

HUERTA REFUSES TO BUDGE.

WILL HOLD HIS PLACE AS PROVISIONAL PRESIDENT OF MEXICO.

Text of His Latest Statement Given out to Foreign Diplomats Shows His Intention to Maintain Position as Head of Nation.

Washington, Nov. 10.—Secretary Bryan tonight made public the text of the note presented by the Huerta provisional government last night to the foreign diplomats in Mexico City. The note, signed by Querida Moheno, minister of foreign relations, says:

"In conformity with provisions of the constitution and in view of the lack of a president or a vice president and a secrecy of state and of the department of foreign relations, provisional presidency devolved upon the secretary of state and of the department of gubernacion—Gen. Victoriano Huerta, who from that time by the ministry of the law has discharged the duties of the office. Thus, in accord with the will of the Mexican people, formally made manifest in the constitution of February 5, 1857, there remained established the presidential succession and the unquestionable legality of the present government. The congress of the union and the supreme court of justice of the nation solemnly recognized without objection the new ruler. In this way the three branches of the government continued the functions by whose conduct the Mexican people exercise the national sovereignty in accordance with articles 29 and 50 of the same constitution. The political programme of the provisional government, constituted in this manner, from that time has been defined perfectly and concentrated on two fundamental propositions:

"To reestablish peace in order that extraordinary elections might be held in compliance with the already cited article 81 of the constitution; in order to turn over the executive power to the one designated by the people at these elections and to respect and make respected the law.

"In compliance with this programme the executive launched a call for elections, taking care that there should be fixed for their holding a time which he deemed prudent, not only that the preparatory work might be carried out, but also that the republic might return to a state of order which had been deeply disturbed in some of the northern frontier States and, although in much less degree, in other States. Acting in accord with the initiative of the executive and in compliance with the constitutional precept quoted, the congress of the union convened special elections to be held October 26 last.

"In order to comply with the second of these proposals, the executive made clear his respect for the other governmental powers, but unfortunately the chamber of deputies attempted to invade the prerogatives of the executive by refusal in some cases to recognize the judicial power.

"The president of the republic was forced to resolve to dissolve the chamber of deputies as a necessary measure for the salvation of the republic, foreseeing the state of anarchy which inevitably would have been brought about if he had continued to tolerate revolution in the midst of one of the constituted branches of the government, and, as the senate alone could not function constitutionally, he declared the congress dissolved. But as it has never been the proposal of the executive to govern outside the constitution, he took care immediately to convoke elections to constitute a new congress. This was done with the solemn promise to give account of his actions to the new congress as soon as it shall be installed.

"It also was a motive of especial care and attention of the ad interim government to respect and uphold the judicial power which continued without any let in its august mission of seeing that individual guarantees are respected, so that the march of the public administration has continued without other obstacles than those which a state of internal strife brings with it.

"The elections of president and vice president of the republic and of deputies and senators to the congress already have been held. Congress will be installed within a few days and will pass upon the election of president and vice president and will render a decision as to their validity or nullity. At the approach of the elections the president learned that his numerous friends were putting him forward for the first magistracy and as he could not be elected legally he made a most solemn declaration before the honorable members of the diplomatic corps that the votes deposited for him in the ballot boxes would be null and of no value, and that even in the event, legally impossible, that the new congress should declare him elected president, he would not accept the office.

"The first magistrate called together the candidates of the various parties

and in the presence of the entire cabinet repeated the declarations made before the diplomatic corps and called on the candidates in the name of patriotism that they manifest solemnly before the nation that if any one of them should be appointed, all the others should collaborate morally and patriotically in influencing their partisans that the president-elect should be respected and assisted in his function whatever might be his party affiliations. And this they did, at the same time manifesting to the Mexican people that if none of the candidates obtained the number of valid votes to be president of the republic all would cooperate to sustain the constituted government.

"Now in view of the fact that it is foreseen that said presidential elections will be declared null, he wishes to make known to the whole world that he will continue exerting himself for the pacification of the country, in order to be able to guarantee the absolute freedom and efficiency of absolute freedom and efficiency of the new elections which congress must call. As a necessary consequence of that declaration, in the same manner he wishes to make known once more before friends and outsiders that he will on no account take into consideration the votes which may have been cast in his favor and will not accept in this case the constitutional presidency of the republic. Relying on the offer of the honorable citizens who figured as candidates for the presidency and vice presidency and who represent all the political parties of the republic, he hopes to be able to fulfill within the period which congress shall designate, his sacred duty of consulting the national desire to consecrate by the suffrage of the people the executive who is to rule definitely the destinies of the country.

