TEN CENTS

ST, HOURS with DOOMED MURDERERS INVARIABLY HAVE SHOWN THEM TO BE COMPOSED, WITH NO OUTWARD SIGN OF MALICE TO ANYONE and READY TO MEET DEATH BERT M. TAYLOR ALLEN V. GRAMMER. THEIR B. COLE AST WALK ANDREW CARNEGIE - DURING 200 YARDS HIS LIFE TIME PROHIBITED THE MENTION OF THE TO THE WORD "DEATH" IN HIS PRESENCE DEATH"

By GUY G. ALEXANDER.

THOMAS JOHNSON

"You, -, have been found guilty by a jury of your peers of the crime of murder. Have you anything to say before the court shall impose sentence?"

The prisoner, wan and haggardlooking, the ineradicable signs of the telling ordeal through which he has passed, during the course of his trial, suddenly looks up, glances about him at the expectant faces of the crowds in the small court room and then in a voice almost inaudible answers, "No."

"It then is the sentence of this court that you be turned over to the custody of the warden of the state penitentiary, there to be elecocuted by a sufficient current of electricity to cause death, between the hours of 6 a. m. and 6 p. m. on the - day of -."

Thus does the court and jury, of 12 good men and true, discharge their obligations to a commonwealth which they represent upon one who has transgressed the laws of the state by the commission of

the crime of murder. Jurors Fix Penalty.

Murder, in legal diction the crime of premeditatedly and with malice aforethought taking human life, has since time immemorial been regarded by an outraged populace and judicial institutions of the world as the most heinous of all crimes. Murder has at some time or other in every civilized country of the world been punishable by the imposition and inflic-

tion of the death penalty, Many there are in all climes who have in latter days railed and petitioned against this mode of punishing those responsible for the illegal taking of human life. Many states of the United States have abolished death penalty and substituted the imposition of a life sentence at hard labor, within rison confines.

In almost every state in the unwhere the death penalty is till in force, the jurors sitting in the case have the prerogative of fixing the penalty either at death or life imprisonment.

In Nebraska, jurors in capital fense cases have this right. Sevbeen made in this state within recent years to abolish the death penalty, but each and every attempt has been defeated. Since the admission of Nebras'a into the union, the death penalty always has been upon the statute books. Since the beginning of the twentieth century all executions have been held at Lancaster, the home of the Nebraska state penitentiary. Prior to the opening of the present century, however, executions were held under the direction of the sheriff of the county in which the crime was committed, but some 20 years ago the state legislature passed a law directing the capital punishment should be inflicted only under the direction of the warden of the state penitentiary and that all executions should be held with-

GOTTLIEB

eral unsuccessful attempts have

NEIGENFIND

in the walls of that institution. Since the passage of that law. the state has exacted a toll of 10 lives of convicted and condemned murderers at Lancaster. Not such a large number, to be true, in 18 years. This represents but a small number of men convicted of the crime of murder by juries in the courts of the state during the same period, but nevertheless does show that juries in some cases still regard the death penalty as the punishment best fitted for the taking of human life.

Fight in Courts.

With the imposition of the penalty of death by a presiding judge of the district court, generally begins an extended legal battle to prevent the execution of the sentence. Time and time again have lawyers of the condemned men carried their cases to the highest court of the state, on appeals, rehearings and other technicalities; there, time and time again, to be met with the order:

"To the warden of the Nebraska state penitentiary: You are ordered to carry out the mandate of the district court of the ---- judicial district in the case of the State of Nebraska against -

With their last hope gone of escaping the exaction of the supreme

penalty for their crimes at the hands of the courts, convicted and condemned murderers of Nebraska have unavailingly carried their appeals to the chief executives of the state to secure clemency, only to be met with a firm refusal to interfere in the execution of the sentence imposed by the courts of the state.

Last Minute Efforts.

