

Further toward Aguila, as the bridges are down near Cajon.

Latest reports from other points in the republic indicate that the rebels are extremely active. It is feared that Durango, Torreon, Tuxpan and other important cities, if not already occupied by the rebels, are in imminent danger.

A report from Saltillo, the capital of the State of Coahuila, says that the town is surrounded by rebels who are attacking it furiously. As the rebels outnumber the garrison of the town five to one, a speedy surrender is expected. Saltillo is on the line of the National Railroad to Laredo.

U. S. WON'T CLOSE CUSTOM HOUSE

No Law to Stop Imports of Arms Via El Paso and Juarez.

WASHINGTON, May 10. The Custom House at El Paso, Tex., will be kept open regularly during the occupation of Juarez by the insurgents.

This decision by the Treasury Department is of great importance to the revolutionists. It assures the Madero forces of an open port of entry on the border as a base of operations into which they can ship from the United States war supplies without interference from this country.

The United States, under the neutrality laws as interpreted by the Supreme Court, and officials of the Department of Justice, has no right to interfere with bona fide shipments of arms or ammunition into Mexico. It is only when an attempt is made to smuggle war supplies across the border or when they are carried by an "expedition" that the United States Government can seize them.

Recently the Judge Advocate General of the army has decided that three armed men constituted an "expedition."

While the United States has made no attempt to intercept legitimate shipments of arms into Mexico, the insurgents have been obliged to resort to filibustering expeditions to rescue their munitions, because up to this time the custom houses on the Mexican side have all been held by the Mexican Federal Government.

Consignments of arms and ammunition to the insurgents when cleared by the American custom houses were promptly seized on the other side by the Diaz officials and confiscated.

This lack of a port of entry has been one of the most serious handicaps that the insurgents have had to endure. It explains why they centered their efforts first on the capture of Agua Prieta and later on Juarez. With the latter port of entry in their possession, however, the situation has cleared for them.

The Madero army for the first time has an open door to American manufacturers. As the belligerency of the insurgents has not yet been recognized and a state of war is not officially acknowledged to exist in Mexico, there are no goods which can be termed contraband of war, but even though they were admitted by the Mexican Government, the United States, as a neutral, would not have authority to stop the shipment of ammunition or guns to the insurgents.

The passage of goods through the El Paso custom house into the hands of the insurgents does not, however, imply a recognition of belligerency by this Government. The custom houses of this country are operated without regard to international situations and the United States does not, in fact, pass goods to any other country or Government. In the opinion of Treasury officials, it simply allows them egress from this country.

Ships were cleared from foreign ports for Southern ports of this country during the civil war. They took their chances of entry because the United States blockaded the Confederate ports, but the foreign Governments were not under obligation to prevent ships from sailing for these ports.

A similar situation, it is argued, exists along the Mexican border, except that the two Granddier countries, the Atlantic Ocean divides the two countries. Treasury Department officials are of the opinion that any action which the Diaz government might take by way of formally declaring Juarez a closed port would have no effect upon the United States custom house at El Paso. The United States Supreme Court, it is said, has held that the United States authorities are required only to clear goods to the persons in charge of the custom houses in the foreign port of their destination.

The situation which confronted the Treasury Department in regard to Juarez was exactly the same as that which resulted several weeks ago from the capture by the insurgents of the Mexican custom house at Agua Prieta. At that time, Customs Collector O'Keefe at Douglas, Ariz., which is directly across from Agua Prieta, closed the American custom house pending instructions from the Treasury Department as to whether he should clear the insurgents. He acted without authority from the Department. The Treasury Department took up the question presented by the Agua Prieta situation with the State Department and the Attorney-General and there was considerable uncertainty at that time as to what should be done.

The conferences lasted two days and before a decision was reached. By that time the insurgents had evacuated Agua Prieta and the custom house there had again passed into the hands of the Mexican Government. The custom house on the American side was then reopened by O'Keefe without further notice from Washington, after having been closed thirty-six hours. In finally arriving at a decision in regard to the matter, however, the Treasury Department, it was learned to-day, adopted the general rule that it would not close American custom houses along the border because of conditions on the other side of the frontier.

There is no exact American precedent for the case presented on the border at this time, though similar questions have frequently arisen in other countries. The President of the United States has the unrestricted power to close any custom house he sees fit, but it is apparent that Mr. Taft will not exercise the power, either in the case of Juarez or of other border towns.

