

GALLINGER FAILS TO LAND IN PLACE

Senate Ballots Without Result on President Pro Tempore to Succeed Frye.

CAUCUS EDICT NOT CARVED

Progressives Vote for Clapp, Seven Ballots.

DEMOCRATS FOR SENATOR

He is Placed in Nomination Senator Martin.

PROGRESSIVES ARE RESPONSIBLE

Five of Them Vote Against New Hampshire Member and Three of Them Paired Against Him During Session.

WASHINGTON, May 11.—The incapacity of the republican party in the senate to control a caucus edict without the aid of the progressives was demonstrated in the senate today when, after more than two hours of effort and as a result of seven ballots, the senate failed to elect Senator Gallinger of New Hampshire as president pro tempore to succeed Senator Frye of Maine.

Mr. Frye's recent resignation was based on poor health. Today's deadlock was due to the opposition of the progressive republican senators, five of whom voted against and three of whom were paired against Mr. Gallinger.

Soon after the session convened at 2 o'clock Vice President Sherman announced himself from the chamber and Senator Lodge assumed the chair. Immediately Senator Martin, as the chairman of the republican caucus, moved that the senate proceed to the election of a president pro tempore, placing Mr. Gallinger in nomination.

The nomination of Senator Bacon of Georgia by Senator Martin, chairman of the democratic caucus, followed. Senator LaFollette performed the same service for Senator Clapp.

Almost instantly the balloting proceeded. Progressives are paired.

Upon the first ballot it was apparent that when the progressives did not cast their votes against Mr. Gallinger they were so paired as to make effective the votes of absentees.

Senator Borah announced his desire to vote for Gallinger, but stated that owing to a pair with Senator Works, who was unfriendly to Senator Gallinger, he could not vote. Later he stated that this pair had not been arranged to insure the New Hampshire senator. Mr. Dixon was paired with Mr. Cummins and Mr. Kenyon with Mr. Bourne.

The first ballot totaled 78 votes, of which Mr. Bacon, the democratic candidate, received 31; Mr. Gallinger, the republican candidate, 22; and Mr. Clapp 4, while Mr. Bacon stood for Mr. Tillman and Mr. Clapp for Mr. Bristow.

Members Bristow, LaFollette, Gorman and Henderson voted for Clapp. Messrs. Cummins, Bourne, Works and Crawford, progressives, were all absent, but paired for Senator Clapp, except Mr. Crawford, who was ill. All the democratic votes were cast for Mr. Bacon.

Thirty-seven were necessary for a choice. The only change in the second ballot, was that Senator Gallinger, who had refrained from voting on the previous roll call, voted for Mr. Lodge, increasing the total vote to seventy-four and making thirty-eight necessary to elect.

The figures for each candidate were unchanged throughout the voting until on the last vote Senator Bradley retired from the chamber, thus reducing the vote by his own ballot and that of Senator Taylor of Tennessee, who was paired with him.

Right of Pair Challenged. Of many points of order raised the most serious, presented by Mr. Root, related to the right of a senator to remain from voting on account of a pair. Mr. Root contended that under the rules all senators are required to vote when their names are called.

Mr. Bailey replied that the immemorial custom of the senate has so sanctioned pairing as to render it equivalent to a rule. He declared that he would rather be expelled from the senate than obey an order to break a pair.

Mr. LaFollette, in behalf of the progressives, against whom the criticism was directed, bitterly replied to Mr. Root: "I do not recognize the right of any senator," he said, "to make the point

(Continued on Second Page.)

THE WEATHER.

For Nebraska—Fair. For Iowa—Generally fair.

Table with 2 columns: Hours and Deg. showing temperature for Omaha yesterday.

Table with 2 columns: Station and Temp. High. Rain-fall showing comparative local record.

Reports from Stations at 7 P. M. Station and Temp. High. Rain-fall.

A Bitter Pill



From the Philadelphia Inquirer.

MADERO TAKES POSSESSION OF CITY OF JUAREZ

Staff Correspondent of Bee Sends Graphic Description of Battle and Fall of City.

LAST STAND AT THE CUARTEL

Grizzled Veteran, Navarro, treated Considerately by Conquerer.

