

REDUCE MUELLER'S TERM

FIFTEEN YEAR SENTENCE IS CUT DOWN TO THREE.

ANOTHER CHAPTER IN TRAGEDY

The Penitentiary Sentence of August H. Mueller of Stanton, Who Shot Wife and Her Parents, is Modified by Supreme Court.

The sentence of August H. Mueller of Stanton, who had been convicted and given fifteen years in the penitentiary for shooting his wife and her parents, Mr. and Mrs. Fred Hohnke, has been reduced to three years by the supreme court of Nebraska.

The supreme court modified the sentence when an appeal was made for reversal in the case. The finding of the supreme court states that under the evidence the jury would have been justified in finding a verdict for acquittal but that, since a conviction was brought, it will not be disturbed and the sentence, which is pronounced to have been greatly in excess, is modified from fifteen years to three.

His Wife Married Again. Mueller's young wife, whom he shot in the breast, is now married again. A divorce was granted shortly after the shooting. Thirty days after the shooting it is said she was in Stanton to get a license to remarry. The woman is thought to be about seventeen years of age now, though her age has not been definitely learned at Stanton.

Attorney Erhardt, in speaking over the long distance telephone of the case, said: "The supreme court simply accepted the record instead of newspaper reports. The newspapers have never been fair to Mueller. They created prejudice against him without getting at the causes underlying his shooting. Mueller could not have fired the first shot. If he had shot Hohnke in the arm, Hohnke would never have been able to grab his gun and shoot later. Hohnke, urged on by his wife, had been trying to get Mueller's wife, their child, away from him. Twice Hohnke had got the sheriff to arrest Mueller on an insanity charge. Once Mueller was brought to town and then Hohnke declined to file a complaint. Mueller had been mistreated. He went over to get his wife. They refused to give her to him. At this particular time he went, as he said, 'for blood.' He had before gone over to take his wife her clothing. He had once taken her cow over for her. She had begun action for divorce and he was angry. He was justified in being angry."

THURSDAY TIDINGS.

- H. E. Gerecke left at noon for Fremont.
Fred Fuehring of Seward is in the city today.
G. A. Eberly of Stanton is in the city today.
John Pearson of Ponca is a Norfolk visitor today.
P. A. Froehlich of Emerson was in Norfolk yesterday.
H. A. Dreibert visited relatives in Pierce yesterday.
P. F. Panabaker of Wayne was in Norfolk yesterday.
N. J. Weatherholt of Hoskins was in Norfolk yesterday.
W. A. Witzigman returned at noon from a business trip to Tilden.
E. J. Evans of Carroll stopped in Norfolk yesterday between trains.
H. C. Burbank of Plainview was in Norfolk for a few hours yesterday.
Mrs. Rufus Barnes and her grandsons, Rufus Hanks of Creighton, spent yesterday in Norfolk, enroute for a visit at Central City.
Dr. and Mrs. J. M. O'Connell of Ponca visited in Norfolk yesterday.
Mrs. C. E. Greene and Miss Nina Walker left today for a visit at Omaha.
H. P. Peters and bride of Minneapolis are visiting with Mr. and Mrs. J. C. Spellman.
Misses Matrau and Herman returned yesterday noon from a visit at Lincoln.
Misses Stella Wright and Lorinda Wausser of Plainview are visiting in Norfolk.
Mrs. F. E. Ballard and Mrs. I. W. Seaverns of Randolph were in the city yesterday.
Miss Etta Carberry returned from Omaha where she had been for medical treatment.
A little son of Sam Hanan is sick with lung fever. Mr. Hanan recently moved to Norfolk from Madison with his family.
Frank A. Peterson, city superintendent of the Creighton schools, passed through Norfolk yesterday returning from Lincoln where he had been called by the death of his father.
R. C. Reinecke of the Sioux City firm of Reinecke & Jenkinson, one of the younger firms among western architects, is in Norfolk submitting plans to the Norfolk board of education for the new high school building.

