

## MOTHER REFUSED KEEPING OF CHILD

Little Esther Gieselmann Must  
Remain With Grandparents  
Despite Mother's Pleadings,  
Judge Estelle Rules.

Little Esther Gieselmann, 9 years old, pawn in a human drama enacted in equity court, Judge Estelle presiding, must remain with her aged grandparents, Mr. and Mrs. William Gieselmann, 1458 South Eighteenth street.

Her mother, Mrs. Frank Zerbst, wife of a wealthy Wyoming rancher, must return to her western home without her daughter. She is heartbroken. Broken down with grief and hysterical after Judge Estelle had ruled against her in a habeas corpus hearing to decide who should have possession of the child, it was necessary to assist Mrs. Zerbst from the court room.

Seldom have so many heart strings been pulled and broken before a crowd of curious in district court. The Zerbst-Gieselmann habeas corpus suit will go down in district court history as one of the most bitterly fought and tragic ever waged.

In her effort to obtain the custody of her pretty, blue-eyed, flaxen-haired daughter, Mrs. Zerbst bared her life in court and sobbed out a girl's mistake.

### Divided House.

In the legal battle over Esther both sides were represented by attorney's who fought every inch of the ground. The Gieselmanns are a divided house. In the struggle for the girl the grandparents, three daughters and a brother were pitted against the mother of Esther.

Allegations and counter-allegations of kidnapping were made during the hearing. Testimony of witnesses was frequent interrupted by violent sobbing on the part of the child, the grandmother and the grandfather. Zerbst, husband of Esther's mother, who owns a 700-acre cattle and horse ranch in western Wyoming, glared at the Omahans and occasionally looked with kindly eyes at the child, to whom he wanted to be foster father.

### Clinging to Grandmother.

William Gieselmann, engineer at Comenius school, and his aged wife, Mrs. Dora Gieselmann, told the court Esther's mother abandoned her when she was a babe. They have reared the child as their own. Throughout the hearing, except for the time when she was on the witness stand, Esther clung to her gray-haired grandmother, drawing closer whenever any part of the hearing seemed to her childish mind to be favoring her mother's case.

"I'd rather stay with grandma and grandpa," said Esther when attorneys asked her who she liked the best.

"I didn't have a good time in Wyoming; I was afraid of rattlesnakes, coyotes and wolves."

"They've coached her; they've coached her," shouted one of the attorneys for the Zerbsts. "They've

**SPIRITUAL WELFARE**—Several thousand Bibles have been distributed by the New York Bible society among the men of the famous Rainbow division of National Guardsmen, who are now training for service in France at Camp Mills, near Mineola, Long Island.



BIBLES FOR SOLDIERS.

poisoned the child's mind against her own mother."

Esther broke down and sobbed under the cross-examination.

Mrs. Helen Goss and Mabel Nekel, sisters of Mrs. Zerbst, testified in favor of the grandparents and told the court Esther's mother was "not a fit person to raise her."

### Charge Kidnaping.

One side charged that Esther was kidnapped from the grandparents' home in Omaha and taken to Wyoming, while attorneys for the Zerbsts told the court the child had been abducted from her western home. She was living with the Gieselmanns when the mother began habeas corpus proceedings.

Judge Estelle, in deciding the case, declared three parties were interested in Esther's welfare—her mother, her grandparents and the state.

"While the law is plain enough, it is the welfare of the little girl that must be considered most. It is hard to say that a child should be taken away from her own mother, but in this particular case I think it best the grandparents have her."

Under Judge Estelle's decision Mrs. Zerbst will be allowed to visit her daughter any time she desires. The girl may also visit the big Zerbst ranch during summer vacations, if it is agreeable to the grandparents, Judge Estelle said.

The minute Judge Estelle got down from the bench the Zerbst faction and the Gieselmanns began a tearful spat across the court room. Attorneys had a hard time quieting them.

Despite her mother's frantic pleadings to come to her and kiss her goodbye, Esther held to her grandmother's

hand and had to be induced to walk up to Mrs. Zerbst.

"My daughter, my daughter," sobbed Mrs. Zerbst as the Gieselmann faction left the court room with Esther.

### Army Officers Guests at

Commercial Club Luncheon

Colonel Charles DeFrance Chandler of Washington, D. C., was the guest of the executive committee of the Commercial club at luncheon at noon. Colonel Chandler is in Omaha inspecting the Fort Omaha balloon school.

Colonel F. A. Grant, depot quartermaster at Omaha; Major H. B. Hersey, in command at Fort Omaha; Major R. B. Hanney of the Royal British flying corps, station at Fort Omaha, and Captain F. A. Cook, in command of a battalion of regulars at Fort Crook, were also guests at the luncheon.

### Cross Examination in

Strike Hearing Near End

The state probably will conclude its cross-examination of witnesses in the strike injunction case the latter part of the week. Judge Leslie, sitting in equity court, is hearing evidence by which he will decide whether Attorney General Reed's injunction against the Business Men's association and Omaha unions shall be made permanent.

The bulk of the witnesses have been nonunion teamsters, who have testified to acts of alleged violence during the strike troubles in Omaha last spring.

### Flynn Shanghai Jurors

To Hear Federal Court Suit

United States Marshal Flynn had to go out on Sixteenth street in front of the federal building Tuesday morning, stop pedestrians and "shanghai" them to serve on the federal jury. Federal Judge Woodrough waited with ten men in the jury box until the marshal brought in three likely-looking jurors, two of whom were selected.