"By the indication of the constitutional president ad interim, Gen. Victoriano Huerta, and with the unanimous approval of the cabinet, I have the honor to acquaint the highly estimated government of your excellency this general presentation of the policy of the republic to the end that all of the cultured countries, whose friendship Mexico is honored to have, may do the executive the justice of recognizing that his honest and patriotic effort is intended solely to bring about the well being and prosperity of the Mexican republic.

"I have the satisfaction of renewing to your excellency on this occasion the assurance of my distinguished consideration."

MEXICO IN NEED OF FUNDS.

Capital City Feels Effects in Runs on Banks, Which are Forced to Pay Silver.

Mexico City, Nov. 10.—The acute stage of Mexico's economic situation was manifested today in a long continued run on the banks which served to accentuate the fears of the Mexican people. This, combined with reports of military operations in different parts of the republic appears to have distracted the public mind for the moment from the possible dangers in the strained relations with the United States. At all the legations and among the better informed business classes there is anxiety over the situation.

Javier M. Cancino, manager of the National bank, minimized the importance of the run, saying that less than 1,000,000 pesos had been withdrawn in Saturday's run and until noon today. He explained that most of those who withdrew their money were small depositors, the amounts being rarely more than 50 pesos.

Senor Cancino admitted that the banks technically were violating a recent decree, the language of which was imperative, that the banks must not redeem notes with specie. He added that the banks were acting on a commonsense basis; however, they would not continue to pay out silver when it became necessary to touch the reserve.

SENTENCE TOO LIGHT.

Officer Responsible for Dixon Affair Fined.

Mexico City, Nov. 10.—The American embassy today protested to the Mexican government against the trivial punishment imposed on the federal officer charged with the responsibility for the shooting at Juarez, July 26, last, of Charles B. Dixon, the United States immigration inspector at El Paso.

Dixon was shot under the "fugitive law" while in Juarez on official business.

The American state department demanded the arrest of those responsible and Margarito Saenz, the federal officer in command, was placed under arrest. He was tried and convicted and sentenced to 20 days imprisonment or a fine of 40 pesos. He was released upon payment of the fine.

Just Right for This Cold Change.

Flannellette gowns and petticoats for ladies and children, prices from 50c up; white and colors. Schwartz Greater Stores.—Adv.

WILL NOT RECOGNIZE HUERTA

AMERICAN ADMINISTRATION TO CONSIDER ABROGATION OF EMBARGO AGAINST EXPORT OF ARMS TO MEXICO.

Huerta and His Congress Will not Be Considered Any Further in Step Which This Government May Take—May Allow The Sending of Arms Into Southern Republic.

Washington, Nov. 10.—Developments in the Mexican situation here today tended to emphasize a purpose on the part of the Washington government to refuse to recognize any of the acts of the new Mexican congress and brought to light the fact that serious consideration was being given by President Wilson to the question of permitting exportations of arms to all factions in the southern republic.

Secretary Bryan had a long conference with Senor Algara, charge d'affaires of the Mexican embassy, during which, it is understood, he said the United States considered the election of congressmen as invalid as the voting for president and vice president.

The secretary summoned the ministers from five Central American countries and outlined to them in general what had been done by the United States in its diplomatic parleys with the Huerta government. Later he announced that he also had been in communication with the diplomatic representative of the European powers and had informed them in general terms of steps thus far taken by the United States.

It was reported that some of these diplomats today transmitted long dispatches to their home governments, describing the situation as approaching closer to the complete break in relations between the United States and Mexico than at any time since the Mexican problem became troublesome.

The state department made public Huerta's statement to the diplomatic corps in Mexico City, the burden of which was that the presidential election would be null and void but that the newly elected members of congress soon would be installed, that the national legislature soon would resume the legislative powers which Gen. Huerta had seen fit to assume during the interim between the arrest of the deputies for seditious and the induction of the new members of congress.

