

Nebraska

FIREMEN'S PENSIONS VALID

Supreme Court Upholds Act Affecting Lincoln and Omaha.

LOWER COURT IS REVERSED

Sentence of Jerry Hanks of Dawson County Cut from Seven to Three Years—One Year Taken from Nixon's Sentence.

(From a Staff Correspondent.) LINCOLN, April 24.—(Special.)—The supreme court has sustained the validity of the firemen's pension law, which applies to Lincoln and Omaha. It has reversed the decision of the district court in the case of John Haberdon, whose application for a writ of mandamus against the city of Lincoln was refused. Judge Root's opinion in the case says:

It is competent for the legislature to require cities of the metropolitan class and cities of the first class to pension superannuated firemen and to pay those pensions from the funds of the fire department. Such legislation is not obnoxious to the declaration in section 11 of article 1 of the constitution that the legislature shall not impose taxes upon municipal corporations or the inhabitants or property thereof for corporate purposes.

Nor does such legislation contravene section 14 of article 1 of the constitution, which provides that the legislature shall never grant any extra compensation to any public officer or employee. The pension contractor, after the services shall have been rendered or the contract entered into, is a fireman, who in 1887, under the provisions of chapter 23, laws of 1885, is entitled to that pension.

A fireman entitled to a pension, no part of which is paid for injuries inflicted while in that vocation and as a result thereof, is not a public officer or employee within the meaning of the pension provided by law at the time of his retirement.

Jerry J. Hanks of Dawson county was sentenced to seven years in the penitentiary for criminal assault upon a girl. Upon a rehearing the sentence was reduced to three years, but in all other particulars previous findings were adhered to.

James Nixon from Nemaha county, for stealing \$50 worth of goods from a store, whose original term was three years, had it cut down to two years.

The following opinions of the supreme court were filed: Winalow against Winalow, affirmed; Sedgewick, J., not sitting.

Flesher against Steinbruck, affirmed; Root, J., not sitting. McNamara against Gunderson, affirmed; Barnes, J., Fawcett, J., not sitting.

Martin against Harvey, affirmed; Fawcett, J., not sitting. Harfick against Coffin, reversed and remanded; Root, J., not sitting.

Zentmire against Bralley, affirmed; Root, J., not sitting. Slesker against Slesker, affirmed; Letton, J., not sitting.

Old Line Bankers Life Insurance company, reversed and remanded; Root, J., not sitting. Reese, C. J., and Letton, J., concurring in dissent.

Strawns against Monitor Specialty company, affirmed; Fawcett, J., not sitting. Hawkins against Collins, affirmed; Root, J., not sitting.

Boien against Wright, reversed and remanded with directions, each party to pay his own costs. Each party to pay his own costs. Keleher against Keleher, affirmed; Letton, J., not sitting.

State Bank against County against Bradstreet, affirmed; Fawcett, J., not sitting. Tate against Bligh, affirmed; Sedgewick, J., not sitting.

Woodward against Woodward, affirmed and remanded with directions, Root, J., not sitting. Hoover against Deloia, reversed and remanded; Root, J., not sitting.

Delness against Solvind, proceeding dismissed; Barnes, J., Reese, C. J., and Sedgewick, J., not sitting.

Hanks against State, on motion for rehearing sentence reduced to three years in penitentiary, and as this modified, former opinion adhered to. Matton for rehearing overruled; Sedgewick, J., Reese, C. J., and Root, J., not sitting.

When the Sphinx Smiled



WILL HAYWARD AND PARTY AT THE PYRAMIDS.

Shoots Four Members of His Family, Then Turns Gun on Self

C. C. Hewson of Morrill Kills Mother-in-Law, Wounds Wife and Two Boys, Then Commits Suicide.

MORRILL, Neb., April 24.—(Special Telegram.)—About 4 o'clock Sunday evening C. C. Hewson killed Mrs. Mary F. Jenkinson, shot his wife through the head, shot Leland Jenkinson, a boy about 13 years old and one of his own children, then turned the revolver upon himself and shot himself through the head, killing himself almost instantly.

The Hewson family lived at Mitchell, Neb., about 12 miles from Morrill. Mr. Hewson is a carpenter and tradesman. Mrs. Hewson is a daughter of Mr. and Mrs. George Jenkinson, who have lived in Morrill since the town was started and in western Nebraska and eastern Colorado for some twenty-five or thirty years.