Word received from Deadwood states that Frank Hirsch's illness there resulted from an attack of asthma affecting heart action. The illness was not serious and, though confined to his room, Mr. Hirsch is improving. Mrs. Hirsch, who left Norfolk as soon as word was received, is

with her husband. Lack of definite information in the first telegrams telling of Mr. Hirsch's illness occasioned much alarm among his friends and gave rise to street rumors of his death.

District court will convene in Knox county next Monday.

Work has begun on the new cement sidewalk leading to the city hall on North Fourth street.

The Ladies guild of Trinity church will meet tomorrow afternoon at 2:30 with Mrs. Wells at the rectory.

Al. Wilkinson has been retained by C. F. Horr & Co., who have bought out the department store of the Mrs. Robert Craft company.

Dr. O. R. Meredith will entertain the young people of his Christian church Sunday school bible class this evening at his home.

A four-year-old son of Mr. and Mrs. C. A. Hyde was seized with an attack of convulsions yesterday noon. Today the little boy was much better.

A small bridge over a slough one mile north of the Kost bridge is being replaced, forcing Rural Carrier J. R. Rouse to make a short detour in covering route No. 2.

Foreman Hartford and a cable gang in the service of the Nebraska Telephone company were expected in Norfolk today. The amount of cable work to be undertaken in Norfolk this spring has not yet been determined by the company.

Mr. and Mrs. Ed C. Engle and daughter leave on the early train Friday for Sioux Falls, S. D., to attend the golden wedding anniversary of Mr. Engle's parents in that city Monday, April 29. Mr. Engle will return the first of the week and Mrs. Engle will go to Huron, S. D., for a week's visit with a sister at that place.

The following teachers have been elected to teach in the Tilden schools the coming year: Principal, William C. Green; assistant principal, Miss Mira L. Kerns; grammar room, Miss Myrtle Bennett; first intermediate, Miss Audrey Cloyd; second intermediate, Miss Emma Putney; first primary, Miss Idelle Taylor; second primary, Mrs. Nelle Bentley.

B. E. McKibben, a brother of Mrs. O. R. Meredith of this city, sailed Tuesday for Japan in the interests of the International Fisheries company. Mr. McKibben will have his headquarters in Japan but his territory will cover China, Japan, the Philippines and Manchuria. He will spend some two years in the east. Mr. McKibben is an old Hastings boy and later for three years was the western league baseball manager at St. Joe.

The Norfolk high school baseball nine will play a return game with the Neligh high school tomorrow afternoon at Neligh. Saturday the Norfolk ball season will witness the first regular game of the spring when the Pierce and Norfolk high school nines clash on the old fair grounds. The game will be called at 2 o'clock Saturday afternoon. Estabrook, Hoffman and Faucett will comprise the Norfolk battery Saturday. The Norfolk boys promise a speedy contest for the opening game.

C. C. Gow has decided to accept the secretaryship of the Norfolk Commercial club, having been elected to that position at the Tuesday morning session of the directors. At the time Mr. Gow was notified of his selection to the position of secretary, he asked for time to weigh the matter in his mind. Mr. Gow felt that if he should accept the responsibilities of the office he would feel bound to devote to his new duties the attention that they would demand and that this time could ill be spared from his own business. After consideration, however, Mr. Gow has informed the Commercial club that he is prepared to take up the work of the secretaryship, taking time from his business to meet its demands.

WOMEN MEET AT STANTON

WOMEN'S CLUBS OF THIRD DISTRICT ASSEMBLE.

NORFOLK DELEGATION THERE

The Third Congressional District's Federation of Women's Clubs is holding annual convention for two days in Stanton.

With a large attendance from Norfolk and other towns in the Third district, the district convention of the woman's clubs of northeastern Nebraska convened in Stanton Wednesday afternoon for a two days session. The Ladies' Literary club, Sorosis and the Fortnightly Culture clubs of Stanton were hostesses to the visiting delegates.