In view of the fact that the note recited in detail Huerta's defense of his assumption of legislative authority and his arrest of the deputies and gave also his programme for the future, it was taken by many diplomats as an obvious reply to the American suggestion that he eliminate himself. The Mexican embassy here, which received a copy of the note, declared in an official statement that "it may be assumed that the dispatches received represent the attitude of President Huerta and indicate the nature of his reply to the inquiry of the government of the United States regarding his purpose in view of the recent presidential elections."

White House officials called attention to what seemed to them an inconsistency in the Huerta note wherein it assumed as valid the elections of congressmen which were held simultaneously with the voting for president and vice president, to be declared by Huerta null and void.

The purpose of the United States neither to recognize Huerta's right to continue in power nor the acts of the new congress is the essence of what has been communicated to the foreign diplomats by this government. Future steps have not been specially outlined. In fact, it is understood that, while the policy of the government has been to keep foreign nations informed, there has been no direct effort to seek the support of the powers for the American programme. There is no secret, however, of the desire of the United States for the acquiescence of the powers in its policy.

The trip to the Arizona border of William Bayard Hale, on previous occasions personal representative of President Wilson in Mexico, and the wide discussion of the question of raising the embargo have excited considerable interest.

Secretary Bryan, when questioned about Mr. Hale's status, merely said: "Mr. Hale is at Tucson, Arizona." He was unwilling to be pressed further.

Mr. Hale for several months has been studying the Mexican question and his visit to the border is thought to be one of the unofficial ways by which the Washington government hopes to get information about the strength and purposes of the constitutional movement and perhaps the efficiency of raising the embargo on arms. Mr. Bryan incidentally denied that any negotiations were being conducted with the constitutionalists.

The question of exporting arms to Mexico has raised the point in official circles of whether the president, by executive authority, could let down the bars, or whether action by con-

gress would be necessary. The joint resolution of March 14, 1912, prohibited exportation of arms and munitions of war to countries in Central and South America where domestic violence existed with such exceptions as the president deems expedient.

Such exceptions hitherto have been only to a legally constituted government, President Taft making the exception in favor of the Madero administration at the time of the Orozco rebellion. It now is argued by some senatorial lawyers that to permit exportations to any one faction would be a recognition of the legality of that side, while free exportation to all contenders would be ignoring the existence of a state of domestic violence and annul the spirit of the act.

Many persons have suggested to the president that a repeal of the joint resolution will be necessary if the United States finally decides to grant arms on an equality to the disputants. This has given rise to the belief that any such departure from the present policy of denial of arms would be preceded by a communication from President Wilson to congress.

The president today told callers he had no present intention of saying anything to congress on the Mexican situation and that he was waiting for things to take definite shape as a result of last week's diplomatic parleys before making any move.

Those who have discussed the arms question with the president in the last few days say he seems to be open minded on that point, while a month ago he was firmly set against it. He is asking the advice of senators on that question and some of them have gotten the impression in their talks that he inclines somewhat toward the removal of the embargo though there is no outward indication that he has reached a decision.

ADVISES HUERTA TO RETIRE.

Former Dictator Urges Provisional President to Withdraw From His Office.

Paris, Nov. 10.—Gen. Porfirio Diaz has advised Gen. Victoriano Huerta to retire from the presidency of Mexico. Two friends of Gen. Diaz, each acting separately and by authorization of the ex-president, sent telegrams to Gen. Huerta last week to this effect. In outlining his attitude Gen. Diaz said that in the present situation of the Mexican people in relation to the United States it was not a question of whether Huerta was the best man for the presidency, nor was it a question of whether the revolutionists were right or wrong; it was a question of patriotism. He counseled Gen. Huerta to renounce any feeling of personal prestige or power and thus save Mexico from a calamity.

Gen. Diaz said to his friends that he would have telegraphed to Gen. Huerta himself, but he thus far had taken no direct step in Mexican affairs since he left the country and would prefer to convey his conviction through friends of his and of Gen. Huerta's.

The denial by a member of the Diaz household on Saturday that Gen. Diaz had sent a telegram asking Huerta to resign therefore was technically correct, as he personally had not done so.

BIG FIRE LOSS AT OLAR.

Business Section of Town Wiped out—Loss Estimated at \$20,000—Insurance \$10,000.