Hewson and his wife have married about nine years and have three children, two boys and one girl, aged 4, 9 and 8 years. Domestic troubles of long standing brought about the awful tragedy which ended two lives last evening and probably will end another today.

Mrs. Hewson left her home three weeks ago taking the children and came to Morrill to stay with her mother, saying she was 80 years old and could not stay at her home on account of the treatment she received at the hands of her husband.

She has been at her mother's home ever since she came here two weeks ago. Hewson came here and tried to induce his wife to return home with him, but she refused to do so. Yesterday he again came to Morrill and during the forenoon held a conference with his wife and asked her to return with him, but she again refused, giving as among other things that she was unable to go on account of her physical condition, owing to the treatment she had received at his hands.

Hewson left the Jenkinson home about 10 o'clock Sunday morning and went directly to the Jenkinson home, where Mrs. Jenkinson, Mrs. Hewson, his wife, Leland Jenkinson and one of the Hewson children were sitting at the table. Hewson drew a pocket pistol, a thirty-eight calibre revolver and commenced shooting. He shot three times at his wife, one shot hitting her hand, another being deflected by a hairpin, the third passing in at the ear and out at the back of the head. He then shot Mrs. Jenkinson and then shot Leland Jenkinson and one of his own children, then shot himself in the right temple. Leland and the little child ran to the neighbors, and when some of the close neighbors repaired to the house each of the victims lay in a pool of blood. The child is not badly hurt.

Mrs. Hewson is still alive, but the physicians hold out no hope for her recovery. She is conscious most of the time and able to give a connected statement. The coroner will hold an inquest today.

YEISER ON PARDON BOARD

(Continued from First Page.) applications from persons who desire to draw plans for state buildings, but that they had not taken up the matter as a board.

Kemble Seed Inspector.

E. C. Kemble of this city, a democrat and at present an employe in the county treasurer's office, was today appointed by Governor Aldrich as seed inspector for the county, drug and dairy department. Mr. Kemble is an expert knowledge of seeds and commercial stock food articles, over which the department has jurisdiction since the passage of the Sanborn-Dardin pure seed bill at the recent session of the legislature.

Electrical Men Meet.

Representatives of a large number of the electrical companies in the state began a two-days' session in this city today. Business matters occupied the attention of the delegates to the convention this afternoon following the introductory addresses. Following is the program for Tuesday:

Morning—Paper, "Coals Used in Nebraska," by R. E. Burger, Fremont, discussion, led by Mr. Schwilke, Holdrege, Neb.; paper, "Oil as Boiler Fuel," T. O. Kennedy, Lincoln; discussion, led by Mr. Brooks, Lincoln.

Afternoon—Paper, "Electric Lighting by Products," Prof. George H. Morse, state university, Lincoln; discussion, led by Mr. Fritz, Grand Island; paper, "New Business," Mr. Snodder, Omaha; discussion, led by Mr. Bullock, Norfolk.

Night Session—Dinner given by Lincoln companies.

Viele Succeeds Ludden. A. H. Viele of Norfolk was this afternoon appointed a member of the state board of education to succeed Dr. Luther P. Ludden whose term expires June 25. The new appointee is at present a furniture dealer in his home city and was formerly a locomotive engineer on the Northwestern. He is declared by those who know him to be a good businessman, and is at present on the Norfolk board of education.

Comment on Haller's Act. The recent declaration of Phi Beta honor at Harvard university by Louis Haller of Omaha, has provoked much discussion among instructors and students at the state university, many of whom knew the young man while he was studying here in the Northwest. He is declared by those who know him to be a good businessman, and is at present on the Norfolk board of education.

MARTIAL RULE IN MUSCATINE

Major Bell Prohibits All Public Meetings After Dark.

PEOPLE MUST STAY OFF STREETS

Anyone Found Away from Home After 11 O'clock Will Be Locked Up for Second Offense—Few Workers in Factories.

MUSCATINE, Ia., April 24.—Military rule went into effect in Muscatine today by order of Major George W. Bell, in charge of the state troops sent to Muscatine to preserve order during the local labor troubles. No public meetings of any sort are to be permitted after dark. Any person on the streets after 9 o'clock in the evening will be compelled to state his business to the military patrol. Any one on the streets after 11 o'clock will be escorted to his or her home and the name and address taken. A repetition of this will result in the arrest of the offender. No crowds will be permitted and three persons will be adjudged a crowd. All social and religious meetings of every description will be necessarily abandoned as long as the troops remain in Muscatine. Despite the presence of the soldiers and the protection afforded to all, few additional workers returned to the factories this morning. Yesterday's button workers' picnic at Wood park passed without incident. Large crowds were present, but there was no disorder. Clarence Darro, of Chicago, announced as the speaker, was unable to come. The speeches made by union leaders were taken down shorthand by a representative of the military authorities. Soldiers were present on the grounds.