Every person executed during the last 18 years in the Nebraska state penitentiary has clung to the hope of escaping the death penalty until within but a few short hours of his death. The most recent example of this was the lastminute efforts made early on the morning of December 20 last year in the United States district court at Lincoln to prevent the execution of Alson B. Cole.

During the time from the infliction of the sentence of death by the presiding district judge until the last appeal to the governor of the state has been turned down, almost without exception condemned murderers-for murder is the only crime punishable by death in this state-have remained in their cells at the penitentiary, there to be punished by conscience.

As They Meet It.

Death, that intangible something that means everything-and nothing. What is death? It stops the wheels of industry and halts the march of trade. It brings smiles to one and tears to another. It is ever faithful. Above all, it is infallible. It fails no one.

To the child it means the absence of loving hands and days of

To the youth it is the end of the trail which in the morning sum stretched toward the future. To the man it is the end of conquest or the release from failure.

To the aged it is nightfall, the end of a summer or winter day. To the theologian is means the final reckoning and the reaping of

To the skeptic it is the great adventure, an opportunity to ex plore beyond the curtain.

RHEA

The pauper may shiver. The prince may hold the riches of the world and revel in the joys brought to him in his worldliness.

Death comes to both. Death the end of all? The b ginning of all, who knows?

Andrew Carnegie, famous for his philanthropies, his libraries, his wealth, his influence, once prohibited the mention of the word "death" in his presence.

This mighty captain of industry and fortune, not an atheist and not a man known for his Christianity, was able to prevent the mention of the word "death" in his presence.

His Sensations.

Carnegie could bar the very word death, but what of the convicted felon with the stamp of death imposed upon him, as he sits or paces the floor of his tiny cell, barred on all sides, with no future, no hope, nothing but his thoughts and his conscience?

What must be the feelings, the sensations, of the condemned as he stands before the bar of justice, there to hear pronounced by the presiding judge, the words that will send him to a murderer's grave, rob him of his future life, the God-given right to life, his constitutional right to life, liberty and pursuit of happiness?

No criminal, no matter how hardened, ever occupied a murderer's cell in the state penitentiary at Lancaster, who left behind any sign or any evidence of his feelings, experienced during those last few hours that remained of his mortal life.

Walk to Death.

It is true, no condemned felon ever started the death march that did not have the comforting help and the kindly cheer of friends he had made either outside of, or

PRINCE ALBERT

behind the prison walls. But to these friends he could not impart his feelings, the lashing of his conscience or his hopes and fears, as he sat waiting within his cell for that tell-tale step, that he knew meant, for him, the beginning of the end.

Of the 10 men put to death, eight in the little brown shack in the southwest corner of the prison yard at Lancaster and two in the death chamber of the new hospital building, none was so completely punished by his consciece that he was unable to walk to his death. Some there were, it is true, who faltered as the prison chaplain, the warden, guards and witnesses joined the little procession at the cell house for the last pilgrimage that led to death and the great beyond, and FREEDOM, freedom from the confines of stone walls and iron bars. With but one exception, the men put to death in the Nebraska prison, had never before served a sentence behind prison bars. To them the commission of the crimes for which they paid with their lives was the Alpha and Omega of their crime careers.

Just a Boy.

William "Rhea," little more than a boy, with the pink of youth still upon his checks, was the first murderer to pay for his crime with his life at the penitentiary at Lancaster. It was on the afternoon of July 10, 1903, that Warden Beemer, Deputy Sheriff George Stryker of Omaha, then

HARRISON CLARK

chief executioner for the state, and a number of guards and witnesses entered the cell of Rhea to take him to his death. Rhea, displaying much of the

FRANK BARKER

bravado that characterized the commission of the crime for which he was convicted, greeted his visitors and joined them on their walk to the gallows. He walked with a firm, steady step until he entered the death chamber. There he nonchalantly removed a light slouch hat which he had worn continuously in his cell. Looking about him he espied a guard, one who had often befriended him during his incarceration in the death cell. He lightly tossed the hat to him and then walked up the steps leading to the scaffold. There he showed the first evidence of a break in his iron composure. As the executioner was adjusting the rope about his neck and drawing it taut, Rhea, his head covered by the black cap, pleaded with the executioner not to draw the rope too tight.