Olar, Nov. 11.—Fire which started this morning before 4 o'clock in the buggy warehouse of C. F. Riser wiped out practically the whole of Olar's business section. The loss is estimated at about \$20,000, with possibly \$10,000 insurance.

The stores belonging to the following individuals and firms were destroyed:

J. W. Pearlstone, J. J. Creech, Olar Grocery company, J. C. Brabham, J. O. Johnson, H. D. Drawdy, G. V. Kearse, Olar Drug company, Olar Motor company.

The office of Dr. L. H. Hartzog and the buggy warehouse of C. F. Riser were also burned.

Fanned by a gusty wind, the fire raged for about four hours. As Olar is without fire fighting apparatus, the flames died down only after they had burned a path through the business centre of the town.

The cause of the fire is unknown, but it was discovered first in the buggy warehouse from which it quickly spread to nearby business houses.

TOO LONG A SENTENCE.

The Court Sets Arid Decision of 280 Years.

Washington, Nov. 10.—The 280-year prison term imposed upon C. M. Summers, president of the First National bank of Juneau, Alaska, for misapplication of funds, today was set aside by the supreme court.

The indictment charged 56 offenses and the court sentenced him to five years on each. The supreme court held that only one count should have been included in the indictment.

McGUIRE SENT THIS TELEGRAM

WIRED HENNESSY CONCERNING CAMPAIGN FUND.

Syracus's Man Admits in John Doe Proceedings Charge Which He Denied Several Days Ago—Confession Brings Witness Near to Collapse and Physician is Summoned—Threat of Indictment for Perjury Was Hanging Over Him—Other Witnesses.

New York, Nov. 11.—George H. McGuire, of Syracuse, who last Thursday denied under oath that had sent a telegram to John A. Hennessy, former Governor Sulzer's graft investigator, relative to political contributions, today admitted he was the author of the telegram.

A threat of indictment for perjury was hanging over him when the admission fell from his lips and he left the witness stand almost in a state of collapse. A physician was called to attend him.

McGuire was testifying for the second time in the John Doe inquiry instituted by District Attorney Whitman into Hennessy's charge that contractors on State works had been "sand-bagged" into making campaign contributions to Tammany Hall. Hennessy has testified that he outlined most of his information from McGuire and that the latter had sent him a telegram setting forth that William H. Kelly, Democratic leader of Onondaga County, had been helping Arthur A. McLean, treasurer of the Democratic State committee to "shake-down" State highway contractors.

Today District Attorney Whitman sent before the grand jury three witnesses who gave testimony to show that McGuire had not told the truth last Thursday. One of these was Miss Ollie Collier, a stenographer in McGuire's office; another was a typewriter expert who took with him a typewriter from McGuire's office. The stenographer testified, it is understood, that the machine was one which McGuire himself frequently used and the expert declared the letters on the original of the telegram corresponded with letters of the machine.

McGuire was informed of the contemplated action of the district attorney against him and soon afterward his friends telephoned Mr. Whitman, saying he had collapsed. They asked Mr. Whitman what he would promise "if McGuire told the truth." The district attorney said he would promise nothing but that McGuire would be indicted for perjury if he did not tell the truth.

McGuire was shown the original of the telegram when he took the stand and was asked if he had written it. "Yes," said the witness, "I have refreshed my memory; I wrote it."

Mr. Whitman then questioned McGuire regarding a conversation with Hennessy in Utica, at which, according to the graft investigator, McGuire gave him a list of contractors who had been "sand bagged." In his testimony Thursday the witness denied having given Hennessy this information.

McGuire was growing visibly nervous. "As I remember it," he said, "my testimony as to that was correct."

At this point his attorney former Federal District Attorney Henry A. Wise, requested Magistrate McAdoo for an adjournment until Thursday. He explained that his client had suffered "an utter physical and mental collapse," and was not in condition to go on with his testimony. The request was granted, after Mr. Wise had taken the witness into an adjoining room, where McGuire became hysterical, it was said.

He was preceded on the stand by Eugene D. Wood, the Albany lobbyist, from whom Hennessy said he got his alleged information that Edward B. McCall paid for his nomination as Supreme Court Justice in 1902. Wood denied every essential part of Hennessy's story.