The Mexican Government, of course, may declare the port of Juarez closed as a port of entry and thus create an embargo, but the insurgents could laugh at an embargo which the Federals could not enforce and this Government's attitude would not be affected by the situation on the Mexican side of the border.

Very Oldest Procurable KING WILLIAM V.O.P. SCOTCH WHISKY Quality Never Varies

here whether the Custom House there is still in the hands of the Diaz officials. The capture of Juarez to-day practically places the whole border line in control of the insurgents. This, in the opinion of officers of the Government, indicates that there will be no further fighting along the international boundary unless the Mexican Federals attempt to retake these cities.

The question of recognizing the belligerency of the insurgents has not been considered by President Taft and his advisers, it is said.

The successes of the rebels in the northern part of Mexico will probably lead to further insurgent activity in the interior parts of Mexico. The next move of the Federal troops here is awaited with interest. So far as is known the Mexican Government was relying entirely upon Gen. Navarro and his force at Juarez to crush the insurgents in the north and it is not believed that the Government will be able to gather a second army in the northern part of Mexico large enough to cope with the Madero forces.

The Mexican regular army, which consists of about 22,000 men, is scattered in different sections of the country in small detachments and there is in addition a garrison of several thousand troops in Mexico City. Several weeks ago President Diaz issued a call for volunteers to take the field against the rebels. It is not known here how many volunteers were obtained, but it is believed that comparatively few responded.

The warlike attitude maintained by the Diaz party in Mexico City has made little impression here. The promise of a more aggressive campaign against the insurgents, it is argued here, cannot be carried out because the Mexican Government has not sufficient troops at its command to crush the revolution by military measures. If the Mexican Government had sufficient troops for this purpose it would have pursued a more vigorous military campaign than it has during the last few weeks.

RED CROSS SENDS RELIEF.

Money Sent by Telegraph to Help Care for the Wounded at Juarez.

WASHINGTON, May 10. Five physicians of El Paso sent an appeal to-day to President Taft asking the aid of the Red Cross in handling the wounded there. The dispatch, which was signed by Doctors H. E. Stevenson, N. T. Moore, J. A. Hedrick, C. B. Callman and B. F. Chatter, was as follows:

Realizing the necessity for the care of the wounded in the terrible battle now raging between the Federal troops of Mexico and the insurgent army of Madero in Juarez, that city being without facilities for the care of the wounded, we implore you that the Red Cross of America take some action to assist in their behalf.

The Red Cross sent \$1,000 to Col. Stevenson at El Paso, Brig. Gen. George W. Davis retired, chairman of the Red Cross central committee, has sent this telegram to Dr. Stevenson at El Paso:

In response to appeals from yourself and others to President Taft, Red Cross to-day telegraphed \$1,000 to Col. Edgar Z. Stever, United States Army, for relief of sick and wounded. Ernest P. Bicknell, national director of the Red Cross, will leave to-night for El Paso. Red Cross can provide trained nurses and more funds if needed.

UNDERGROUND TO MEXICO.

Phillips Pleads Not Guilty of Shipping Cartridges as Furniture.

Following an indictment found on April 20 charging him with falsely labeling thirty-two cases of cartridges delivered for shipment to El Paso, Tex., Harvey Phillips, a former member of the Federal secret service and now the head of a private detective agency in Washington, was arraigned yesterday before Judge Holt in the Criminal Branch of the United States Circuit Court. Phillips pleaded not guilty and was released in \$1,000 bail.

The indictment specifically charges him with delivering thirty-two cases of cartridges for small arms, each case wrapped in a bale and labeled "Furniture, fittings and fixtures," to the Pennsylvania Railroad at Pier 23, North River, for shipment to El Paso. The offense of mislabeling explosives is a violation of section 235 of the Federal Criminal Code in relation to offenses against foreign and interstate commerce. The maximum penalty is imprisonment for eighteen months, a fine of \$2,000 or both.

The cartridges, which, it is understood, were intended for the rebels, were in Mexico, were addressed to Frank Cody, El Paso, Tex. Phillips is said to have been more or less intimate with the brother of Francisco Madero, the rebel leader, who is now staying at the Hotel Astor in this city.