Speeches Taken for Reference. DES MOINES, Ia., April 24.—(Special Telegram.)—Adjutant General Logan of the Iowa National guard expects in a day or two to have full copies of the speeches delivered by labor leaders in Muscatine on Sunday in his possession. "We do not care to suppress free speech," said General Logan, "but if the speakers say anything which serves to incite the strikers to riot we want to have it down in black and white. We have several men in the national guard companies on duty at Muscatine who are shorthand reporters and who took down the speeches made Sunday afternoon. Copies of these speeches will be forwarded to Des Moines. There is nothing to indicate any further danger of violence in the button strike, but companies of militia will be kept on guard for a time."

Nebraska News Notes. DAVID CITY—Richard E. Hyatt of this place has purchased the Jacob Thomas & Son confectionery and cafe stock.

GENEVA—Invitations are out for the marriage of John Gigg to Miss William Drake, formerly of Geneva, next Wednesday.

GENEVA—William Merrill, who died at Paris, Mo., was buried yesterday afternoon. The Masons attended in a body. The Rev. Mr. Meyers of the Methodist Episcopal church had charge of the services. Mr. Merrill was 70 years of age and lived for years in Geneva. He was an old soldier. A daughter, Mrs. T. L. Williams, resides in Geneva.

DAVID CITY—The new city well at this place has at last been finished. The well is 500 feet deep and has a steel casing ten inches in diameter and one inch in thickness. The water supply is inexhaustible. This week the house will be erected over the well and the machinery necessary for pumping will be installed, thus giving to David City one of the best pumping stations of its size in the state.

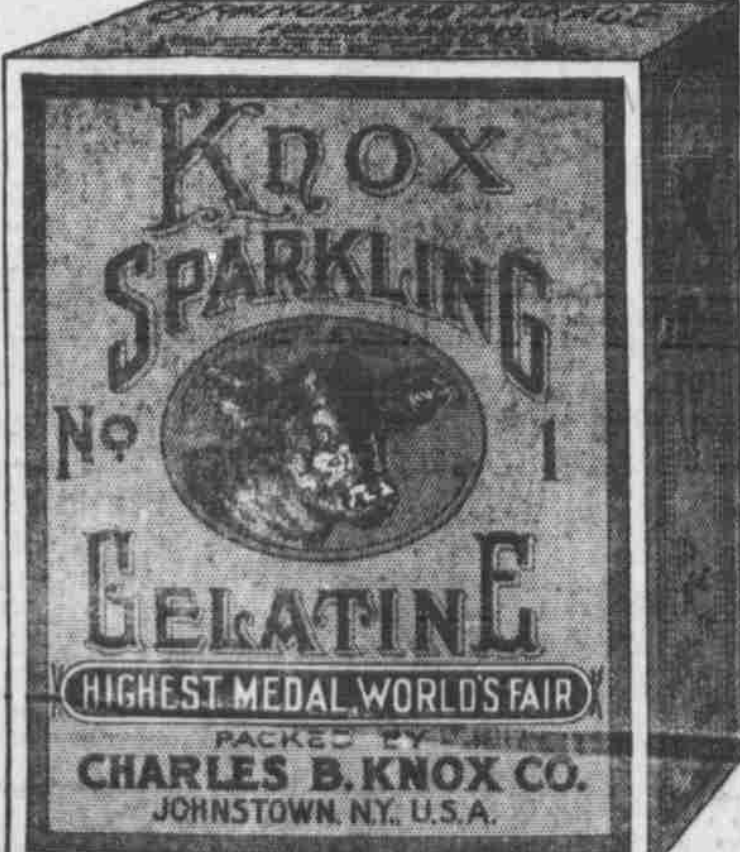
GENA—Miss Alvina M. Harjeburck and William H. Littelmann were united in marriage at the Loske church south of Lehigh, Friday, Ev. Denning officiating. Miss Anna Engdahl and Otto Littelmann acted as bridesmaids. The bride is the oldest daughter of Mr. and Mrs. Fred Harjeburck, old and wealthy settlers of

Shur-on EYEGLASS MOUNTINGS. If your head aches; if your vision blurs; if your brain balks at the work it is called upon to do; your eyes need attention now.