Mrs. John R. Hays, Mrs. S. F. Erskine, Mrs. A. H. Viele, Mrs. J. Baum, Mrs. J. C. Stitt, Mrs. George B. Christoph, Mrs. E. M. Huntington, Mrs. Burt Mapes and Mrs. O. R. Mapes were among the representatives of the Woman's club of Norfolk at the district convention at Stanton.

Mrs. W. E. Reed of Madison, district vice-president of the Third district, accompanied by Mrs. Mary E. Otis and Mrs. J. E. Hugg of Humphrey, and Mrs. Arthur Anderson and Mrs. Charles Miller of Genoa were in Norfolk over night, leaving for Stanton at noon.

Had Snow on Rosebud Yesterday. Gregory, S. D., April 24.—Special to The News: A blizzard struck the Rosebud country at 9 o'clock this morning. A driving wind and fine snow from the northwest are raging.

DISCUSS COST OF PAVING

CITY COUNCIL HOLDS SPECIAL SESSION FOR IT.

ARE ONE STEP NEARER PAVING

City Attorney Weatherby Says That as Soon as it is Definitely Determined Where Street Intersection Paving Cost Comes From, Things Start.

Only the cost of paving street intersections now stands in the way of paving Norfolk avenue from Seventh street to the Northfork bridge. At a special session of the city council last evening the last of the technical steps preparatory to paving Norfolk avenue were taken. When city funds can be found available for paving the street intersections the city, according to City Attorney Weatherby, will be in a position to call for bids on the contract for paving the avenue.

A proposition that the cost of street intersection paving should be assessed against the paving districts encountered opposition from Norfolk avenue property owners present at the special session of the council last evening. The meeting of the council was held for the purpose of arranging to assess the cost of the proposed paving against adjacent property. To carry out the requirements of law it was voted that the property in the paving district should be valued at the sum of \$100 per front foot for the purpose of the assessment to pay for paving the district.

The resolutions adopted also provided that the cost of paving the street intersections should be paid by the city. Exactly where this money is to come from was not known, but the mayor and councilmen thought that the necessary money could be made available in some way. This task will probably fall to the lot of the new city administration.

The rest of the council's time last evening was consumed in detail matters connected with the new sewer system. The special committee of the council reported that they were farther than ever from reaching an agreement with Gust Machmueller regarding the matters under dispute between Machmueller and the city. For the reason that Mr. Machmueller refused to put what the council thought to be a fair price on the dirt necessary to cover the 700 feet of sewer pipe extending across his land to the river, that part of the sewer contract providing for the covering of this part of exposed pipe at 21 cents per yard of dirt was ordered canceled. Contractor agreed to have the section stricken from his contract and thought that the city would save money by waiting for a more opportune time to have the grading done.

The question as to whether or not Contractor Herrick had a right to extend private drains into the new sewer without taking out a plumber's license was brought up but no action taken. Contractor Herrick is to put in several house connections with the new sewer within the next few weeks. All councilmen were present at last night's meeting save Craven, Stafford and Spellman.

INDIANS ARE PAID OFF

\$15,000 IS DISTRIBUTED WEDNESDAY AT NIOBRARA.

\$35,000 MORE ON SATURDAY

Government is Liquidating to the Red Men for Great Sioux Treaty, Relinquishing Rights of Tribes in Black Hills Country.

Niobrara, Neb., April 24.—Special to The News: The Ponca Indians will receive about \$15,000 today, or \$114.50 each. Friday and Saturday the Santee Indians will receive about \$35,000. This is part only of the payment that the government is to make these Indians, all payments to minors and adults not found capable of taking care of themselves being delayed for further investigation. This move is in settlement for the interest these Indians had in the great Sioux treaty that relinquished any rights they had in the Black Hills country and all territory west of the Missouri river north of the Niobrara river.

BOUNTY ACT OF MARCH 4.

Instructions to Veterans Seeking Payment From Government.

