost entirely by stores, offices and studios, and was deserted at the time the fire started.

The top floor of the Times building was devoted to the editorial and reportorial departments and the engraving department. This floor was entirely ruined, and what the fire did not consume was practically destroyed by the flood of water poured into the building from a dozen or more lines of hose.

Men who were in the Times building disagree as to at what point the fire started. R. G. Davenport, a printer, who was in the composing room on the top floor, said he thought it started in the small light court that divides the Times from the Denny building, or in the Times building close to the wall.

The burning of the Times was the second serious fire here within six hours, the Kilbourne & Clarke Manufacturing Co. plant for making wireless telegraph apparatus being destroyed at 11 o'clock last night, causing a loss of $20,000 to that and adjoining firms.

AFTER SILVERTON, OR., GIRL RETIRES, HIDDEN ASSASSIN STABS HER

Thirteen Knife Wounds Made Upon Miss Jennie Rose, Possibly by Rejected Man.

(Special to The Journal.)

Silverton, Or., Feb. 13.—An attempt at murder was made upon Miss Jennie Rose, a young Italian woman of this city, at 11:50 o'clock last night.

The assassin entered the room while the girl was away, her two little brothers being at home alone, the eldest 10 years old. They heard a slight noise at the time but thought little of it. Jennie retired about 10 o'clock, leaving a light burning. She awoke suddenly, finding the room dark, and called to her little brother to strike a light.

Just at this time she was pounced upon by a man, who stabbed her 13 times before she could free herself. She and both boys screamed and ran from the room.

Earl Wood, a neighbor, attracted by the screams, ran in that direction in his night clothes. He saw a short man hurry from the house and saw the girl lying upon the ground. He removed her to his home. No clew could be found.

Miss Rose had a similar experience at Eugene last summer at the hands of a rejected suitor, an Italian, and it is conjectured this is the work of the same man.

PLOT TO POISON WALSH, N. Y. POLICE INFORMER

(United Press Leased Wire.)

New York, Feb. 13.—A plot to poison Police Captain Walsh, whose confession is alleged to have involved a number of high police officials in New York's police graft scandal, was reported today. District Attorney Whitman ordered a nurse and doctor to inspect all food prepared for Walsh. A heavy guard was also thrown about his residence.