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## Article Title: A Comedy of 'Heirs': The Estate of John O'Connor

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Article Summary: The \$100,000 estate of a reclusive John O'Connor, of Hastings, Nebraska, took sixteen years to settle, at which time it was ceded to the State of Nebraska. In the interim between his death in 1913 and the estate's resolution, many individuals came forth with stories, bogus claims, and so-called evidence, but nothing more could be learned about the mysterious O'Connor than was known when he died.

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Photographs / Images: District Court session in Hastings, 1927; Three photographs alleged to depict John O'Connor"; John O'Connor taken two years after death and five days before burial with Livingston Undertakers; John Kirkman; Rudolph Olsen; District Judge Harry S Dungan

# A COMEDY OF 'HEIRS': THE ESTATE OF JOHN O'CONNOR

By Lori Cox

In the early morning hours of August 17, 1913, John O'Connor died in the Hastings Sanitarium from complications following heat exhaustion.<sup>1</sup> O'Connor's quiet demise was befitting of a man who had been an enigma to most of Hastings during his life. In fact, when the *Hastings Daily Tribune* reported O'Connor's death, his name was printed incorrectly as "John Connors."<sup>2</sup> More important and perhaps even more surprising, was that the *Tribune* knew twenty-four hours after his death that O'Connor had amassed a fortune of \$100,000 and had no known heirs. Following the *Tribune* articles, John O'Connor had "heirs" — over 100 of them.

After O'Connor's death, his residence was searched for any information about his past and for a will. O'Connor's home was not typical of a wealthy man. According to the *Tribune*, O'Connor lived in "two gloomy, ill-furnished, uncarpeted rooms at the back of one of his buildings in First street. Not even a picture was in evidence to lessen the dreariness of the place he called his home."<sup>3</sup> O'Connor's personal possessions included "miscellaneous clothing, two old U.S. coins, one five cent piece, one one cent piece, one open-face Waltham watch with chain and one box containing cuff buttons and shirt studs."<sup>4</sup> No will was found, nor were there clues about O'Connor. O'Connor's wealth was in real estate and stocks. He owned two farms near Hastings valued at \$40,000 and three buildings in Hastings valued

at \$30,000. His stock, consisting chiefly of notes and mortgages, bank deposits, and stock shares in the Hastings Brewery Company, was worth another \$30,000.<sup>5</sup> For the times, O'Connor was a wealthy man.

From late August 1913 to February 10, 1914, inquiries about the estate of John O'Connor poured into the Adams County Court, which was responsible for probating the estate. Judge William F. Button was assigned the unenviable task of answering the inquiries and interviewing all of the claimants. As the claims accumulated, so did various stories about who John O'Connor "really" was. Among the letters Judge Button received was one which claimed that O'Connor had "deserted from the army and . . . committed homicide after going to Leadville, Colorado."<sup>6</sup> Another letter declared that O'Connor was a member of Jesse James's gang. According to the anonymous writer, "When the truth about O'Connor is finally given to the public, as it undoubtedly will be in due time, you will find that O'Connor was connected with the James boys."<sup>7</sup> Other writers, in attempting to prove their relationship, spoke of certain scars or deformities on O'Connor's body. According to the *Tribune*:

Letters to County Judge Button describe him as having practically every part of the body missing. One of the alleged heirs declares that his relative, bearing the name of John O'Connor, should have two fingers missing, another that he had no left hand, another that an ear should be found wanting and still another asserts that his uncle bore a cork leg through his life.<sup>8</sup>

Luckily Judge Button foresaw this problem and ordered physicians J.W. Straight, W.J. O'Hara, and Charles L. Egbert to make a thorough examina-

tion of the body, note all scars and marks, and take measurements. These records were then filed for future use against bogus claims.<sup>9</sup> In addition, Judge Button ruled that O'Connor's body would not be buried pending resolution of the case, so that it would not have to be exhumed for examination by claimants. The *Tribune* explained: "The body of John O'Connor rests in an air and water tight vault at the Livingston morgue, which serves the same purpose as the receiving vaults in large cemeteries. It can be preserved there indefinitely pending positive identification by relatives."<sup>10</sup>

Somewhat naively, Button believed that most of the claims came from honest people. He told the *Tribune*, "One who has not looked over the letters . . . probably does suppose that the authors are dishonest and are planning to establish their claims by fraudulent means. Nothing could be further from the truth."<sup>11</sup> However, he also came to believe that the man who died in Hastings was not named John O'Connor.<sup>12</sup>

Little is known about John O'Connor, and available records leave room for interpretation. O'Connor's personality was so retiring that he wasn't in the habit of discussing his personal affairs. Three men with whom O'Connor was supposedly friendly — Thomas Farrell, Simon Kelly, and James Rooney — were dead as well.<sup>13</sup> According to the U.S. Census of 1900, O'Connor was born in May 1850 in Ireland. He immigrated to the U.S. in 1860 and later became a naturalized citizen. O'Connor never married and had no children.<sup>14</sup> According to

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District court session in Hastings, 1927. Similar scenes took place in Adams County courtrooms from 1913 to 1929, all in the attempt to settle the estate of John O'Connor. Judge Lewis H. Blackledge is presiding. John Slaker, one time administrator of the estate, is on the witness stand at the court's left. From NSHS Collections.

Hastings city directories, O'Connor arrived in Hastings from Fremont, Nebraska, in 1882 and opened a shoemaker's shop at First Street and W. Denver Avenue.<sup>15</sup> However, some residents of Hastings swore that O'Connor lived in Hastings as early as 1877.<sup>16</sup> The *Tribune* stated that when O'Connor left Fremont, he took the train to Grand Island, "landing there with 75 cents as the sum of his worldly possessions. Then he walked from Grand Island to Hastings, spending 50 cents along the way, and arriving here with only 25 Cents."<sup>17</sup> Although it seemed unlikely that a man could amass such a vast fortune beginning with only twenty-five cents, the *Tribune* speculated that O'Connor "soon accumulated sufficient funds to enable him to open a shoe store which he conducted for many years. His earnings were wisely invested and in Adams

county farm land and Hastings business buildings his small sums grew to big ones."<sup>18</sup>