At the close of the hearing it was stated that Henry P. Burgard, a Buffalo contractor mentioned by Hennessy as having made a contribution to Tammany Hall, had admitted to District Attorney Whitman that Hennessy had told the truth and corroborated many other charges made by the investigator. Burgard will not be called as a witness, it was learned, but his information will be used by the district attorney as a basis for further investigation, the results of which, it was said, probably would go direct to the grand jury.

STAR OF STAGE DIES IN POVERTY

Woman Who once Played with Forrest Ends in Poor House.

New York, Nov. 11.—Mrs. Addie Grinnell, a footlight star of fifty years ago, is dead at the age of 84 years in the poor house in Brooklyn. She was committed there as a vagrant ten years ago. She probably will be buried in Potter's field.

Mrs. Grinnell led a stock company of her own two generations back. At one time she played with Edwin Forrest Company in the old Astor place theatre here.

WILL NOT OPPOSE AMERICA.

Premier Asquith Says Friendly Relations Will Continue—England's only Effort to Protect Her Citizens.

London, Nov. 10.—The prime minister discussed the Mexican question in his annual speech at the lord mayor's banquet tonight.

"Our interests in Mexico," said the prime minister, "call for vigilant care. Mexico still is in the throes of a civil war, but there never was and never has been any question of political intervention by Great Britain in the domestic concerns of Mexico or in the Central or South American states.

"It is no part of our duty to prevent revolutions or control civil wars. The utmost we can do is to give what protection is possible on the coast to British subjects and property. There have been rumors that after the United States had adopted a line of their own in regard to Mexico, we took a line deliberately calculated to thwart America. There is not a vestige of foundation for such a rumor.

"We have recognized President Huerta because, having neither the will nor the power to intervene, we were bound to deal with the de facto government, and because, according to information then in our possession, there appeared to be no element except that of Huerta and his supporters which offered any prospect of the restoration of stability and order. That was on March 31. Very shortly afterwards, in answer to our inquiries, we were informed by the government of the United States that as regarded the recognition of President Huerta no definite answer could be given except that they would make it some time longer before recognizing him. Since then there has been no change in policy and no departure of any kind. The change of ministers to Mexico involved no change of policy. We have the right to assume that in whatever policy America adopts she will have regard for the legitimate commercial foreign interests in Mexico, as well as her own. There has been an interchange of views with the utmost frankness and cordiality on both sides. Our diplomatic relations with the United States for a long time have been such that with the freest frankness of discussion on all matters that might from time to time arise we both feel the fullest assurance that nothing can happen to disturb our common resolve to attain and maintain a sympathetic understanding.

"It is only right to say that no one in our time has contributed more largely to create and foster this temper between the two great and kindred peoples than our distinguished ambassador, now once more home amongst us, Mr. Bryce."

MEET NAVAJO RISING.

Fearful That One Outbreak Among Indians Would Lead to General Trouble.

Durango, Col., Nov. 8.—Posses tonight were waiting at Farmington, N. M., and Aztec, Col., for orders from Superintendent Shelton of the Navajo Indian reservation at Shiprock, N. M., to proceed to his assistance in quelling what threatens to be an Indian uprising there as the result of attempts to arrest 11 Indians. The situation on the reservation tonight was one of intense suspense.

While the band of renegades is small, it is feared by Superintendent Shelton that the unrest will spread through the Navajo tribe and involve several hundred Indians.

United States Marshal Hudspeth with his deputies should arrive at Shiprock from Santa Fe some time tonight.

MALTA WELCOMES SAILORS.

Greets American Tars in Friendly Style.

Malta, Nov. 10.—The officers and bluejackets of the battleship Wyoming, flagship of the United States squadron visiting European ports, are regarded as the most popular visitors to the island for many years. They are enjoying their stay so much that they openly express regret at its brevity. Their lavish expenditure has made business of all kinds very brisk, and the Maltese have reaped an abundant monetary harvest.

The Floriana parade this afternoon was the scene of unwonted animation on the occasion of a musical performance by the massed bands of the entire British infantry in honor of the American visitors.

The warmest spirit of comradeship prevailed and the American visitors were highly gratified by the heartiness of their reception. The British and American national anthems evoked much enthusiasm, the whole assembly standing at salute.

New Arrivals at The Schwartz Shoe Store.

Satin evening slippers, all shades, Boudoir slippers in satin (quite new all shades; also kid boudoir slippers. —Adv.