Accident to Car Ties Up Traffic on Williamsburg Bridge.

An eastbound Tompkins avenue car broke its front axle on the Williamsburg Bridge about 400 feet west of the Brooklyn terminal yesterday morning and caused a blockade lasting three hours.

After the eastbound cars which followed the Tompkins avenue car had become stalled the entire length of the bridge to the Manhattan terminal, those on the westbound rails were also blocked.

TRIUMPH FOR MADERISTS

JUAREZ IS THEIRS AFTER 48 HOURS OF BLOODSHED.

Gen. Navarro Capitulates With the Remnant of His Command Brave Col. Tamborel Killed, Rebels Clamp on the Lid Wild Joy, but No Excesses.

EL PASO, May 10. Deserted by his Captains and afraid his men would go over to the insurgents if they got a chance to mingle, his two principal commanders killed or wounded, Gen. Juan J. Navarro surrendered the city of Juarez to the rebel army of Francisco I. Madero this afternoon with 480 of his men. He is held by the rebels to-night.

Navarro remained with his men to the last, and after many of his officers had quit and the command had been shot to pieces the old General retreated into the barracks on the southwestern edge of the city, where the rebel advance was fought off as long as possible.

The rebels took the city at 10 o'clock. The Federals were driven from the old mission about 10:30 o'clock, assuring the fall of the town. The soldiers retreated rapidly in file toward the barracks, where at 12:30 o'clock they still kept on fighting. By 1 o'clock in the afternoon the surrender had taken place.

Navarro capitulated with his entire command. He gave in only after five shells from a heavy cannon had struck the adobe building in which he and the remnant of his force had taken refuge.

Col. M. Tamborel was killed in the Tuesday night. He was the commandant of the Federal garrison and second in command in the city. Col. Manuel Puebla, next in command, was wounded.

Then the Captains and minor officers began to desert. The soldiers followed the example and Navarro was forced to retire with his men in a body to keep them all from leaving him. From place to place the Federals moved, retreating slowly as the rebel fire drove them.

Last night and early this morning the Federals occupied the old church in the center of the town, the municipal building, the jail and surrounding buildings. These the insurgents forced them out of this morning early and they fell back for a last stand in the barracks as the insurgents ran up their flags on the different buildings and their comrades began to pour in from all sides of the town.

The hardest fighting was done yesterday. To-day it was not nearly so ferocious. During last night Blanco's insurgents came into Juarez fresh from their camps and they opened the fighting this morning by attacking the jail and liberating about eighty-five prisoners. From the jail they directed their fire against the Federals in surrounding buildings and soon had them retreating to the barracks in the southwestern part of the city. Some hard fighting occurred near the barracks, as the bullet marked adobe walls mutely testify.

As yesterday hand grenades and bombs were used to-day and these were thrown against the military barracks. While Blanco's men were driving the Federals back into the barracks other commands of insurgents were coming up and surrounding the buildings.

Gen. Navarro is to be traded for Eduardo Hay, one of the insurgent board of strategy, now a prisoner in the State penitentiary at Chihuahua. Francisco I. Madero when he reached Juarez this afternoon after the surrender said so.

Madero was asked if he would execute Navarro. "Certainly not," he said. "Not a man will be shot. We will exchange them for our own men held prisoners by the Federals."

"Will you trade Navarro for Hay?" he was asked. "Possibly," was the reply. Asked what he thought of the fight, Madero replied: "All I can say is Bueno!" "Shall I say that it is to be Mexico City for you?" was the next question. "Oh, we'll see," said Madero.

Madero was brought in from his camp in the hills north of the captured city in a decorated automobile about four hours after the actual surrender of the city. The men cheered him as he arrived.

Col. Tamborel was killed in his own home. His body is lying to-night on a bed in a room in his house shot full of holes. Several newspaper correspondents who knew and admired the doughty little commander, who taunted the rebels with being afraid to attack, identified his body. Lieut. Col. Manuel Puebla, second in command, was wounded in the cheek and the eye.

As soon as the insurgents took the town the officers made every possible effort to close the saloons and prevent the men from drinking. A great deal of liquor was destroyed at once and guards were placed over all saloons. However, the men got hold of much of it.