The case on trial is that of Francisco Jimenez, a Mexican, who is suing the Union Pacific railroad for \$5,560. He was employed as a section hand at Archer, Wyo. On January 11, 1916, he says, he was ordered to go to Hillsdale, sixteen miles away, by handcar and on the way froze his feet and was sent to the hospital for eight months. He alleges he was compelled to make the trip and not being accustomed to a cold climate the freezing of his feet was the result of his employer's negligence.

### Negro Jailed for Striking

Seventy-Three-Year-Old Man

Isaac James, colored, 2219 Grace street, was sentenced to ninety days in the county jail for striking J. H. McShane, 73 years of age, on a street car Monday. The judge in passing sentence expressed his regret that ninety days was the maximum penalty he could give. James denied having struck the old man but a bruised eye was mute evidence of his treatment at the hands of the negro.

## BURLINGTON STARTS WORK ON NEW DEPOT

Omaha Freight House to be  
Doubled in Size to Care  
for the Incoming  
Freight.

Work has started on the construction of the addition to the Burlington's inbound freight house, with the contract providing that it shall be completed and ready for occupancy by January 1, 1918. The addition is substantially as large as the original building, erected in 1910. It is 60x368 feet, and, together with the equipment, will cost about \$60,000.

To the north the Burlington's new inbound freight house will extend to Farnam street and south to the south line of Harney, where that street cut through. There it joins onto the freight house erected in 1910, which extends south to beyond Howard street. When completed this will be the largest building in Omaha, all on one floor. When ready for occupancy it will be equipped with electric trucks for transferring freight to the cars and from one part of the building to another.

### Has Refrigerating Plant.

The Burlington's new building will be of brick, stone, cement and steel construction and will be fireproof in every respect. It will not only be built for the economical handling of freight, but under its roof there will be large rooms where perishable freight can be kept for an indefinite length of time. These rooms will be kept cool in summer by a refrigerating plant and warm in winter.

The erection of the new freight house at this time, when labor and materials are at the top-notch, so far as prices are concerned, is brought about by the fact that something had to be done to take care of the rapidly increasing business.

A feature connected with the freight house will be the lighting system, and this will be extended to the other buildings of the company in the vicinity of Eighth and Farnam, Harney and Howard streets. High power electric lights will be installed all through the buildings and on the loading platforms in sufficient numbers so that in that part of the city night will be turned into day.

### IF YOUR EARS RING WITH HEAD NOISES

If you have Catarrhal Deafness or head noises go to your druggist and get 1 ounce of Permut (double strength) and add to it 1/2 pint of hot water and 4 ounces of granulated sugar. Take 1 tablespoonful four times a day. This will often bring quick relief from the distressing head noises. Clogged nostrils should open, breathing become easy and the mucus stop dropping into the throat. It is easy to prepare, costs little and is pleasant to take. Any one who has Catarrhal Deafness or head noises should give this prescription a trial.

## 1917 COTTON CROP 12,047,000 BALES

Government Estimate Based  
On Ginning Prior to Sep-  
tember 25 Places Yield at  
60.4 Per Cent Normal.

Washington, Oct. 2.—The 1917 cotton crop was forecast at 12,047,000 equivalent 500-pound bales today by the Department of Agriculture, basing its estimate on the condition of the crop September 25, which was 60.4 per cent of a normal.

A yield of 168.3 pounds of cotton per acre was forecast.

Condition of western states on September 25 was: Texas, 53; Oklahoma, 62; California, 80; Arizona, 87. Cotton ginned prior to September 25 amounted to 2,498,381 bales, counting round as half bales, the cen-

sus bureau today announced in its second ginning report of the season. Round bales included numbered 60, 904 and Sea Island 18,731.

### Wholesale and Retail

Prices on Perishables

Following were the wholesale and retail produce prices in Omaha Tuesday, as gathered by the supervisor of perishables under the state food administration:

Vegetables.	Wholesale.	Retail.
Potatoes, bushel.....	\$1.40	.45 peck
Sweet potatoes, 50 lbs.....	1.50	.50 pound
Tomatoes, basket.....	.20	.25 basket
Beets, bushel.....	.75	.30 peck
Carrots, bushel.....	.75	.30 peck
Lettuce, head, doz.....	.90	.10 each
Lettuce, leaf, doz.....	.20	.021/2 each
Corn, dozen.....	.10	.25 dozen
Celery, dozen.....	.40	.05 each
Cabbage, dozen.....	.75	50¢ 10 each
Fruits.		
Grapes, 8-lb. basket.....	.35	.45 basket
Apples, (hand picked), per bushel.....	1.00	.35 peck
Apples (windfalls) bu.....	.50	.20 peck
California grapes, Tokay, 4 baskets.....	4.25	.40 basket
Peaches, Elberta, box.....	.50	1.10 box
Peaches, choice, box.....	.75	.90 box

Bee Want Ads Produce Results.

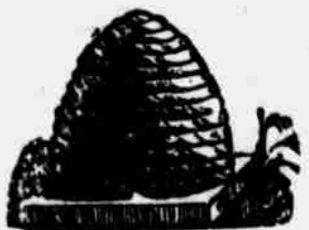
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Let us save the lives of our boys by ending the war quickly.

The way to do it is to furnish our country with funds to prosecute the war, to equip, to clothe and to feed our brave soldiers.

Those of us who cannot go to the front must back up our soldiers with our dollars.

Our boys who have given themselves to their country have not asked, "Is this a good investment?"

They have given up their places and their earning power in agriculture, in commerce and in the professions, and have offered their lives to save our institutions and our homes and to defend our country's honor. It's up to you to do your part.

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