VICTOR GETS ROYAL WELCOME

Mrs. Madero Receives Share of Glory from Compatriots.

DEFEATED LEADER CRITICISED

Fails to Die in Town, According to Announcement.

FEDERAL SOLDIERS IN MUTINY

Navarro Believed Loose Spirit Because Men Fight Only When Fighting Means Self-Preservation.

(From a Staff Correspondent.)

BY GUY C. CORE

EL PASO, May 11.—(Special Telegram.)

General Juan J. Navarro, Mexican veteran of fifty years' fighting, unconditionally surrendered Juarez, with 400 men, at 1:40 o'clock today.

The surrender came after a half day's fighting, during which the fire of the entire rebel army was concentrated on the cuartel, the last stand of the federals. Tonight the grizzled old soldier is a guest of Francisco I. Madero at the jefatura, where Madero has made his headquarters.

Order has been restored. The peace commissioners are already active. The Maderistas hint that they will demand the immediate resignation of President Diaz as the only condition of peace and suggest that they may start at once on a triumphant march to Mexico City.

Caesar, in his palmy days, never received a greater welcome than did Francisco I. Madero, when with Mrs. Madero, he galloped into the captured city from his camp down the river. As the "little red-semer" rode up to the cuartel where General Navarro and his officers were held prisoners, every one of the 500 or more rebels (save his hat in the air, shouted at the top of his voice and danced with joy. He at once held a conference with his officers and in a few minutes he entered the office of the commandant of the barracks, which the correspondents had just left, after interviewing the vanquished leader. He allowed the correspondents to return with him.

General Madero addressed Navarro and his staff in the kindest terms and assured them they would be shown every consideration and courtesy. He said they had fought desperately for a cause they believed to be just and did not realize it was unjust. With Mrs. Madero he personally escorted General Navarro to the jefatura, while his men flourished their guns and shouted themselves hoarse.

Navarro May Be Traded.

General Madero was too busy to talk much. He said that General Navarro may be traded for Eduardo Hay, one of the insurgents on board of straggle, now a prisoner in the state penitentiary at Chihuahua. Asked if Navarro or his officers would be shot, he said:

"Not a man will be shot. We will trade the captives for our men, held prisoners." Asked what he thought of the fight, Madero said:

"All I can say is 'bueno' (Spanish for good). General Navarro will have much to explain by reason of surrender. He is already being criticised by army men for giving up the fight. He held a strongly fortified position, and had plenty of men and vast amounts of ammunition. Yesterday he declared he would die rather than surrender. He explains that as the rebels had cut the water mains, his garriçon had no water for three days.

It is known tonight that Navarro's men were in mutiny and fought only when fighting meant preservation. With the poor showing of his men it is thought Navarro lost spirit and decided to abandon

the cause when the rebel artillery was wheeled into position to shell the place. Army men declare that two companies of American regulars could have held the place indefinitely.

When Navarro succumbed, I was in Juarez all during the morning's fighting and was present when General Navarro opened the door of cuartel to talk with Colonel Garibaldi. A few minutes later General Orozco rode up and General Navarro handed over his sword.

It was a happy looking bunch of federals who marched through the lines of rebels in front of the cuartel to become prisoners. "Viva el constitution!" they shouted as they threw down their rifles and discarded their federal uniforms, laughed and danced with glee. Surrounded by hundreds of rebels heavy with cartridges, the motley crowd of prisoners, most of whom were dressed only in their underclothes and crude sandals, were marched down the street. Women camp followers ran behind, filling the air with wails, a sight never to be forgotten.

Fighting Was Severe. The fight during the morning was severe. Smoke from the ruins of many houses all over the city wafted lazily through the summer air. All of the barricades were deserted and here and there a bloody form, stripped of its arms, lay in pools of blood. Rebels flocked far down town by hundreds. The cuartel and Mission of Guadalupe were yet to be taken. Sharpshooters kept a steady stream of bullets sailing over the sandbags above the church. Suddenly, about 11 o'clock, the federals on the church were seen climbing down the ladders from the roof. They ran pell mell toward the barracks. Many were killed in the retreat. This left only the cuartel in federal possession.