As the inquiries kept coming in and the details of O'Connor's wealth spread, several wills were suddenly "discovered."<sup>19</sup> The will which garnered the most interest was one Judge Button received by registered mail from a Mr. Smith of Grand Island. This will left the entire estate to John T. Culavin of Omaha, a former railroad conductor who had become engaged in the real estate business.<sup>20</sup> Culavin arrived in Hastings with his lawyer, Nelson H. Tunnicliff of New York City, on November 1, 1913, and "appeared before Judge Button with photographs, letters, autographs, and many legal papers."<sup>21</sup> Culavin produced a letter dated August 1, 1913, that he allegedly received from O'Connor. The letter had been addressed to Culavin at

the Merchants Hotel in Omaha but mysteriously ended up at the Hastings post office, even though it had no return address. In the letter O'Connor told Culavin of his poor health and explained that he had written a will giving his entire estate to Culavin. It was Culavin's claim that he "had known O'Connor for many years as no man had ever known [him]. To me I think he confided solely the secret of his life and to me alone was it known that he lived his life here under an assumed name."<sup>22</sup>

Culavin's story was that O'Connor had come to the United States as a child and had settled in the northwest with a family named Brady, who later adopted him, and he took their name. O'Connor was an abused child and at age fifteen left home. He married in 1864 and had four children — Clara in 1865, Elvira in 1867, John R. in 1868,

and Rudolph in 1871. Clara and Elvira both died young. Later O'Connor got into some type of trouble, left his wife and children, and fled to Nebraska where Culavin befriended him. According to Culavin,

John succeeded in getting an article printed in the newspapers showing that he was run over by the train and killed and at his request I went to his former home in the northwest where all were convinced of the same thing that O'Connor was dead. I returned in 1887 and reported back to John and since that time he had been dead so far as those who ever knew him before were concerned.<sup>23</sup>

Culavin's story led Judge Button to call for a hearing on December 17, 1913. Button remained unconvinced of the validity of the Culavin claim:

The story of the little waif . . . reads like the formation of a novel writer . . . Those two sons in the northwest amuse me. Why don't the two men who know them so well tell where they are and why don't the sons, if they really are O'Connor's own flesh and blood, hasten to Hastings to see the body of the one who should stand next to a mother in their lives.<sup>24</sup>

The judge threw out the Culavin will, because it hadn't been witnessed as required by Nebraska law. Culavin remained undaunted: on May 13, 1914, he informed Judge Button that he had a second will, this one legally made.<sup>25</sup>

In the meantime, other interested claimants continued to arrive in Hastings. Judge Button appointed City Clerk A. T. Bratton and undertaker Ed Livingston to manage the administration of the estate. The judge felt that it would be too time consuming for one administrator to conduct all the alleged heirs to the morgue to view the body of John O'Connor. According to conservative estimates, some 2,000 persons had viewed O'Connor's preserved body by early January. Newspaper accounts compared the body to an Egyptian mummy: "[It] is in a wonderful state of preservation. It has retained its natural color, shows no significant sign of decaying and will probably remain in its present condition for years if not for centuries."<sup>26</sup> While O'Connor's body was well-preserved, the vault slides which supported his coffin did not hold up as well. Three sets were worn out due to the number of requests to view the body.<sup>27</sup>

The two northwest mystery sons finally appeared on the scene with legal counsel and a different version of Culavin's story. John R. Olsen and Rudolph Olsen claimed that John O'Connor was born with the name Brady, was adopted by a Scandinavian named Olsen, and took the name of Olaf Olsen. Olaf Olsen married their mother, Martha Johnson, a mixed-blood Indian woman, on the St. Peters Indian Reserve in Manitoba. Olaf and Martha had four children, two of whom died at an early age. Martha died in 1893; the two sons were the only heirs. The Olsen brothers had been found by Nelson H. Tunnicliff, John Culavin's attorney. Tunnicliff asserted that on October 27, 1913, the Olsen brothers had hired him and gave him power of attorney and "in consideration for his services assigned to him an interest in the estate, the compensation agreed to be paid out of the estate and not otherwise."<sup>28</sup> The Olsens alleged that they didn't know what they had signed and began legal proceedings to revoke Tunnicliff's authority.<sup>29</sup> The Olsens hired another lawyer, Frank E. McGray. Tunnicliff refused to remove himself from the case and brought in his own lawyer, J. F. Baxter. Culavin replaced Tunnicliff with Duncan M. Vinsonhaler, but according to newspaper accounts, "The suspicion of course is strong that Tunnicliff is not so opposed to the Culivan will as it would appear."<sup>30</sup>

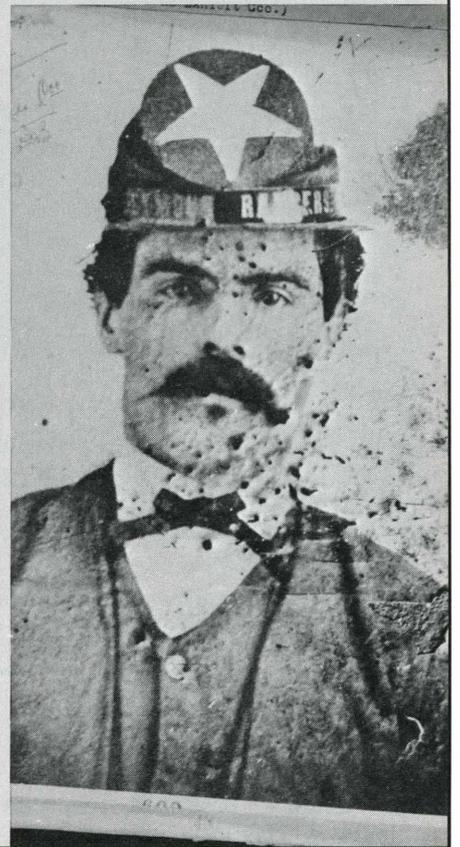
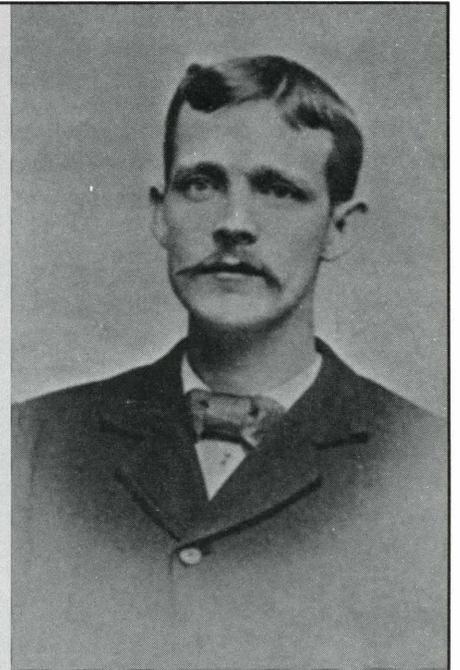
While that battle raged on, the second Culavin will hearing finally got underway in July 1914 in the Adams County Court. The first argument in the case was over whether to allow the Nebraska attorney general to contest the claims. Attorney General W. T. Thompson believed that there were no legal heirs other than the state and that the will was a complete forgery. Judge Button permitted Thompson to be present at the hearing and cross examine witnesses on behalf of the state, but he was not allowed to file any pleadings.<sup>31</sup>

