

ANOTHER HEFENSTEIN CASE.

Claim of the St. Lou's Land Grabber in this District Court.

VALUABLE PROPERTY IN LITIGATION.

Case in Which it was Cheaper to Buy a Home Than to Pay Rent—Court Notes—Other Local News.

The ghost of John P. Hefenstain was dragged into the district court yesterday. The name of Hefenstain is familiar to the people residing in the northern part of the city, notwithstanding the fact that he died and was laid away in his grave a year ago. His memory is the kind that lives after the body has ceased to make its presence felt.

In brief the history of the Hefenstain case is this: As early as November 21, 1857, Robert Shields pre-empted the north one-half of the northwest quarter of section fifth, township fifteen, range 13. The land was situated in the outskirts of the city, but has since become known as Mr. Smith's addition and is densely populated and valuable.

In those early days Shields was in the grocery business and during the ups and downs of frontier life he was indebted to Hefenstain, Gore & Co., wholesale grocers of St. Louis, for a small amount. They pressed their claim and in due time Shields was forced to pay the debt. His property was taken to the wall. His property was taken to the wall. His property was taken to the wall.

The case now on trial before Judge Howell is entitled, John H. Curry against Andrew Rosewater, trustee, and Andrew Rosewater individual. The property in controversy consists of two lots on North Twentieth street, directly opposite the Coliseum, valued at \$10,000 or thereabouts.

Something like five years ago this property was purchased by the defendant. At the time of the purchase the plaintiff, John H. Curry, had a claim against the defendant in one of the buildings situated upon the lots. For a few months he paid the rent, but suddenly he conceived the idea that he would pay no more. The defendant urged payment, but urging failed to bring forth money. Things went on that way for a brief period, when Mr. Rosewater brought suit in a justice court to oust Curry. The case was continued from time to time until two years ago, when it was brought to the district court and the testimony was all in things looked bad for Curry, when he suddenly produced a quit-claim deed from Hefenstain, secured two hours before the trial.

Not satisfied with having been twice beaten, Curry rushed into court, and once more is trying to make a showing under his hood from Hefenstain.

It is evident that he has little faith in the future results, as since the suit was brought, he has offered to sell the property for all litigation, although the property is worth \$5,000 to \$10,000.

Court Notes. The case of the state against Fred Hornberger, was called for trial in Judge Estelle's court yesterday afternoon. The information charges that on June 18, 1891, Hornberger murdered one Mike Foley. There was a row in the vicinity of Krug's saloon, and Foley was knocked down and taken to the police station, where he died a few hours later.

Judge Irvine is hearing the case of Fred Fox against the city of Omaha. Fox is suing to recover \$500, alleging that his property at Thirty-first avenue and Half Howard street was flooded during a heavy rain storm last summer. The flooding was caused by the city having failed to furnish a sewer sufficiently large to carry off the surplus water.

Peter Ingler, a German, is suing the city who came to this city from a Holt county farm a year ago, stood up before Judge Estelle and pleaded guilty to having committed the crime of burglary. He was sentenced to two years in the penitentiary.

Federal Building Notes. Herbert Hill of Shelton was brought in yesterday morning by Deputy United States Marshal Harris in charge, with selling liquor without a license. He will be arraigned today.

Mr. W. H. Alexander, surveyor of customs at the Omaha port of entry, received notification that he had been appointed disbursing agent for the funds to be paid out upon the new revenue building. He was also informed that he would be required to give a bond in the sum of \$40,000. The notification also stated that the architect had been appointed superintendent of construction at a salary of \$8 per day, beginning with November 24.

New England Dinner. The ladies of the First Congregational church will serve their annual New England dinner from 11 a. m. to 3 p. m. Thursday and Friday, December 3 and 4, in the Hartman building, corner of Harney and Leavenworth streets. Dinner 50 cents.

MOZART'S LAST HOURS. Munkacsy's Great Painting on Exhibition at the Art Show.

The Western Art association's exhibition in Exposition hall continues to draw good attendance every day and evening. A large number of people from towns all over the state have visited the exhibition during the past few days, and they have all gone home highly pleased with the results.