We give you skilled examinations and tell you whether or not you need glasses. Huteson Optical Co. 218 South 16th Street.

2 Full Quarts in Each Package

Knox Gelatine not only insures you the highest quality, but also the biggest quantity.



SEND FOR THE KNOX RECIPE BOOK. "Delicious Desserts for Delicate People," containing recipes for Desserts, Salads, Candies, Pastries, Creams, Ices, Cakes, and Sauces, illustrated in colors—FREE for your grocer's name.

CHARLES B. KNOX CO., 318 Knox Ave., Johnstown, N. Y.

Colfax county. The groom is a son of young couple will make their home on the Lattimore farm.

LEIGH—At a recent meeting of the local school board all of the present corps of public teachers were elected for next year. Prof. F. C. Grant has resigned and will enter the Chicago university next fall. Miss Pearl Carlson, assistant principal, has also tendered her resignation to accept a similar position in Idaho. The teachers elected are as follows: Miss Effie Noll, assistant principal; John D. Laming, grammar room; Miss Ella Noll, intermediate; Miss Gertrude Kelly, second primary; Miss Maude Stimm, first primary.

Have You Tried This? Simple Prescription Said to Work Wonders for Rheumatism. This has been well known to the best doctor's for years and is now given to the public. Get one ounce of syrup of Sarsaparilla compound and one ounce Turpentine compound. Then get half a pint of good whiskey and put the other two ingredients into it. Take a tablespoonful of this mixture before each meal and at bedtime. Shake the bottle before each using. Good effects are felt the first day. Many of the worst cases have been cured by this. Any drug-gist has these ingredients on hand or will quickly get them from his wholesale house. Any one can mix them. This was published here before and hundreds of rheumatism sufferers that tried it are enthusiastic over the results obtained. It will save many a doctor bill and should be kept on hand at all times.—Adv.

Chives Horseradish Asparagus Tube Roses Begonias, Paeonies, Gladioli, Dahlias, Caromas, Caladium, Cinnamon Vines, Maderia Vines. Seeds That Grow, Need Any? The Nebraska Seed Co. 1018 Howard Street. Phone Doug. 1261. Open Saturday Evening until 8.

At Fountains & Elsewhere Ask for "HORLICK'S" The Original and Genuine MALTED MILK The Food-drink for All Ages. At restaurants, hotels, and fountains. Delicious, invigorating and sustaining. Keep it on your sideboard at home. Don't travel without it. A quick lunch prepared in a minute. Take no imitation. Just say "HORLICK'S." In No Combino or Trust

In a Pinch, use ALLEN'S FOOT-EASE Ladies can wear shoes one size smaller after using Allen's Foot-Ease, the antiseptic powder for the feet. It makes tight or new shoes feel easy; gives instant relief to corns and bunions. It's the greatest comfort discovery of the age. Relieves swollen feet, blisters, callous and sore spots. It is a certain relief for all foot troubles. Always use it to break in new shoes. Sold everywhere. Don't accept any substitute. For FREE trial package, address Allen S. Olmsted, Le Roy, N. Y.

No Change of Cars Through daily sleeping car service is maintained via Rock Island Lines between Omaha and Oklahoma Points operating by the way of Lincoln, Belleville, McFarland, Wichita, Caldwell and El Reno. Limited service is also provided to Texas points. Direct to your destination without change of trains. Low Round Trip Fares to Oklahoma and Texas Points May 2 and 16 For tickets, reservations, information, etc., address

Rock Island J. B. McNally, Div. Pass. Agt., 1222 S. Farnam, Omaha, Neb.

St. Lawrence Route to Europe LESS THAN FOUR DAYS AT SEA White Star-Dominion ROYAL MAIL STEAMERS Montreal—Quebec—Liverpool "Laurentic" and "Meganic" Largest and Most Modern Steamers in Canadian Service. Luxurious accommodations for First, Second and Third Class. Sailing in conjunction with the "Popular Twin Screw Steamers"—"Tussock"—"Canada"—"Dominion" carrying One Class Cabin passengers called "Second Class." Sailing on the 25th. Apply Company's Office—90-92 Dearborn St., Chicago, or Local Agent.