With that legal technicality out of the way, examination of witnesses began.

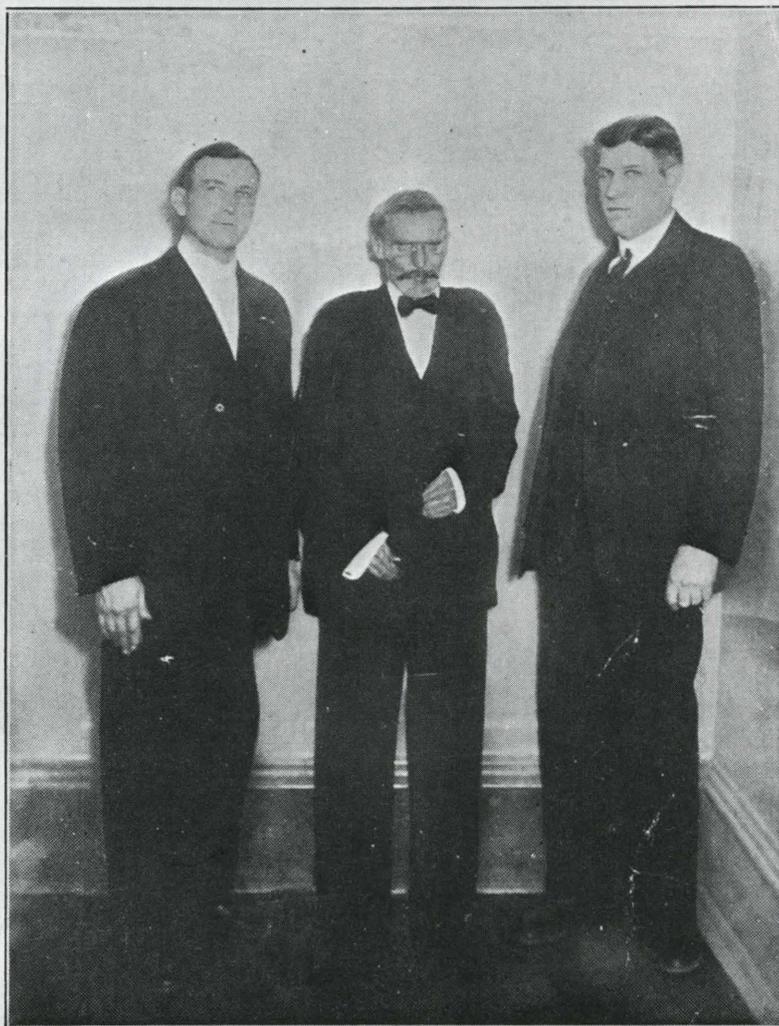
The second Culavin will supposedly had been written in the office of the Northwestern Hotel on February 25, 1887, in Hawarden, Iowa. O'Connor had written it himself and had delivered it to Culavin on April 1, 1887. Culavin had thereafter kept the will.<sup>32</sup> The will had been witnessed by Culavin and J. K. Smith, now deceased. Culavin said that he had not produced the will earlier because he had been unable to locate it. The majority of the witnesses called on behalf of Culavin testified to the validity of the signature on the will. For comparison a number of checks, leases, and other legal documents known to have been signed by O'Connor were introduced into evidence. The most convincing testimony came from J. R. McLaughlin, assistant cashier of the Exchange National Bank of Hastings. He stated positively that it was O'Connor's signature on the will. However, C. G. Lane, president of the same bank, testified that the signature was spurious.<sup>33</sup> On July 10 Judge Button ordered that the case be continued for sixty days so that he could have the will chemically analyzed to determine its age.

When the case was resumed on September 10, no mention was made of any chemical analysis and arguments continued about the handwriting. Culavin testified on his own behalf, and another new story emerged. Culavin stated that he had known O'Connor since he was nine years old and that O'Connor was his uncle. Their first meeting had been in April 1865 at Cold Springs, New York, on the funeral train of President Lincoln. After this initial meeting the two men met each other frequently.<sup>34</sup> Other witnesses corroborated Culavin's story with the most convincing testimony coming from George E. Plant, proprietor of the Victoria Hotel in Omaha. He testified that Culavin and O'Connor had stayed together in rooms in the hotel in 1905 and that the will in question had been held in his vault for two weeks.<sup>35</sup> J. P. Morrison also testified that he had known O'Connor in Hawarden, Iowa, and that he and

Estate of John O'Connor



*Numerous photographs alleged to depict John O'Connor (such as the ones on this page) surfaced during the trials. The only undisputed O'Connor photograph was that of his corpse. From NSHS Collections.*



JOHN O'CONNOR

Taken two years after death, and five days before burial

LIVINGSTONS, UNDERTAKERS

*Undertakers flank the embalmed body of John O'Connor. This photograph was printed as a post card. From NSHS Collections.*

O'Connor were brakemen on the Chicago and North Western Railroad in 1886.<sup>36</sup>

The defense produced longtime residents of Hastings who provided

contradictory evidence. One witness, Mrs. Bertha Berg, testified that "she had done John O'Connor's washing every week for 32 years and that he had not been out of town except when he was

committed to the insane asylum."<sup>37</sup> While Judge Button was mulling over this conflicting testimony, another surprising turn of events occurred — a *third* will, naming John T. Culavin as heir, was discovered!<sup>38</sup> With this announcement, Judge Button ordered the case continued until October 26, 1914, and then continued it again to November 18. Finally late in the afternoon on November 18, Judge Button issued a decision. He ruled that the second Culavin will was valid and that he was entitled to the whole estate. However, Button also ordered a sixty-day continuance to the cases of William Young and Estelle Van Scoy, who also had purported wills.<sup>39</sup> Immediately several of the other "heirs" filed their appeals in the district court.