Congressman J. F. Boyd is issuing the following official circular letter for the instruction of claimants as to bounty under the act of March 4, 1907: The act of March 4, 1907, applies to soldiers of the civil war only and makes no provision for the payment of any bounty other than that previously authorized by law. It does not authorize the payment of any new bounty.

Nearly all soldiers, or their heirs, have already received all bounty due under existing laws. The following cases only are affected by this act: 1. Where additional bounty under the act of July 28, 1866, has been denied because it was not claimed before July 2, 1880, it may now be allowed. This bounty is not due in any case where the soldier has received more than \$100 bounty altogether for his services, and is never allowed to

any but two or three years' men. It is not payable to a soldier discharged before he has served two years to accept promotion, or for a disability other than wounds received in service and in line of duty, or to drafted men or substitutes.

2. When a soldier received an advance installment of the \$300 recruit bounty, or of the \$400 veteran bounty and was required to refund, or pay back \$25 of that advance installment because he was discharged by promotion, or otherwise before a service of two years as an enlisted man, said \$25 may be allowed.

This law does not apply to sailors who served in the navy only. In all letters to this office the full name of the soldier, and each company and regiment in which he served, with the dates of enlistments and discharge as near as can be given, should be stated. If the soldier is dead the relationship of the nearest of kin should also be given.

DISCARD OLD FOUNDATION

SCHOOL BOARD WILL ERECT ENTIRE NEW BUILDING.

LATENSER WILL DRAW PLANS

Board of Education Took Final Action on Norfolk's Building in Secret Session Last Night, Excluding Newspaper Reporter From the Room.

The Norfolk board of education voted last evening that from the best advice at hand and after a careful examination they deemed the foundation of the old high school building unsafe to build upon, that the foundation should be ordered torn down, that such portions of it as are fit should be cleaned and piled up for future use and that the grounds should be prepared for a new building.

The board of education also voted last night that of the plans for a new high school building submitted to the board, the plans drawn by John Latenser of Omaha should be selected as the general plans for the new building, that Mr. Latenser be asked to appear before the board this evening and that if he can furnish the plans within such time and work out the details satisfactorily to the board the board would enter into a contract with him as architect for the new structure.

The above action, discarding the foundation of the old high school building and calling Architect Latenser of Omaha to furnish detailed plans for the new building, was announced this morning as the final action taken by the board of education last evening in the special meeting held in Dr. Cole's office. It was also stated that Secretary H. C. Matrau alone voted in opposition to the motions adopted.

News Reporter Excluded. The final decision of the board to erect a new building away from the old foundation lines was taken last evening in executive session. The News representative by special motion being asked to depart from the deliberations of the board. As soon as the meeting was called to order last evening President Cole announced that a motion to pass into executive session would be entertained. Matrau and Hazen did not appear to favor such a course but Dr. Cole's suggestion prevailed and after two months of discussion the final decision of the board was taken in closed session with the details of the final meeting barred from public print.

Action Ended, Censorship Lifts. Members of the board who favored the executive session last evening said this morning that the procedure had been taken for fear that the debate might take on a personal nature and also in order that the members might be at liberty to give freer expression to their opinions with the meeting closed against reporters. As for tonight's session the censorship promises to be lifted. The News having received an invitation to be represented at the meeting this evening when Architect Latenser is expected to meet in conference with the board.

The plans presented by Mr. Latenser for the board's approval were accompanied by an estimated cost of \$35,000 excluding plumbing. The plans as approved may be modified by later action of the board. As presented by Mr. Latenser the new plans follow the general outline of the Blair high school. The work of preparing the grounds for the new building will, it is understood, continue under the direction of A. Morrison.

Convention Notes. C. F. McGrew, vice-president of the Omaha National bank, left on an early morning train for Omaha after attending the Northeast Nebraska bankers convention in Norfolk. Mr. McGrew has participated in practically all of the state conventions and attended most of the district gatherings of Nebraska bankers, but he said last evening before leaving Norfolk, "That was the most elegant and the most successful banquet that I have ever attended in connection with a bankers' convention in Nebraska."