With wild shouts the insurgents gained points of vantage, brought up their single serviceable piece of artillery and poured thousands of shots at the loopholes. Just when the rebels were ready to send the first shell through the brick walls of the cuartel, the place surrendered.

After the Battle. The rebels seem like boys on a picnic happy that their big battle is over. They are commendably orderly. I saw considerable looting in the early morning, but as soon as officers arrived this was stopped with a heavy hand.

It is a sorry looking city that has fallen into rebel possession. The postoffice is burned to the ground, the bull ring is gutted, railroad shops and several private houses are smoking ruins and business houses and residences rendered unfit for habitation by the heavy shot that penetrated their walls. Here and there dead lay in the street, and a few wounded crawled to shady spots. Under one barriçade tumbled into the street were three dead federals that must have been lying there two days. A short distance on I saw five more sprawled on the ground in the open. They had been rifled. One still clamped a cartridge. Blood was everywhere in great spots.

I came upon one house the front part of which had been knocked in by shells, so that an entire bedroom was visible from the street. Two wounded and one dead lay outside. Inside several rebels who had taken possession of the place were playing a quick march on a phonograph. The old mission of Guadalupe is covered with spars, all the windows are broken and the front door smashed in. There was the greatest confusion inside. I could not tell whether the sacred place had been desecrated or not. The altar still looked pretty, with its gold-leafed decorations, but everywhere the floor was littered with piled clothing, guns and cartridges.

I was in the bull ring about noon. This had been one of the principal fortifications of the soldiers. Everything inflammable had been burned here the night before. All that remained were the tiers of seats. In the arena already were hundreds of rebels hoarse.

Mixed with the shouts of "Viva Madero" are many of "Viva Orozco."

End of a Fighting Man. I went into the residence of Colonel Manuel Tamborel, the doughty commandant, who a few days ago through the El Paso press called the rebels looters and cowards, and dared them to come into the attack. He was killed yesterday afternoon. In the bedroom we found the brave little officer, whom I interviewed on my first visit to Juarez, dead on his bed, covered with a sheet. He was covered with wounds and so bloody I could scarcely recognize him. I was told later that he was captured by rebels yesterday, his hands tied behind him and then told to run.

As he ran he was struck by a dozen bullets. A bullet had punctured his forehead, another had gone through his heart. When I arrived a candle was burning at the head of his bed and a picture of

(Continued on Second Page.)

APPEAL IN STRACY COAL CASE

Fight Over Richest Fuel Deposits in World to Supreme Court.

INVOLVES ALL ALASKA LANDS

Court Will Determine Under What Law These Tracts May Be Acquired—Land is Still Held by Government.

WASHINGTON, May 11.—The fight over probably the richest coal lands in the world was transferred today by the supreme court of the United States when the government docketed an appeal from the order of the federal court of Washington, quashing the so-called "Stracey group" indictment.

Judge Hanford of the lower court quashed the indictment on the ground that under his interpretation of the coal land laws applicable to Alaska, the indictment had not stated an offense. The appeal from the decision will bring before the supreme court the determination of the law under which Alaskan coal land may be entered and sold.

The appeal involves the indictments against Charles P. Munday, an attorney of Seattle, Wash., and Archie W. Shiele, employed by Algernon Stracey. It does not include that against Algernon Stracey, who was indicted along with Munday and Shiele, but who was absent when the other were arraigned.

It was from the alleged indictment of Stracey and his brother, Sir Edward H. Stracey, an English baronet and liberal member of parliament in the land that the name "Stracey group" or "English group" was given to the claims.

Government Charges Conspiracy. The government charged in the indictment that Munday, Shiele and Algernon Stracey entered into a conspiracy to defraud the government out of \$500,000 worth of coal land, valued at \$10,000,000, just west of the so-called Cunningham coal land claims.

The scheme alleged was to induce, "by cunning persuasion and promises of pecuniary reward and other corrupt means," persons to make fictitious locations and fraudulent entries of the coal lands, ostensibly for the exclusive use of themselves, "but in truth and in fact for the use and benefit of the Alaska Development company and the Pacific Coal and Oil company."