Once the case moved into the district court, many more questions were raised. Seven sets of claimants had filed their appeals by the time the trial opened to a packed courtroom on March 1, 1915,<sup>40</sup> despite an outbreak of smallpox.<sup>41</sup>

The majority of testimony in the case was a rehash of the county court case, with witnesses for both sides to testify to the genuineness of the signature on the will. More details were revealed about the Tunncliff-Culavin-Olsen triangle. Culavin testified that in November 1913 he and Tunncliff had gone to Canada and paid \$100 to each of the Olsen brothers, with the understanding that Culavin and Tunncliff had bought the Olsen rights as heirs. Culavin also alleged that O'Connor had been injured in a railroad fight in the winter of 1886-87 and that O'Connor's face had the scars to prove it. With that, Judge Harry S. Dungan ordered that the physician's report Judge Button had requested on August 28, 1913, be opened. The report stated that there were "no scars on the face" of John O'Connor.<sup>42</sup> However, examination of the body, still being preserved at the Livingston mortuary, revealed obvious scars. Dr. W. J. O'Hara, one of the team of examining physicians, stated that at the time of the examina-

## Estate of John O'Connor

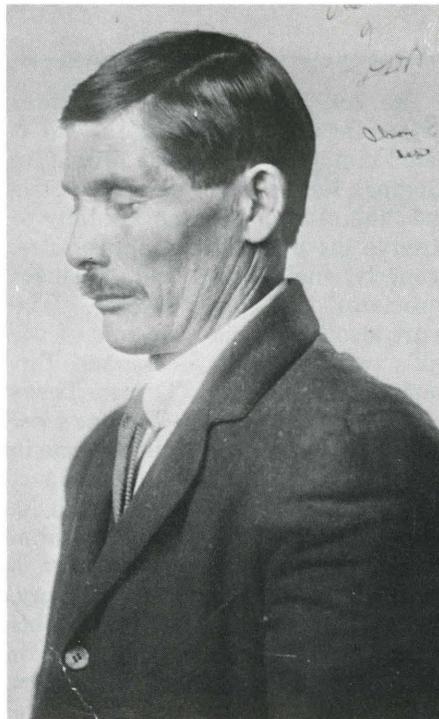
tion there were no scars on O'Connor's face, but he agreed that scars could now be seen. This raised a very serious question. Had O'Connor's body been tampered with? Dr. J. W. Straight also testified that he had seen no scars on O'Connor's body at the time of his death, but scars now were visible. Dr. Egbert testified that the scars had been there at the time of O'Connor's death — he just couldn't explain why they weren't included in the physicians' report.<sup>43</sup> The plaintiffs argued that the scars were proof that O'Connor was in Hawarden, Iowa, in the winter of 1886-87, as Culavin had stated. The defense brought in several witnesses to denounce this theory, including Mrs. Thomas Langan, who testified that O'Connor could not have been in Hawarden because on February 25, 1887, the exact day the will was supposedly written, O'Connor was in Hastings serving her with a legal complaint.<sup>44</sup>

Following this sensational revelation, another bombshell was dropped by the appealing heirs. W. F. Davis, a local bartender, testified that Culavin had offered him and his wife each \$2,000 if they would sign their names as witnesses on an unwitnessed O'Connor will.<sup>45</sup> This allegation — labeled a "frame-up" by Culavin — shook even the confidence of his lawyer, Vinsonhaler, who ordered that a grand jury investigate the matter, as did the lawyers for the "heirs." Judge Dungan denied the request until after the verdict was rendered. On March 13, 1915, after deliberating for twenty-one hours, the jury returned a verdict against the Culavin will. Judge Dungan immediately placed both W. F. Davis and John Culavin under a \$500 bond and ordered them to appear before a grand jury.<sup>46</sup> Culavin appealed the decision to the Nebraska Supreme Court, which ruled in 1917 that "the instrument offered for probate is not the last will of the John O'Connor who died in Hastings, August 17, 1913."<sup>47</sup>

Shortly after the decision in the district court regarding the Culavin will, it



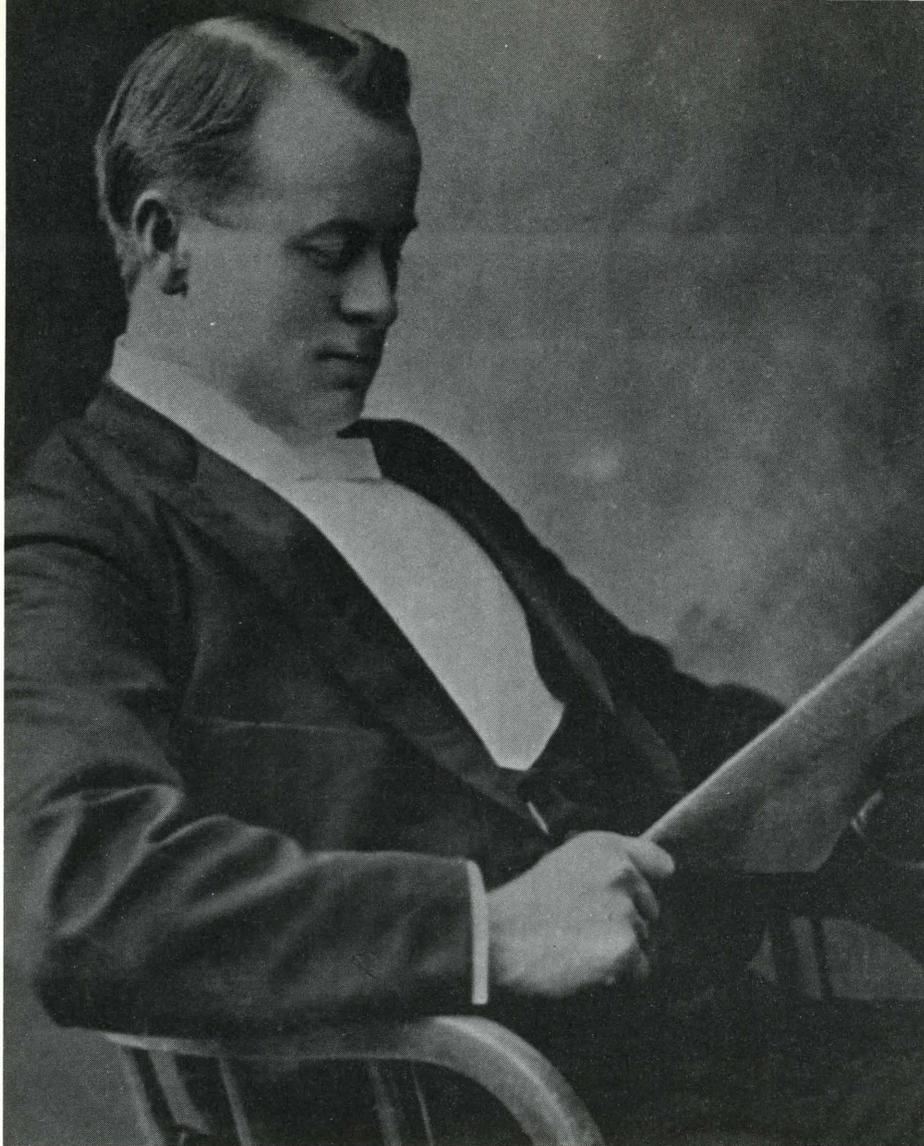
*John Kirkman . . . (Below) Rudolph Olsen. Both were among the many claimants of John O'Connor's fortune. From NSHS Collections.*