Lieut. Col. Garibaldi led the charge of men through the town after Col. Blanco's command had worked its way up behind the jail, had gained it and afterward, using it as a fortification, had driven the Federals out of the old church and the city buildings. Garibaldi first ordered the liquor destroyed. Later Pascual Orozco gave orders to have all saloons kept closed.

So far there is almost perfect order and a minimum of drunkenness. Guards watch the doors of all saloons and the anti-liquor law is in complete force. Ciudad Juarez, is designed to be the first prohibition town in Mexico. Abram Gonzales, provisional Governor of Chihuahua, declares that Juarez saloons will be closed continuously until the insurgents leave the city.

of liquor, but in their hilarity they distributed it among their friends, so that altogether no one man got very much to drink. The lid is down tight now and will be held so, declared the authorities.

The killed and wounded are found in all sorts of out of the way places in Juarez. Bloodspots appear everywhere in the streets and on the sidewalks and dead and dying and men wounded seriously and slightly are found at every turn. It is believed from careful estimates of Americans who have gone through the town to-day very thoroughly that the total dead in it will be fifty or seventy-five and the total wounded will not be over 300.

Gen. Pascual Orozco at 12:30 o'clock, while fighting was still going on, sat behind the desk of Jefe Politico Martinez. The rebel chief was coolly transacting business, writing passes and giving orders with a rough appearing insurgent's aim, dictation and writing letters at his side. A number of carriers were sent to locate Madero and give him news of the town's capture. The Jefe Politico Martinez had not been found then, but this afternoon he was made a prisoner.

As soon as the town surrendered the insurgent commanders put the former municipal officials to work gathering up the bodies and burying them and doctors from El Paso began arriving on the scene with bandages and medicine for the wounded. Temporary hospitals were rigged up in several buildings in Juarez where the men received treatment at the hands of the El Paso physicians.

Dead men were found under the street car tracks, in the gutters, under counters in the back rooms of saloons in the courtyards and everywhere that afforded a shelter. As fast as they were located they were buried. Some were buried in the courtyards of the houses where they fell. Some were buried in a trench and four in the same grave, only a few feet beneath the surface. Former Federal policemen in most instances were forced to do all the burying in connection with the burial of the dead.

The walls of the buildings are perforated and improvised barricades are everywhere. The streets are full of holes. Holes have been cut through most of the buildings. Bullets are to be picked up on the streets by the dozens.

The streets are a quaking every step the city which is not securely looked and banded. They sit in front of the stores in chairs and allow no one but the proprietor to enter. This same system is being used in the houses. Five men were arrested this afternoon, having entered the City of London store. Many others have been arrested temporarily for looting in residences. The rebels who have captured the city are being rapidly converted over to the police streets. Small bands are patrolling the streets and a strong all day patrol is being maintained by the police.

It was a happy looking band of Federals that marched through the lines of insurgents. They shouted as they went down their rifles, smiled, laughed and almost jumped for joy.

The Federal soldiers after surrendering to the insurgents, threw away their rifles and threw them away. The street leading down from the tunnel to the city prison and municipal office, to which the rebels marched, is full of uniforms cast aside by the men after the surrender. The prisoners are thus in their underclothes. They did not throw away their hats, but they have renounced their allegiance to the Federal Government. Gen. Navarro and his officers are the only prisoners wearing uniforms.

The shower of lead during the two days has played havoc with the city telephone wire, street car wiring and water system. The municipal water tank is out of order and a few houses are supplied with water. Mechanics will be put to work at once repairing the several systems, but it will take many days. The city's water supply is being abandoned; that their wiring will be repaired at once. A crew is already at work. Practically all the telephones in the city are out of order.

The streets are full of insurgents riding back and forth on horses they have secured at the building, where the rebels were in part of the Federal Government's programme to comply with its agreement with the United States not to permit any more fighting on the border. The horses are being used to carry the rebels' baggage and to transport the Federal garrison at Agua Prieta, 750 strong, under command of Col. Chapas, Barron and Diaz, left at 8 o'clock to-day for Chihuahua, which is threatened with attack. The garrison at Naco left at the same time. The Ojinaga garrison left yesterday.

The Federals got out of Agua Prieta, they became engaged in action with the rebels nine miles west of Agua Prieta in a narrow pass. An American plane, which has just arrived in Douglas saw the action.