"We certainly want to come back to Norfolk," said Harry A. Cheney, president of the Security bank of Creighton before leaving for home Tuesday. "The royal entertainment, the merits of the program and the record breaking attendance of the Arbor day meeting has won us to Norfolk as a convention city." Mr. Cheney was elected to the vice presidency of the association.

PLUCKY MRS. CRAFT

ARRESTS 2 THIEVES

WITH QUICK EYE, NERVE AND AN EMPTY REVOLVER.

TRAMPS LAND IN POLICE COURT

SHE SAW THEM STEAL THREE PAIRS OF TROUSERS.

THEN USED GUN WITH EFFECT

Norfolk Woman's Courage and Quick Wit Proved Too Much For a Bunch of Shoplifting Hoboes Who Tried to Steal From Her.

Mrs. Robert Craft, armed with an unloaded revolver, held a sneak thief and his partner at bay in her Junction store Wednesday morning until help arrived from without the store.

A woman's courage and a woman's hand grasping the threatening but harmless revolver prevented the escape of the two men, one of whom had been detected in the act of trying to "lift" three pairs of trousers from Mrs. Craft's department store at the Junction. These two men with a third partner, all transients of doubtful character passing through the city, were turned over to Officer Livingstone and lodged in the Norfolk city jail to await trial.

The Three Tramps Enter. Mrs. Craft's store was visited by the three strangers at about 9:30 o'clock Wednesday morning when Mrs. Craft and a saleslady were alone in the department store. Under the apparent guise of making small purchases, one of the men was afforded an opportunity to flash three pairs of trousers from the clothing stock into safe hiding under his overcoat. Quick as the light fingered man performed his act it did not escape detection.

Cowed by Her Pluck. Events followed with rapidity and disclosed a Norfolk woman's courage and ready wit more than a match for the rascality of the shop lifters. A quick jerk at the overcoat brought the stolen property tumbling to the floor. A step behind the counter and the sneak thief and one of his partners who had not escaped were "covered" with the store revolver. One man backed against a stove and pleading for mercy, his companion trembling beside a counter, the two looked into the barrel of the revolver until Junction men rushed in to the relief of the little woman who had more than the best of the situation.

Gun Was Empty. And when the police had the three men in custody and headed for the city jail and when the store was back in the routine of business, Mrs. Craft confided that she had been neither brave nor frightened, that the situation had been without danger because, she said, "I knew all the time that that awful revolver was not loaded." Late in the afternoon the men made captive by an empty revolver were hauled before Justice Eiseley, giving their names as Frank Howard, Frank Martin and Harry Williams. Preparations made for trial proved unnecessary, Howard pleading "guilty" to the charge of petit larceny and Martin and Williams to aiding and abetting in the crime. Each man received a sentence of thirty days in the county jail at Madison.

At the Junction the spring movement of tramps has set in, seven members of Wednesday's party being reported in the city by the police.

IS BUYING RIGHT OF WAY

YANKTON & SOUTHWESTERN OFFICIAL IS HERE.

OPTIONS NEARLY TO NORFOLK

William Poppe, Right of Way Agent for the Yankton & Southwestern, Was in Norfolk and Said He Had Options to Within Ten Miles.

William Poppe of Yankton, right-of-way agent for the proposed Yankton & Southwestern railroad that has been surveyed past Norfolk, was in the city today. Mr. Poppe is securing options for the right-of-way from Yankton south to Norfolk. Before leaving for Pierce, he stated in Norfolk that options covering the course of the road had been secured to within ten miles of the city from the north. An effort will be made to secure at once the remaining options required to complete the right-of-way to this city.