was determined by County Judge John Snider that John O'Connor's body should be buried. On February 10, 1916, O'Connor's funeral was finally held some two and one half years following his death. Between 400 and 500 "heirs," friends, and curious onlookers attended the funeral at the Livingston chapel. Police officers guarded the casket until the body was interred in Parkview Cemetery. The only floral offering came from John Kirkman, one of the alleged heirs. Reverend A. A. Brooks, who officiated at the ceremony, made no attempt to offer condolences to "family" members nor to reach any conclusions about who the man of mystery really was. Of O'Connor he said, "It seems to me the music of his life was all in the minor chord; all its colors were somber."<sup>48</sup>

The end of the Culavin case signaled the beginning of an endless stream of court cases involving some 140 "heirs" for almost twelve years. The State of Nebraska attempted to end all of the claims by filing a petition in the Adams County District Court alleging that O'Connor had died intestate with no surviving relatives, and that his estate should escheat to the state. The district court concurred with this petition. However, three groups of claimants appealed to the Nebraska Supreme Court, which reversed the lower court on the grounds that "the county court has exclusive original jurisdiction to determine the persons who are heirs of a deceased person."<sup>49</sup>

With the case thrown back to the county court, another stumbling block arose with the arrival of yet another new will from St. Joseph, Missouri.<sup>50</sup> This new will, dated October 10, 1908, looked promising from a legal standpoint because it had been witnessed and the two witnesses were both alive. The will left the O'Connor estate to Charles O'Connor, allegedly a brother of John O'Connor. However, the will provided that if neither Charles nor any of his relatives could be found, then it was John O'Connor's wish for his property to be used to found an



*District Court Judge Harry S. Dungan. Courtesy of Adams County Historical Society Archives, Hastings.*

orphanage.<sup>51</sup> Charles had died in 1903, but eleven children survived him. The county court ruled that the will was fraudulent. On appeal to the district court this decision was reversed.

The case eventually found its way to the Nebraska Supreme Court. The court found that "whether the will is genuine or spurious, the person to be most benefitted by it, if probated, is James B. O'Connor,"<sup>52</sup> one of the eleven children of Charles. He was also a lawyer who had conveniently set up his law practice in the law offices of Grant Watkins, the lawyer and notary of the will in question, only a few months after Watkins's death. It was Watkins's widow who mailed the will to County Judge Snider, after finding it in some law books. James, in addition to being a possible heir, also served as his family's lawyer.

The court raised many questions concerning the legitimacy of the will. It noted that James had been present in Hastings for all of the previous trials and "therefore had an opportunity to observe the handwriting, appearance, property, neighbors, and business associates" of John O'Connor.<sup>53</sup> The court also questioned the role of the will's two witnesses — Lawson Tarter and Stephen H. Turner. These men supposedly were in Watkins's law office the day John O'Connor came in to have his will drawn up. The court suggested, "If Turner told the truth, he obtained, within thirty minutes, from John O'Connor, an utter stranger, a knowledge of the latter's family history, which had been kept from his neighbors and business associates for more than thirty years."<sup>54</sup> The court also found it strange that O'Connor

would have his will drawn up in St. Joseph, Missouri. "How could this recluse, in the ordinary course of events, without the public notoriety which he shunned, expect the news of his death at Hastings to reach Watkins at St. Joseph?" Faced with all these questions and many more, the court ruled that the will was a forgery.<sup>55</sup> Criminal charges were brought against James B. O'Connor for uttering a false and forged will.<sup>56</sup>

James B. O'Connor's criminal case caused an uproar in the legal community, with Nebraska Supreme Court justices being called to appear as witnesses in the district court.<sup>57</sup> James B. O'Connor was convicted.<sup>58</sup> On appeal to the Nebraska Supreme Court, the decision was reversed on the grounds that there wasn't enough proof.<sup>59</sup>

The "Charles O'Connor and family" will proved to be the final will presented for probate. The remainder of the cases brought to court centered on the questions of heirship. Four sets of claimants were represented in a trial which began in the county court in January 1922.<sup>60</sup> So much time had elapsed that many claimants had dropped out and a few had dropped dead, as had some of the lawyers.<sup>61</sup> Another interesting transition occurred when Judge Harry Dungan, who had presided over earlier trials, became one of the attorneys for the Olsen claimants.<sup>62</sup> The testimony in the case lasted two months, leaving to the thoroughly befuddled jury the task of determining heirship. After sixty-four ballots, they quit, deadlocked at an eight-to-four vote.<sup>63</sup> The case was retried in district court in September 1923. The trial was basically a condensed version of the first one. After twenty-three hours of deliberation, the jury's unanimous answer was "a point blank denial of all the claims."<sup>64</sup> Only the Kirkman and Olsen claimants appealed to the Nebraska Supreme Court, which ruled that neither John F. Kirkman nor the Olsens were sons of John O'Connor.<sup>65</sup>