Trap Sprung.

No sooner had he made the request than the trap was sprung and his body shot downward. He was not pronounced dead for nearly 20 minutes after. This was due to the fact that because of his frail, slight physique, his neck was not broken by the fall. Death was caused by strangulation.

Rhea was convicted of the murder of Herman Zahn, a saloonkeeper at Snyder, Neb., during a holdup. His real name was Klein.

He ran away from his home in Indiana when but 12 years of age and became a jockey. He roamed throughout the entire country and was but 19 years of age at the time of the commission of the crime. His father, who had accumulated enough of this world's goods to spend his declining years in comfort, spent every dollar he had searching for his son after he ran away from home, but was unable to find him until he was occupying a murderer's cell in the penitentiary.

"All Ought to Be Killed." - While awaiting trial in the coun-

ty jail at Fremont, Rhea had a visitor, George Howe, a saloonkeeper of Fremont. Rhea expressed himself as being glad that he had killed Zahn and ended his conversation with the remark that "every saloonkeeper should be killed." Howe retaliated by saying he would see his execution for that remark and, by a turn of fate, Howe was one of the official witnesses, along with a brother of the murdered man, at the execution. Rhea's companion in the holdup and murder, a man by the name of Gardner, was sentenced to life imprisonment. Gardner is in the

penitentiary today. The second felon to die within the "little brown shack" at the prison was Gottlieb Neigenfind, convicted in Pierce county of murdering his wife, from whom he was estranged, and her brother, Albert Breyer, a farmer residing near Pierce. The murder occurred on the afternoon of September 1,

Captured by Posse.

Neigenfind had made repeated efforts to see his small son, who had been given into the custody of his divorced wife. Repeated efforts to see his babe met with rebuffs from his wife and her brother. Finally, he shot and killed his wife and then shot and killed her brother who, attracted by the shots, had come to her rescue. He then started to flee from the scene of his crime, but encountered his wife's sister. Beating her with the butt of the revolver which he carried he finally escaped from the farm, only to be captured a day or so later by an armed posse of neighbors. Neigenfind himself was wounded before he finally surrendered to the members of the posse. Convicted and condemned to

hang. Neigenfind was removed to the penitentiary, while his attorneys made several futile efforts to secure a commutation of sentence. . Neigenfind was a model prisoner during the time he was confined in the prison and even during the walk to the scaffold he maintained the solemn composure which had marked his every hour within the prison walls. He spent the time in the death cell in reading and writing. At no time during the march from his cell to the scaffold or upon the gallows did he make any statement or show any signs of a physical collapse. He was executed September 5.

Brutal Slaying.

Early in January in 1908, or on the 17th of that month, to be exact, Frank Barker, convicted in Webster county, died upon the scaffold for the murder of his own brother and sister-in-law, a crime regarded by many criminal lawyers and criminologists as being the most brutal in the murder annals of the state.

Barker, a young farmer boy, was convicted in 1904 of the murder of his brother, Dan, and his wife in their farm home near Inavale. Barker, according to testimony adduced at his trial, was engaged to marry a young girl of his acquaintance, the daughter of a farmer residing near the home of Barker and his brother.

Dan, the older of the two boys. was married and through constant application to work had accumulated a small competence and a highly improved farm on which he made his home. Barker was employed by his brother part of the time, and the remainder of the time worked for other farmers in the immediate neighborhood. On the night of February 1, 1904, at about 10 o'clock he called at the home of his brother, Dan. Knocking at the door, he attracted the attention of his brother and as Dan opened the door to greet him he was slain by the discharge of a gun held by his brother, Frank.

Shoots Sister-in-Law. Stepping over the dead body of his brother, Frank calmly walked into the house, made his way to an upstairs bedroom where the wife of the murdered man was

preparing to retire and without a (Turn to Page Two, Column Thresh