The great Mozart picture is, of course, one of the principal features of the exhibition, and those who have not seen it, are missing the great masterpiece. The delicacy and completeness of every detail, the perfection of perspective and the spirit of realism shown in the great painting, become an inspiration to the true lover of art.

In the expression on Mozart's face there is a world of suffering, of pain, of hope and, realizing, no doubt, that his spirit must soon quit its mortal habitation, he is, nevertheless, completely absorbed in the work of directing the singing of his great composition, his own requiem.

The great composer is seated in an easy, high backed chair, before him his wife, who has physical strength is well kept, and near him three students are an old fashioned harpsichord. Three singers and the player are engaged in the rendition of the requiem, while Mozart, with outstretched hand, furnishes the singers the tempo and directs the execution of the piece.

WHERE IGNORANCE IS BLISS.

Railroad Men Don't Know a Thing About Interstate Law Violations.

WILL FACE THE GRAND JURY SOON.

Witnesses in the Case Gathering in the City—Proceedings Delayed by the Absence of Two—The Situation.

Monday was the date fixed for the United States grand jury to begin its investigation of the complaints against the Missouri Pacific and the B. & M. railroads, which are charged with violating the interstate commerce law by favoring certain shippers as against others. The out-of-town railroad officials subpoenaed as witnesses are slow in arriving, however, and it is not expected much progress will be made in this case before this afternoon. A federal official familiar with the evidence sought for and the number of witnesses to be examined is of the opinion that the matter will occupy the attention of the jury for a week.

The witnesses from a distance who put in an appearance yesterday were J. W. Midgley of Chicago, chairman of the Western Pacific and associated railroads, and Washington, special agent of the interstate commerce commission; D. C. Bridges of Kansas City, inspector at that point for the Western Weighing association; B. P. Waggener of Atchison, one of the general attorneys of the Missouri Pacific; is also on the ground to testify. The railroad men are in arrears of their road. These gentlemen are all interested in the complaint against Jay Gould's road and against the other witnesses are J. N. Fathorn of St. Louis, chairman of the Northwestern Railroad and Steamship association; Fred Macgregor, representative of the Missouri Pacific at Kansas City; a Mr. Wycroft, formerly stationed at Omaha but now chief clerk to the Missouri Pacific at Kansas City. A subpoena is also out for James Vlesch jr., manager of the Omaha Packing company, but he has been reported absent.

The complaint against the Missouri Pacific is a year old, and the offense which it alleges to have been committed is about a year and a half ago. At that time Mr. Fathorn was holding the position now occupied by Mr. Midgley. Under the weighing system then in vogue it is believed that the cars loaded at Omaha with hams for Armour & Co. of Chicago were inspected and correctly reported. It is alleged that the Missouri Pacific officials at that time should have shown that change. The records and reports of the transaction are supposed to be with Mr. Fathorn or Mr. Midgley, and they are expected to untangle the intricacies of the affair so that it will be understandable to the average man of a grand jury.

There is some speculation in railroad circles as to the attitude of the grand jury. The Traffic association will take towards the Missouri Pacific. Mr. Midgley had a long consultation at the Millard with Mr. Waggener and J. D. Phipps of that road, and started for the federal building just before 12. The railroad officials are as dumb as clams, and Mr. Midgley was petulant in his refusal to interview.

A railroad man who has a special interest in the matter says that Midgley and Fathorn do not give the federal authorities any more information than they are absolutely compelled to. He intimates that they are likely to set up a plea of self-defense at every opportunity, and may turn upon the examining attorney with countermeasures intended to befuddle that body.

Among the witnesses in the B. & M. case will be the general manager, claim agent, freight agent and other officials. Mr. A. M. the city engineers of Omaha and South Omaha and Con Gallagher.

Cases May Go Over. The grand jury met at 2 o'clock yesterday afternoon, but these railroad cases were not taken up. It is believed that they will not be reached for several days, and there is a possibility that the complaint against the Missouri Pacific may be taken up first.

Three gentlemen, who are very much wanted as witnesses, have disappeared, and the United States marshal has not yet found opportunity to recall certain subscribers to them.

The missing men are George Carman, superintendent of the Missouri Pacific at Omaha; William R. Orr, auditor of the Western Weighing association, and James Vlesch jr., manager of the Omaha Packing company.