The land in question is still held by the government, no patent having been issued to any Alaska coal claimant. At places the coal seams are said to be sixty feet thick. Some 1,000 claims have been filed upon these coal lands, many of them for mining and for indictments in Spokane, Tacoma, Detroit and Chicago. The present appeal is the first one to come to the supreme court as a result of the government's proceedings. Action on it may affect the other indictments.

The appeal docketed today would not be heard until the regular course of business for nearly three years. The government, however, is preparing to ask the court to advance the case, and it is probable that it will be argued next October.

Mgr. Tihen Appointed Bishop of Lincoln

ROME, May 11.—Announcement was made at the Vatican today that Right Rev. Mgr. J. H. Tihen, chancellor of the diocese of Wichita, Kan., had been appointed bishop of Lincoln, Neb., in succession to the late Right Rev. Thomas Bonacom.

PARDON FOR DANIEL JONES

Oklahoma Man Who Has Served Twenty-Seven Years for Murder Will Be Released.

WASHINGTON, May 11.—President Taft today commuted to expire immediately the life sentence of Daniel Jones of Oklahoma, who was sentenced to death on July 11, 1884, but that sentence was commuted to life imprisonment. He is now an old man, has lost one leg while in prison and has served almost twenty-seven years.

DOUBLE SUICIDE IN PEORIA

Frank Hoffman and Wife, Once Well to Do, Take Poison While Dependent.

PEORIA, Ill., May 11.—Dependent, with no means of proper maintenance in the future and fearing starvation, Frank Hoffman and his wife, Lou E. Hoffman, at one time well-to-do, committed suicide at an early hour this morning by swallowing poison. The bodies were discovered by John B. McGowan, a neighbor, who immediately notified the coroner.

Diplomatic Corps in Mexico Talks Over Situation

Plan for Concerted Action to Protect Foreigners is Necessary—Deep Gloom in Official Circles.

MEXICO CITY, May 11.—Members of the diplomatic corps resident in Mexico City today met in the United States embassy upon invitation of Henry Wilson, the United States ambassador, to plan concerted action for the protection of aliens in the event that the situation in the capital reaches a stage necessitating the taking of measures to defend themselves.

Mr. Wilson explained that his action in calling together the diplomats to discuss the situation was merely precautionary. Later the American ambassador called on Francisco de la Barra, the Mexican minister of foreign affairs, to lay before him a contemplated movement on the part of the representatives of foreign governments stationed here. The details of the plan have not yet been made public.

An atmosphere of deep gloom pervades the federal offices today. Mr. de la Barra seemed to have lost hope of immediate peace. At the national palace the officials looked gloomy. None had a word to say publicly regarding the situation.

In the streets the news was read and discussed unenthusiastically. More disturbing news reached the War department today, it being from a state heretofore little disturbed.

Camague, a town in the state of Tamaulipas, is threatened by rebels. As the town is protected by only a small body of troops, it is feared it will fall an easy prey to the insurgents.

The course of Colonel Steever in preventing General Orozco and other insurgents from crossing to the United States side to attend a social function in El Paso is approved by the War department as representing its policy at the present time.

Omaha Train Strikes a Wagon Near Lyons, Neb.

Woman and Boy Are Killed and Four Members of Crew Injured—Passengers Badly Shaken Up.

SIoux CITY, Ia., May 11.—Two persons were killed and four injured, two seriously, in a remarkable accident on the Omaha road near Lyons, Neb., today. The dead: MRS. A. L. CRAIG, Lyons, Neb. JOHN CRAIG, son of Mrs. Craig, of Lyons.

The injured: Dan Murphy of Sioux City, engineer, seriously. L. I. Rockwell, fireman, Sioux City. J. J. Gilmore, baggage man, Omaha. A. C. Rawson, mail clerk, Omaha.

A passenger train from Omaha to Sioux City struck a wagon in which Mrs. Craig and her son were riding at a crossing near Lyons, killing both. Pieces of the wrecked wagon lodged in a switch and derailed the train.

The passengers escaped with a shaking up. A message received by the American Express company indicates a considerable loss to goods in shipment on the wrecked train.