The next major hearing on the question of heirship began in the county

court in November 1923, a decade after O'Connor's death. All claimants in this case allegedly were nieces and nephews of John O'Connor. The county court ruled against the claimants. On appeal to the district court, the court "not only denied the heirship of the three groups of claimants, but found that John O'Connor left no heirs whatsoever."<sup>66</sup> The three groups of claimants appealed to the Nebraska Supreme Court, which again affirmed the decisions of both the county and district courts.<sup>67</sup>

As far as the state's courts were concerned, the O'Connor estate had been found to be without heirs and the case could have been closed and the money turned over to the state, except that James B. O'Connor again resurfaced. He had filed a suit in the federal court system and a petition against John Slaker, who was then the administrator of the estate.<sup>68</sup> The state answered the petition, saying that the federal court did not have jurisdiction in the trial of heirship cases. Federal Judge Joseph W. Woodrough of Omaha sustained the motion and dismissed the case. O'Connor then appealed to the circuit court of appeals, which sustained Judge Woodrough's verdict that the state could not be sued without its consent but held that the federal court did have jurisdiction in heirship cases. The matter was then appealed to the United States Supreme Court, which dismissed the appeal and commented that the case had "needlessly consumed our time and imposed serious delay upon the appellees and otherwise burdened them."<sup>69</sup>

At long last, the Adams County Court ruled that the John O'Connor estate should be turned over (escheat) to the state. At 11:00 A.M. on November 1, 1929, County Judge J. B. Turbyfill signed the order. According to the Nebraska Constitution, the proceeds from estates escheating to the state were to become part of the "perpetual funds for common school purposes."<sup>70</sup> The farm land in the estate was added to the state school lands. A

portion of this land is where the Hastings Junior High School stands today.<sup>71</sup> O'Connor's city property was sold in 1943.<sup>72</sup>

Although the disposition of the estate was settled, left unresolved was the question of who was to pay the inheritance tax. Adams County, claiming the state was liable, filed an action in district court. The county won this action, but on appeal, the Nebraska Supreme Court reversed the decision, ruling that property escheating to the state was not subject to inheritance tax.<sup>73</sup>

The quest to determine the proper disposition of the O'Connor estate had been fought at every level in the American judicial system. Tremendous sums had been spent in litigation. It took sixteen years to establish that nothing more could be learned about John O'Connor than was known about him when he died. The quiet, frugal cobbler probably never could have envisioned the furor set off by his demise. However, the *Tribune* believed that "John must have smiled often — if he can see from his position in the other world — at the various allegations made concerning him and his history."<sup>74</sup>

## NOTES

<sup>1</sup>Death certificate of John O'Connor. State of Nebraska, Bureau of Vital Statistics.

<sup>2</sup>"John Connors Dies Suddenly," *Hastings Daily Tribune*, August 18, 1913, 1. The *Hastings Daily Republican* also misspelled O'Connor's name: "John Conner Dies At Sanitarium," *Hastings Daily Republican*, August 18, 1913, 1.

<sup>3</sup>"Clues Found to Relatives of Rich Hastings Recluse," *Hastings Daily Tribune*, August 20, 1913, 1.

<sup>4</sup>Bill Sole, "Who Was John O'Connor?," *Historical News*, June 1980, Adams County Historical Society, 4. A complete inventory of O'Connor's personal effects and real estate can be found in State Archives, Nebraska State Historical Society, RG 213, Adams County District Court Records, Subgroup 2, Series 1, Box 95, State of Nebraska, Plaintiff vs. James B. O'Connor, et al., Defendants, Book One, 8-12. Information concerning the various O'Connor court cases can be found in the Adams County District Court Records, Subgroup 2, Series 1, Boxes 94-107. These records consist largely of transcripts. The records are unprocessed and are incomplete. Transcripts from the O'Connor cases which reached the Nebraska Supreme Court can be found in the State Archives in RG 69, Nebraska Supreme Court Transcripts, Series 2.

<sup>5</sup>"O'Connor Estate Worth \$100,000," *Hastings Daily Republican*, August 29, 1913, 1.

<sup>6</sup>"John O'Connor Not a Murderer," *Hastings Daily Tribune*, November 29, 1913, 3.

<sup>7</sup>"Says O'Connor was Dual Personality," *Hastings Daily Tribune*, January 7, 1914, 6.

<sup>8</sup>"Would Have O'Connor Maimed," *Hastings Daily Tribune*, October 20, 1913, 4.

<sup>9</sup>"Over 100 Would Be O'Connor Relatives," *Hastings Daily Republican*, September 18, 1913, 1.

<sup>10</sup>"John O'Connor Not a Murderer," *Hastings Daily Tribune*, November 29, 1913, 3.

<sup>11</sup>"Honesty Manifest in the O'Connor Heirship Claims," *Hastings Daily Tribune*, February 3, 1914, 2. Button went on to explain, "The great majority of letters show on their face that they were written in good faith. Instead of asking for information but giving none themselves the writers as a rule include in their letters some statement which shows conclusively that they can not be relatives of the John O'Connor of Hastings."

<sup>12</sup>"Court Convinced That Name John O'Connor Is One That Was Assumed," *Hastings Daily Republican*, October 20, 1913, 1.

<sup>13</sup>"Clues," *Hastings Daily Tribune*, August 20, 1913, 1.

<sup>14</sup>*U. S. Census*, 1900, Enumeration District 11, Sheet No. 12.

<sup>15</sup>*Hastings City Directory 1882-1883*, 57. Citation reads: "O'Connor, John, fr. Fremont Nebr., shoemaker shop at 1st st., 2 dw Denver ave., res. same." O'Connor kept his shop and residence at 605 W. First for the duration of his life in Hastings, with the exception of the year 1888 where the City Directory lists him boarding at the Metropolitan Hotel, located on Bellevue Ave.

<sup>16</sup>"Says He Had Wife Living," *Hastings Daily Tribune*, August 21, 1913, 6. This article gives an accounting of the story Mrs. Clara Patterson, resident of Hastings, gave to Judge Button about O'Connor. She said that "she was sure her husband knew O'Connors here in 1877."