Mr. Carman has an office in Chicago, but he has not been there for some time past, and those who know his home in the city are unable to locate him. "Out west" was at Leadville at one time, and then at Denver, but it is an elusive or an elusive bit of geography which the federal officials have not yet been able to locate. A subpoena has been on the trail of Mr. Carman for two weeks, but it has been altogether fruitless.

Mr. Orr has been in the city for some time past, but he has not been seen for some time past, and those who know his home in the city are unable to locate him. "Out west" was at Leadville at one time, and then at Denver, but it is an elusive or an elusive bit of geography which the federal officials have not yet been able to locate.

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Grace Partially Confesses. Grace Corbett, the criminal held in the district court on the charge of robbing Stockman Olson of \$80, was taken to the county jail yesterday, as she was unable to furnish the \$1,000 bonds required. From a partial confession made to one of the policemen it is believed that she has been endeavoring to protect "buggies," for that is the name of his real thief; that she had no idea her efforts would result in her being also brought to the county jail.

Sausage Factory. The latest addition to the list of South Omaha industries is an English pork factory at Thirty-second and K streets, the first establishment of the kind in the west.

Yard and Office Notes. A. T. Corlett of Wyoming brought in two cars of cattle.

H. C. Lendville of Dawson, Mo., brought in a car of hogs.

J. C. O'Connor of Dakota City brought in eleven cars of cattle of his own feeding.

A. H. Lee, traveling representative for the stock exchange, has returned from western Iowa. He reports that Sioux City and Kansas City are not in it when compared with Omaha. He says that the only rival the Omaha market has in Iowa is Charles City, and it is only a matter of time when the bulk of the Iowa stock will be shipped to the local market.

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"Much favored by her Majesty."
"The best beverage."
"Cosmopolitan."
"Cheap as well as good."
"The demand for it is great and increasing."
"Errors of Youth"
"INDAPO."
"ONLY FREE REMEDY."
"MEN"

CREAM BAKING POWDER
A Pure Cream of Tartar Powder. Superior to every other known. Used in Millions of Homes—40 Years the Standard. Delicious Cake and Pastry, Light Flaky Biscuit, Griddle Cakes, Palatable and Wholesome. No other baking powder does such work. 2 Million Bottles filled in 1873. 18 Million Bottles filled in 1890.

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POPULAR PRICED SHOES.

A long time ago, as we count things out west, we opened a shoe department in our establishment in a small corner on our second floor. We opened it with a class of footwear which was made for us direct by leading manufacturers and which we were able to guarantee in every way. We began to sell shoes as we sold everything else, at a small profit, making twenty-five and fifty cents where the regular shoe man made from one to three and even four dollars. It didn't take long for people to find out that our shoe shop was good "understanding," and trade in this department, like seen by "Johnny Jones and his sister Sue," it grew, it we sold a "slew," compelling us, from sheer necessity, to until finally it outgrew the second floor quarters entirely, to our commodious basement sales room, ing today the greatest shoe business in entire we carry all sorts of shoes for all sorts of men, have more than any others placed this department on "good footing," and which more men are wearing than are wearing any other six kinds sold in the city, are our "Two-fifty Goodyear Welt," and our "Three-ninety Dress Shoe." These shoes, we say to you, are right in every way you wear them you've got any cause to kick at your pair of them. Aside from shoes, we carry a pair of them. Aside from shoes, we carry a pair of them. Aside from shoes, we carry a pair of them.



Today we place on sale in our furnishing goods department, (second counter on the left) 128 dozen splendid fine heavy wool underwear, in brown, tan, lilac, heliotrope and pearl shades, in all sizes, beautifully finished goods; goods that are being sold at a dollar and a half to two dollars in every store that's got 'em, at a dollar a garment. Without doubt the best value we've been able to show this season.

Nebraska Clothing Co.
Get DOUGLAS & 14th Sts.

Lithia
NATURE'S MATCHLESS REMEDY FOR Rheumatism, Gravel, Gout, Dyspepsia, Bright's Disease, And all Kidney and Bladder Troubles. Nothing else has yet been offered the public that has had a tith of the success of Londonderry Lithia Spring Water.

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