The Federals left Agua Prieta mired. Insurgents from Douglas are digging out the dynamite. One American took 100 rounds from one place, and one mine fifty feet long was unearthed. It contained much dynamite with fuse and caps attached.

Federals who left filled the trenches and piled up their shovels, picks and all tools and burned them. They broke the stocks and otherwise mutilated all the guns they could not carry away. The Americans are collecting these for souvenirs, but the customs officers of the United States are seizing them as they cross the line.

3 DYING FROM AUTO WRECK.

Experienced Owner Speeded His Car at 5:30 A. M. on Victoria Drive.

VICTORIA, B. C., May 10. Through an automobile wreck at 5:30 A. M. to-day on Rockland avenue, Victoria's finest driver, Herbert Thompson is minus an eye and suffering from internal injuries. Basil Coombs, son of Registrar Coombs of the British Columbia Supreme Court, is a fractured skull and Martin Donovan is in the hospital with a fractured leg. None of the three has recovered consciousness and their recovery is not expected.

C. N. Given, a fourth member of the party, escaped with slight injuries. The machine, which was owned and driven by Thompson, was completely destroyed. Speeding put the car out of control and Thompson, who was inexperienced, struck the curb. The wheel collapsed and the steering gear broke.

The telephone cable from the El Paso street crossing and the lead which dripped down in a tiny stream to the sidewalk and upon a number of dead insurgents below. The bodies were removed this afternoon and buried in one of the yards.

In the buildings near the bull ring, used as temporary barracks for the Federals, the dead soldier was found this afternoon and he was buried in the courtyard, but the burial squad only covered his face, and his feet and legs are left uncovered.

moving the brass and the numbers from the fronts are marching about the street as proud as commanders of an army.

Shortly after the Federals surrendered Felix Meeta, a Spanish merchant and property owner, shot and killed an insurgent named Rosalia Calles. The shooting occurred in front of Meeta's saloon at the corner of Commerce street and the Plaza. Meeta stepped to the door of the place and shot the insurgent, apparently without reason. After the shooting Meeta ran into the saloon, defending himself with a repeating rifle for fifteen minutes. Insurgents in great numbers crowded around the "principal" plaza and poured volleys of shots into the saloon.

The shooting occurring at a time when all fighting had ceased, the rumor ran through the town of a Federal attack. There was general excitement. Through solicitation of a friend who shouted to him from the window of an adjoining store Meeta, who was shooting from the roof, threw up his handkerchief as a signal of surrender.

He was taken to the jail. During the shooting shots rained from over the principal streets adjoining the store. Meeta was wounded in the light and died after being arrested. He was a prominent citizen of Juarez, owning much property, including his saloon and a hotel.

It is now pretty well established that Pancho Villa's men started the attack on Juarez in retaliation for Col. Tamborel's contemptuous declaration that the insurgents were a mob and dare not attack. Following Tamborel's remark Villa publicly said in El Paso that he had 800 men and would attack Juarez, "peace or no peace," and have Tamborel's life. Tamborel is now in the hospital, wounded on Tuesday morning he remained in active command, but he was killed in the afternoon by a bullet through the head.

Francisco J. Madero, former Mayor of Juarez, who is now a prisoner of the Federals who are now prisoners of war, held an impromptu reception this afternoon in the Mayor's office in Juarez and greeted a large number of officers. They are being treated with great courtesy by the insurgents.

In the jail former Chief of Police Andres Gallo is one of the 200 or fifty prisoners. He is suffering the fate he has often been compelled to mete out to others.

In all parts of Juarez the insurgents are taking what food they require from the small stores and shops and bakeries. They are doing this in the most orderly way and in no appearance of looting. Guards are placed at the doors and they dole out the food to the soldiers and the women of the town impartially. A bottle of beer is given to each man, but no heavy drinking has yet been noted.

Major Kelly of El Paso crossed the border this afternoon and paid a visit to Francisco Madero. The rebel chief asked him not to allow anybody from El Paso to come to Juarez except on urgent business until Thursday afternoon after and then to come to Juarez after that time.

Few of the prisoners who were in the jail are to be seen in Juarez. They have been taken to the American side.

After the capture of Juarez the insurgents have taken the big rural hats as trophies of conquest and are wearing them in place of their own battered headgear.