<sup>17</sup>"Clues," *Hastings Daily Tribune*, August 20, 1913, 1.

<sup>18</sup>*Ibid.*

<sup>19</sup>"John O'Connor Left Will; Girl Friend Gets Entire Estate," *Hastings Daily Republican*, October 4, 1913, 1. This article reported that Estelle Van Scoy, a "long-lost" girl friend of O'Connor, was named as sole beneficiary in a will mailed to Judge Button.

<sup>20</sup>"Heir to O'Connor Estate Is Found," *Hastings Daily Republican*, October 31, 1913, 1.

<sup>21</sup>"Document Mailed from Grand Island was Genuine but Unwitnessed — Property to Two Sons — Will Held for Ransom," *Hastings Daily Republican*, November 1, 1913, 1.

<sup>22</sup>*Ibid.*

<sup>23</sup>*Ibid.*

<sup>24</sup>"Not So Certain About The Brady Claim To The Estate Of O'Connor," *Hastings Daily Republican*, November 3, 1913, 1.

<sup>25</sup>"Culavin Wants Fortune," *Nebraska State Journal*, May 13, 1914, 2.

<sup>26</sup>"2,000 See O'Connor," *Hastings Daily Tribune*, January 13, 1914, 5.

<sup>27</sup>Sole, "Who Was John O'Connor?"

<sup>28</sup>"Resists Effort To Drive Him Out Of O'Connor Case," *Hastings Daily Tribune*, January 26, 1914, 2. There is some confusion concerning the correct spelling of the name *Olsen*. Most items in

the newspaper spell the name *o-l-s-o-n*. However, the legal documents spell it *o-l-s-e-n*, so this is the author's choice.

<sup>29</sup>"Papers Signed By Indians Without Knowing Contents," *Hastings Daily Tribune*, March 9, 1915, 1.

<sup>30</sup>"Can't Plead in O'Connor Hearing," *Hastings Daily Republican*, July 8, 1914, 1.

<sup>31</sup>*Ibid.* Also see "Denies Right of the State to Intervene," *Hastings Daily Tribune*, July 8, 1914, 1. Judge Button made his decision based on a decision that had been handed down by Judge Dungan in district court in the estate of Henry Keller.

<sup>32</sup>In *Re Estate of John O'Connor*. John T. Culavin, Appellant vs. James B. O'Connor, et. al, Appellees. Case No. 19422. Published in *Nebraska Reports*, Volume 101, September Term, 1917.

<sup>33</sup>"M'Laughlin Says Will Not Forgery," *Hastings Daily Republican*, July 9, 1914, 1. "Questions Competency of O'Connor," *Hastings Daily Tribune*, July 9, 1914, 1.

<sup>34</sup>"Many Sensations Are Sprung in John O'Connor Will Case," *Hastings Tribune*, September 11, 1914, 3. Culavin testified that he met O'Connor in 1868 in Milwaukee; in 1871 in Sabula, Iowa; in 1873 and 1876 in Almont, Iowa; in 1884 in Hawarden; in 1887 and 1897 in Fremont; and saw him for the last time on May 19, 1905, in Omaha.

<sup>35</sup>*Ibid.*  
<sup>36</sup>"O'Connor Had Scar," *Hastings Daily Republican*, September 10, 1914, 6.

<sup>37</sup>"Stops Disputing O'Connor Experts," *Hastings Daily Republican*, July 10, 1914, 1.

<sup>38</sup>"Second Will To Be Filed For Probate," *Hastings Tribune*, September 11, 1914, 2. This will, the third, was sent anonymously to W. A. Young of Hastings. It names Culavin and Young as the beneficiaries. A letter accompanying the will stated that it had been removed from O'Connor's personal effects at the time of his death. This will was also witnessed by two men long dead — James Walling, formerly of Hastings, and J. K. Scott of Hawarden, Iowa. Scott was also a witness to the second will.

<sup>39</sup>"Sustains The Culivan Will," *Hastings Daily Tribune*, November 19, 1914, 4. If either of these two wills were found to be valid, the Culavin will would be invalid, as both were allegedly written at a later date. However, when these cases were reconvened on January 18, 1915, both wills were found not to be the last will and testament of John O'Connor and were dismissed. Neither Van Scoy nor Young appealed this decision. Found in testimony in RG 213, Adams County District Court Records, Series 3, Box 95, State of Nebraska, Plaintiff vs. James B. O'Connor, Et al., Defendants, Book One, 37-38.

<sup>40</sup>"O'Connor Will Case Monday," *Hastings Daily Tribune*, February 27, 1915, 3. The seven sets of claimants appealing the decision of the lower court were: Hanora O'Connor, alleged to be the wife of John O'Connor; Thomas O'Connor, alleged to be a nephew; Ann L. Hams, alleged to be a niece; Bridget Kennelly and others, alleged to be a sister; John R. Olsen and Rudolph Olsen, alleged to be sons; James B. O'Connor, alleged to be a nephew; and Amanda Brown, alleged to be a niece.

<sup>41</sup>The twelve jurors included: E. N. George, A. U. Kay, Mark Campbell, R. B. Smith, E. D. Pratt, Chris Christensen, Henry Bentert, R. J.

Ashmore, Ira Graham, John Rowe, William Parsons, and George Crawford, *Adams County Democrat*, March 5, 1915, 1. John Rowe was dismissed late in the trial due to illness. Judge Dungan had received permission from Washington, D. C. to use the federal court room at the post office, due to a smallpox scare in the district court. However, many of the attorneys questioned the validity of using the federal court room, so Judge Dungan convened court in the district court room. "O'Connor Will Case Monday," *Hastings Daily Tribune*, February 27, 1915, 3.

<sup>42</sup>"No Scars on O'Connor's Face," *Hastings Daily Republican*, March 4, 1915, 1.

<sup>43</sup>"Corpse Tamped With Says Doctor," *Hastings Daily Tribune*, March 6, 1915, 1. "Has O'Connor Body Been Scarred Up," *Hastings Daily Republican*, March 6, 1915, 1.

<sup>44</sup>"Here February 25, 1887," *Hastings Daily Republican*, March 8, 1915, 1. The nature of the quarrel between Mrs. Langan and O'Connor was that O'Connor had tried to flirt with her daughter and after she refused his advances, O'Connor wanted to obtain possession of the hotel which Mrs. Langan operated but which O'Connor owned. O'Connor was the successful litigant.