Harry Ward's Minstrels. Boise City News, March 15. "Harry Ward with his Big White Minstrel company was the attraction at the Columbia theatre last evening; Harry is an old timer in these parts, and the town turned out to greet him in the same old way it has for the past fifteen years. The company is composed of a strong cast, and many new

and interesting features were introduced. The Black Diamond quartette deserve special mention. The parade was one of the neatest and most interesting ever seen on the streets of Boise." This attraction will be at the Auditorium in Norfolk Monday night, April 29. Seats on sale Saturday. Popular price, 25c, 50c and 75c.

Letter List. List of letters remaining uncalled for at the postoffice at Norfolk, Neb., April 23, 1907.

Miss Flora Adler, Robert Boettger, Miss Birdie Curry, L. F. Evans, Miss Clara Rausch, Mrs. Emma Taylor, Miss Sadie Whitney.

If not called for in fifteen days will be sent to the dead letter office. Parties calling for any of the above please say "advertised."

John R. Hays, P. M.

Get in touch with your fellow-men by looking over the ads.

HOSPITAL NURSE

BURNS TO DEATH

MISS ANNA LYNCH IS VICTIM OF FATAL FIRE.

AN ALCOHOL LAMP EXPLODED

CARRYING IT OUT, HER CLOTHING WAS IGNITED.

SHE RAN OUT INTO OPEN AIR

Miss Lynch Was Day Nurse in Women's Infirmary Ward—Was Heating Paraffine Over Alcohol Flame for Floor Polish—At Breakfast Time.

Miss Anna Lynch, aged twenty-two, day nurse in the infirmary ward at the Norfolk insane hospital, was burned to death at the institution Wednesday as the result of an alcohol stove explosion. She was carrying the flaming stove toward a bathroom when her clothing became ignited from the fire which enveloped the stove and which was fanned toward her as she ran.

Miss Lynch lived six hours after the accident. It was at a quarter before 7 in the morning, just when patients on the ward were eating breakfast, that she was burned and at 12:45 she succumbed. Her clothing was burned entirely off before aid could reach her. She was terribly burned about the breast and limbs. Her head became a mass of flame when her hair caught the fire and was burned off.

Was Heating Paraffine. It was in the second story of the cottage that the tragedy occurred. Miss Lynch, who had been engaged in institution work of this kind for seven years, was heating paraffine with which to polish the floors. She was holding the floor wax over the alcohol flame when the little stove exploded. Seizing it in her hands, Miss Lynch raced toward a bathroom but was aflame herself before she had reached her destination.

With her clothing ablaze, Miss Lynch became panic-stricken and began to run about the room as though seeking to escape the flame but in reality only fanning it into greater volume.

Ran Out Upon Porch. After desperately circling the large ward, the young woman dashed frantically out upon the porch, in the open air and before assistance could avail her clothing had been destroyed and burns so deeply inflicted that recovery was impossible.

She was taken at once to her apartments where Dr. Young, superintendent, and Dr. Singer, physician, gave her all possible care but before noon she had lapsed into unconsciousness and fifteen minutes before 1 o'clock life became extinct.

Home Was at Yankton. The home of Miss Lynch was at Yankton, S. D., and the remains will be taken back to that place. A brother-in-law will reach Norfolk tonight to accompany the remains home. Funeral services will be held at the hospital here. Word was immediately sent to Yankton informing relatives that Miss Lynch's recovery was doubtful. Queerly enough, news of the accident did not reach Norfolk itself until queries began coming from Yankton to Norfolk friends regarding the matter.

Had Been Warned Against Lamp. Dr. Young, superintendent, said that the use of an alcohol lamp in heating the paraffine was contrary to the regulations of the hospital and that Miss Lynch had been warned not to pursue this practice. "The hospital regulations," said Dr. Young, "require that the floor wax shall be heated in hot water and not over an alcohol lamp, for fear of just such an accident."

Patients Remain Calm. It is said that patients in this ward remained calm in spite of the sight of the nurse burning to death and her terrific sufferings.

House Company Out. The hospital hose company assembled, prepared to fight flame in the building, should it develop. It was at first thought, when the burning girl rushed out upon the porch, that the building was in flame.