There is not an American custom house in operation on the border between Eagle Pass and Douglas. The line is now closed. Along this entire border line it is impossible to enter goods for export from the United States into Mexico. The line between the United States and Mexico is now closed. The abandonment of Naco, Agua Prieta and Ojinaga by the Federals.

The cause of the abandonment is not known, unless the Federal Government intends to leave the country to the insurgents and take its troops south to protect towns it considers of more importance than the border ports. The abandonment of Juarez is part of the Federal Government's programme to comply with its agreement with the United States not to permit any more fighting on the border.

The Federal garrison at Agua Prieta, 750 strong, under command of Col. Chapas, Barron and Diaz, left at 8 o'clock to-day for Chihuahua, which is threatened with attack. The garrison at Naco left at the same time. The Ojinaga garrison left yesterday.

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FINGER PRINTS VS. ALIBI.

The Newest Accusatory Evidence Against the Ancient Defence.

Several of the jurors before whom Charles Crisp is on trial in General Sessions charged with burglary because finger prints said to be his were found on a pane of glass in a loft that had been entered, brought magnifying glasses with them yesterday to examine the photographs of finger prints submitted to them by Assistant District Attorney Wasservogel.

Robert Moore, counsel for the defence, tried to make Lieut. Faurot of the British legion admit that in some points Crisp's prints differed from those found on the pane of glass. He was unsuccessful. Lieut. Faurot said that finger prints were relied on when pictures and measurements failed. Judge Rosakly permitted the records taken at Headquarters of Charles and Frank Terry, twins, to be admitted as evidence. In that case the pictures and the measurements were almost exactly similar, but the finger prints differed.

Crisp testified in his own defence. He said that he had been convicted seven times and is now 39 years old. His last conviction, he said, was in the fall of 1907, when he was found guilty before Judge Rosakly of entering a loft at 171 West 125th street. He is now on trial before the same judge in the same part charged with entering the same building. Mr. Moore, his counsel, had some notion of suggesting that the finger prints found on the pane of glass might have been made two or three days had passed the prints would be illegible.

Crisp said that his real name was Cesar J. Cella. He offered several of his family to testify to an alibi. The case will go to the jury to-day.

NO VERDICT IN HOFFSTOT CASE.

Jury Discharged After Being Out More Than Twenty-four Hours.

PITTSBURGH, May 10.—The jury which tried Frank N. Hoffstot, president of the Pressed Steel Car Company, on a charge of conspiracy growing out of the Councilman's graft exposure, was discharged by Judge Haymaker at 3 o'clock this afternoon after being out twenty-four hours and thirty minutes without agreeing on a verdict.

District Attorney William A. Blakeley announced that Hoffstot will be called for trial next Monday on another indictment charging bribery.

"We are hopelessly deadlocked and want to be discharged," was the message sent to Judge Haymaker at noon by the jury. Compliance with this request was not given until Judge Haymaker had conferred with other members of the bench. It is reported that the jury stood 7 to 5 for conviction.

The Hoffstot jury was an "old man" jury. One member is more than 80 years old, while others are considerably beyond the half century mark. One juror has both legs off below the knees.

Two Alleged Vote Buyers Not Guilty.

DOVER, Del., May 10. —Former Sheriff Hartnett and Daniel Dodd, Republican leaders here, two of eight men charged with election bribery, got off to-night when the Judges divided on the verdict. A majority of the court found them not guilty of bribery. Judge Woolley dissented. They were charged with dropping \$20 at a voter's feet.

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DIED.

BILLINGS. On Tuesday, May 9, suddenly after a long illness, the son of Beatrice L. G. Billings and Laura Tremaine Billings and beloved husband of Catherine Billings, in his 54th year.

Funeral services will be held at the Central of the South Congregational Church, President Street, Brooklyn, on Thursday, May 11, at 2:15 P. M. Interment private. Philadelphia papers please copy.

BROWN. On Wednesday, May 10, 1911, at 10:30 A. M., of a sudden, Francis Gordon Brown, son of the late Francis Gordon Brown, in the 33rd year of his age.

Funeral services will be held at the Central of the South Congregational Church, President Street, Brooklyn, at 3 o'clock, P. M., on Thursday, May 11, at 2:15 P. M. Interment private. Philadelphia papers please copy.

UNDERTAKERS.

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