John J. Gilmore, express messenger for the American company, lives at 3855 Miami street. So far as known he suffered nothing more serious than deep bruises. A. C. Rawson, mail clerk, suffered a fracture of several ribs. His home is at 38 South Twenty-fifth avenue.

WALKOUT FROM BUTTON PLANT

Failure to Agree on Reinstatement of Discharged Sorter Causes More Trouble.

MUSCATINE, Ia., May 11.—Failure of a committee of the workmen and management of the Automatic Button plant to agree on the reinstatement of a discharged sorter led to an authorized walkout from the plant today by the union employes. Efforts to arrange the difficulties are now in progress.

CHAIRMAN BYRNES IS ILL

Democratic Official Suffering with Critical Case of Appendicitis at His Home City.

COLUMBIUS, Neb., May 11.—(Special Telegram.) The democratic state chairman, John C. Byrnes, was stricken with appendicitis Wednesday and his condition became so critical that he was taken to St. Mary's hospital for an operation at once.

FOOD MAY BE TAKEN ACROSS

Cabinet Decides that Supplies Needed May Be Sent to Juarez.

THREE HUNDRED CASUALTIES

Colonel Steever Reports that Guns, Ammunition and Many Horses Were Surrendered by the Federals.

WASHINGTON, May 11.—Food and medicinal supplies and other materials needed by the people of Juarez will be permitted to cross the international bridge at El Paso. Instructions from the secretary of war go to that effect probably will go forward to Colonel Steever during the day.

The departments of state, war, treasury and justice today considered what restraint, if any, shall be placed on commerce between this country and Juarez, the newly established capital of the provisional government of Mexico. Colonel Steever, commanding the American troops at El Paso, and the customs officials there are awaiting instructions on the point.

Colonel Steever in a telegram to the War department said: "I am refusing to allow arms, ammunition, explosives or other supplies for the insurgents to be carried across the international bridge until I receive instructions to the contrary. I make exceptions of articles intended for the wounded."

In reporting the unconditional surrender of General Navarro, with 400 men, Colonel Steever says that all his cannon, machine guns, small arms, much ammunition and many horses went into the hands of the insurgents.

Three Hundred Casualties. The official estimate of the killed and wounded at the battle of Juarez is 300, according to a dispatch of Colonel Steever, made public at the White House today. Colonel Steever says, however, that the exact number may never be known. He adds that everything is quiet and peaceful today in El Paso and Juarez.

Thanking President Taft for his firm stand against "intervention" in Mexico, a telegram signed by Methodist Missionary Butler, Presbyterian Missionary Vanderbilt and Baptist Missionary Brewer in Mexico City was received in the White House today.

"Foreigners and natives who meet through the country are equally grateful," concluded the message. "President Taft's policy of non-intervention in Mexico is already bearing fruit."

Director General John Barrett of the Pan-American union, who is closely in touch with Latin-American affairs, told the president today he had received hundreds of letters from Americans, foreigners and Mexicans in Mexico, commending the Taft policy of hands off.

Red Cross Nurses Sent In. In response to an appeal from Colonel Steever, the Red Cross today ordered five nurses to Juarez for duty in the temporary hospitals established there. Colonel Steever estimates the insurgents wounded in the Juarez at 100, of whom thirty are seriously hurt. The federal sick and wounded number 125, of whom fifty are in a serious condition.

The United States officer has organized a Red Cross committee consisting of Major

(Continued on Second Page.)

Where Joe Carroll Crossed the Rio Grande



AMERICAN END OF THE SUSPENSION BRIDGE BETWEEN EL PASO AND CIUDAD JUAREZ.—IT WAS HERE THAT CORRESPONDENT GUY C. CORE OF THE BEE SAVED JOE CARROLL FROM THE SOLDIERS ON THE FIRST DAY OF THE BATTLE.

INSURRECTOS ARE ORGANIZING A GOVERNMENT

Provisional Cabinet, with Dr. Gomez at Its Head, Appointed at Conference Thursday Afternoon.

FEDERAL FORCES ON WAY NORTH

Army Marching from Chihuahua Will Be Intercepted at Casas Grande.

GENERAL NAVARRO IS PAROLED

Vanquished Commander is Guest of President Madero.