SCANDINAVIAN-AMERICAN LINE 12,000-ton Twin-screw Passenger Steamers. Greatly improved service. Sailing on the 25th. Apply Company's Office—90-92 Dearborn St., Chicago, or Local Agent.

Questions "Truthfully Answered"

QUESTION—Who sells the most clothing in Omaha? ANSWER—The Berg Clothing Co. QUESTION—Why do they sell so much? ANSWER—Because they sell the best clothes made. QUESTION—Whose clothes do they sell? ANSWER—Kuppenheimer "Stein-Block," Society and Schloss. QUESTION—Are these clothes high priced? ANSWER—No. Prices low, but quality sky high. QUESTION—Have they a good assortment to choose from? ANSWER—More than DOUBLE any other store in town—and all sizes up to 54. QUESTION—Can you beat it?

The Berg Clothing Co. \$5000 a Year and a Pleasant Vocation Many Idaho orchards make more than that. John Newman cleared \$5,020 last summer from 10 acres of apples. Seven years ago he was a school teacher in Iowa supporting his family on \$2.00 a day. He has worked hard, but it paid. You can get similar results in an easier way. Have the orchard developed for you while you remain at your work.

The Grandview Orchards 5 and 10 acre tracts \$175 and \$350 down—Balance small payments—No taxes. An Orchard Developed for You by Men Who Know THESE ARE THE MEN YOU WILL DEAL WITH. P. G. HOLDEN, President—Supt. Agricultural Extension Dept. Iowa State College, Ames, Ia. G. S. GILBERTSON, Vice President—Banker, Ex-Treasurer State of Iowa. J. W. JONES, Vice President—General Manager National Corn Exposition, Omaha, 1908. Formerly in charge Horticultural Extension, Iowa State College and special investigator for U. S. Government.

EDWIN SNOW, Secretary—Formerly Assistant Attorney General, State of Idaho. B. H. THOMAS, Treasurer—Vice President, State National Bank, Iowa Falls, Iowa. F. N. SHEPHERD, Sales Manager—Grandview Investment Co., Des Moines, Iowa. References—Iowa Trust & Savings Bank, Des Moines, Iowa; Idaho Trust & Savings Bank, Boise, Idaho.

GRANDVIEW INVESTMENT COMPANY. 504 Crocker Building. Des Moines, Iowa. Gentlemen: Send me literature about the Grandview Orchards. Name Address

Have Your Ticket Read "Burlington." Round Trip Rates West San Francisco, Los Angeles, May 12-14; also daily June 1 to September 30. \$60.00 San Francisco, Los Angeles, San Diego, June 5-6, June 10-22. 50.00 San Francisco, June 27 to July 5. 50.00 Portland, Seattle, Tacoma, Vancouver, May 29-31; also daily June 1 to September 30. 60.00 Portland, Seattle, Tacoma, Vancouver, June 5-6; June 10-22 and June 27 to July 5. 50.00 Including Shasta Route, \$15.00 higher.

YELLOWSTONE PARK Park Opens June 15 Side trip, from Livingston or Ogden, all accommodations, \$ 55.50 Going and returning via Gardiner, all accommodations for 5 1/2 day tour. 84.50 In via Gardiner, out via Yellowstone, all accommodations for 8 1/2 day tour. 107.25 Also camping tours. SUMMER TOURS Commencing June 1 Denver and Colorado Springs, \$17.50 Estes Park, Colo. 27.10 Salt Lake City, Utah 30.50 Deadwood, S. D. 18.75 Hot Springs, S. D. 15.75 Sheridan and Ranchester, Wyo 25.75 Parkman, Wyo. 26.25 Cody, Wyo. 30.75 Thermopolis, Wyo. 31.75

HOMESEEKER'S RATES First and Third Tuesdays, Each Month. Denver and return \$20.00 Colorado Springs and return 22.80 Cody, Big Horn Basin points and return 32.50 Free illustrated publications, "California Excursions," "Yellowstone Park," "Summer Outings in the Big Horn Mountains," "Homeseekers' Excursions," etc. Describe your proposed trip, and let me help you plan the most attractive tour at the least cost. J. B. REYNOLDS, City Passenger Agent, 1502 Farnam Street, Omaha, Neb.

YOST stores furs INSURED against fire—moths—burglary. Corner 20th and Farnam. Telephone Doug. 3040. COMPARE FOR YOURSELF. Measure The Bee against other local papers in respect of quality as well as quantity of timely news and interesting articles from day to day and TheBee's superiority will be demonstrated