<sup>45</sup>"No O'Connor Grand Jury During Trial," *Hastings Daily Republican*, March 10, 1915, 1. "Demands An Investigation In Will Case," *Hastings Daily Tribune*, March 10, 1915, 1.

<sup>46</sup>"Verdict Found Against Culavin," *Hastings Daily Republican*, March 13, 1915, 1. "O'Connor Will Is Broken; Grand Jury Probe Ordered," *Hastings Daily Tribune*, March 13, 1915, 1. The result of the grand jury probe was inconclusive and was dismissed.

<sup>47</sup>In *Re Estate of John O'Connor*. John T. Culavin, Appellant, v. James B. O'Connor Et Al., Appellees. Case No. 19422. Published in *Nebraska Reports*, Volume 101, September Term, 1917.

<sup>48</sup>"Final Rites Pronounced for O'Connor," *Hastings Daily Tribune*, February 10, 1916, 1. "O'Connor's Remains Find Resting Place," *Nebraska State Journal*, February 11, 1916, 1.

<sup>49</sup>State of Nebraska, Appellee, v. James B. O'Connor, Et. al, Appellants. Case No. 19874. Published in *Nebraska Reports*, Volume 102, January Term, 1918.

<sup>50</sup>"Another O'Connor Will," *Adams County Democrat*, November 23, 1917, 1.

<sup>51</sup>*Ibid.*  
<sup>52</sup>In *Re Estate of John O'Connor*. Charles O'Connor Et. al., Appellees, v. John Slaker, Administrator De Bonis Non, Et. al., Appellants. Case No. 21036. Published in *Nebraska Reports*, Volume 105, September Term, 1920.

<sup>53</sup>*Ibid.*

<sup>54</sup>*Ibid.*

<sup>55</sup>*Ibid.*

<sup>56</sup>"James B. O'Connor Charged With Fraud In Will Matter," *Hastings Daily Tribune*, March 3, 1922, 1. This case also led the press to question whether the county attorney intended to file criminal action against John T. Culavin, who had also presented a will, deemed to be a forgery. No charges were brought against Culavin.

<sup>57</sup>"Supreme Court Judges Called To Stand Here," *Hastings Daily Tribune*, September 23, 1922. Chief Justice Andrew M. Morrissey was called by the defense as he dissented from the opinion given by the high court. Justice William B. Rose was called by the state as he wrote the

opinion holding the will a forgery. See also RG 213, Adams County District Court Records, Series 3, Box 97, State of Nebraska, Plaintiff v. James B. O'Connor, Defendant. Case No. 7517.

<sup>58</sup>"Jury Finds O'Connor Guilty; Appeal Will Go To Supreme Court," *Hastings Daily Tribune*, October 2, 1922, 1.

<sup>59</sup>James B. O'Connor v. State of Nebraska. Case No. 23125. Published in *Nebraska Reports*, Volume 110, September Term, 1923.

<sup>60</sup>"Sensation Promised In Legal Drive For O'Connor Estate," *Hastings Daily Tribune*, January 21, 1922, 1. These claimants became known as the Olsen claimants, the Allman claimants, the Connor claimants, and the Kirkman claimants. See also RG 213, Adams County District Court Records, Series 3, Box 96, in the Matter of the Estate of John O'Connor, Deceased, on Claims of Heirship.

<sup>61</sup>Amongst the head claimants were Hanora O'Connor Allman, allegedly a sister, and John, allegedly a son, of the Olsen brothers. The lawyers who had died included W. P. McReary, M. A. Hartigan, and Angus D. MacDonald. "O'Connor's Come for Next Round," *Hastings Daily Tribune*, January 20, 1922, 8.

<sup>62</sup>"First Blow Falls in O'Connor War Camps," *Hastings Daily Tribune*, January 24, 1922, 1.

<sup>63</sup>"Means New Trial In O'Connor Case," *Hastings Daily Tribune*, March 6, 1922, 2. Eight jurors had voted for the Kirkman claimants, and four voted against all of the claimants.

<sup>64</sup>"Appeals Hold Up O'Connor Award To State of Nebraska," *Hastings Daily Tribune*, November 3, 1923, 1.

<sup>65</sup>In *Re Estate of John O'Connor*. John F. Kirkman Et al., Appellants, v. State of Nebraska, Appellee. Case No. 24075. Published in *Nebraska Reports*, Volume 114, January Term, 1926.

<sup>66</sup>"O'Connor Left No Relatives, Jury's Verdict," *Hastings Daily Tribune*, November 18, 1927, 1.

<sup>67</sup>In *Re Estate of John O'Connor*. Elizabeth O'Connor Burgoyne Et al., Claimants, Appellants; Charles M. O'Connor Et al., Claimants, Appellees, v. State of Nebraska, Intervener, Appellee. Charles M. O'Connor Et al., Claimants, Appellants, v. State of Nebraska, Intervener, Appellee. Anna Beebe Et al., Claimants, Appellants, v. John Slaker, Administrator De Bonis Non, Et. al., Appellees, Case Nos. 26457, 26462, 26464, 26731. Published in *Nebraska Reports*, Volume 117, September Term, 1928.

<sup>68</sup>"O'Connor Case Up For Federal Court," *Hastings Daily Tribune*, April 26, 1929, 8.

<sup>69</sup>"Missouri Claimants Begin Weeks' Fight," *Hastings Daily Tribune*, April 29, 1929, 3. See also *The Supreme Court Reporter*, Volume 49, November 1928 — July 1929. Slaker v. O'Connor Et al.

<sup>70</sup>Constitution of Nebraska, Article VII, Sec. 3, in William C. Dorsey, comp., *Compiled Statutes of Nebraska, 1929* (Lincoln: State Journal Co., 1930), 51.

<sup>71</sup>Sole, "Who Was John O'Connor?"

<sup>72</sup>*Ibid.*

<sup>73</sup>In *Re Estate of John O'Connor*. Adams County, Appellee, v. State of Nebraska, Appellant. Case No. 28640. Published in *Nebraska Reports*, Volume 126, January Term, 1934.

<sup>74</sup>"O'Connor's Fortune Goes To State Of Nebraska By Court's Order," *Hastings Daily Tribune*, November 1, 1929, 1.