REVISION DEMANDS ON DIAZ

Insurrectos Are Preparing to Ask for Liberal Terms.

WHY MEXICANS SURRENDERED

Insurrectos Had Cut Off Water Supply and Soldiers Were Suffering from Thirst—Not Prepared for a Siege.

JUAREZ, Mexico, May 11.—With Juarez and all its vast stores of rifles, ammunition and quick-firing guns in the hands of Mexican revolutionaries, the leaders today turned to the task of forming their government. They gathered for the first time in the provisional capital of the rebellion-torn republic.

After a long conference between insurrecto chiefs, the appointment of the following members of the provisional cabinet was announced: Ministerio of Foreign Relations—Dr. Vasquez Gomez.

Minister of Finance—Gustave A. Madero. Minister of War—Eustaquio Carrasco. Minister of Interior—F. Gonzalez Garza. Minister of Justice—Jose M. Pino Saura. Private Secretary to President Madero—Juan Sanchez Arcona.

General Madero has established his headquarters in the one-story municipal building across the street from the big church, which yesterday was the scene of the fiercest fighting, and there during the morning the insurrecto chieftain conferred with his leaders, Senora Obregon and Braniff, who have acted as go-betweens in the futile negotiations for peace, and Dr. Vasquez Gomez, confidential agent of the revolutionists at Washington and their chief peace commissioner, who were at the Madero headquarters.

Up to noon nothing had been accomplished in the way of resuming negotiations to bring about peace—that is, so far as outward appearances went. There was an undercurrent of feeling among the victorious insurrectos, that peace long desired, would be in sight before another twenty-four hours had passed.

The Madero headquarters were besieged all day by six hundred federal soldiers and stores were being emptied. It was feared that they might be allowed to resume possession of their bullet-shattered property. But only in a few cases were such permissions given. Swarthy guards were stationed at nearly every building in the town to prevent looting. All liquor supplies had been confiscated. At the dead end boys hurried today, the wounded removed to hospitals.

Colonel Tamborel Buried. Insurrectos this morning did honor to the memory of Colonel Tamborel, the federal leader, who was killed during the fighting, by escorting his body to the cemetery on the bare hillside, and sounding taps over the grave.

At the head of the procession to the cemetery was a member of Colonel Tamborel's staff, who was given back his rifle for his last ride with his dead chief.

Colonel Tamborel, whose taunts the insurrectos declare started the fight that resulted in the capture of Juarez, was wounded today and captured and executed again before he met his death. Fighting in the trenches the first day, he received a scalp wound and one in the leg. Captured by the insurrectos in one of the mad rushes, he was recaptured a few minutes later by a desperate sortie. Then in yesterday's fighting a rebel bullet struck him in the temple, killing him.

An Associated Press correspondent this noon saw ninety-seven federal wounded at the temporary quarters of the Red Cross, fifteen federal and insurrecto wounded in a shot-riddled store that had been converted into a temporary hospital, where twenty-three others had been conveyed to the American side of the river. From estimates made by federal prisoners and by insurrectos, it is safe to say that at least sixty were killed. That not all the dead have been recovered is apparent from the fact that today Red Cross surgeons and insurrectos found seven bodies.

In between 600 and 800 federal prisoners, disarmed, but all of them by no means disconsolate, are being guarded in the barracks and cuartel.

Will Intercept Bahajo. The insurrectos are determined not only to hold Juarez against any attack, but to prevent a fight in its vicinity if possible. Plans were being laid at the insurrecto headquarters today for a force of several hundred men to march south to meet General Bahajo, the federal leader, who is reported to be on his way here from Chihuahua with a good-sized army. The rebels already have about 200 men at Casas Grande and probably will open fire on Bahajo when he arrives. It is not known what chief will be sent south from Juarez. The town was quiet early today for the

Cans of Farrell's Syrup.

Quart bricks of Dalzell's ice cream. Boxes of O'Brien's candy.

All given away free to those who find their names in the want ads.

Read the want ads every day, your name will appear sometime, may be more than once.

No puzzles to solve nor subscriptions to get—just read the want ads.

Turn to the want ad pages—now.