MRS. WHARTON WINS AT LAST

Secures Fifty Thousand Dollars in Boggs Will Case.

TEN YEARS' LITIGATION AT END

Supreme Court of State Settles Suit that Began When Heirs of G. H. Boggs Attempted to Break Will.

to be the last step in the ten years' litigation following the death of George H. Boggs in 1836. Mrs. Wharton was the

widow of Boggs. The supreme court holds that Mrs. out interest, since 1896, out of the trust was before the supreme court on an appeal from a decision of Judge Kennedy of the district court of Douglas county which filing an exception to this part of the ruling. gave Mrs. Wharton the annual \$5,400 beginning January 1, 1808.

The Boggs will case, as it has been called, began when the collateral heirs tried to break the will left by Boggs. He had bequeathed an estate worth \$250,000 and onehalf of this he gave outright to his widow, who subsequently became Mrs. Wharton. The other half he made into a trust fund, the income to go to Mrs. Wharton during her life, and after that to his brothers and

The will itself was first attacked on the ground of undue influence, but was susthe district court met the same result, and utilized in securing the first conviction, then the supreme court was sought. This

sustained the lower courts. The plot now thickens as thick as a Blaney melodrama. The collateral beirs cure biliousness and malaria, take Electric declared that Mrs. Wharton was attempting to wreck the trust fund by selling the real Beaton Drug Co. estate, as the other side claims under the will she had a perfect right to do. The collateral heirs further alleged that when in the course of events the fund came to them there would be nothing of it left.

Title to the Income. One point came up as to whether Mrs. Wharton was entitled to the income from the trust estate before or after receiving the other income from the \$125,000 given her outright. Her claim that she was entitled to the income from the trust fund

held that it made no difference whether she had another dollar or not. The case at length reached the stage where the amout of income came into question. It had been provided in the will that Mrs. Wharton was to have out of the trust fund, either from its earnings or principal, if necessary, so much that she might live in the style maintained at the time of

Boggs' death. How much this was became a question for expert evidence and the testimony of Extra fine fruit cordials, orange, apricot, G. W. Wattles, C. E. Yost and other wellto-do men was sought. They took the stand and answered hypothetical questions as to how much money was necessary for one to live with three servants, with or without a butler or a second and third footman

Judge Kennedy finally fixed on \$5,400, but did not date it back far enough to suit and the last appeal was taken to the supreme court.

Mrs. Wharton has secured a victory all along the line throughout the litigation except in the fact that interest is not allowed in the decision given Saturday. Five thousand four hundred dollars for fourteen years would amount to \$75,600, but there must be deducted from this about \$25,000 already received by her.

TALK OF CORN SHOW DATE

Executive Committee Will Soon Name Time-Old Executives and Officers to Be Kept.

Dates for the next National Corn exposition will be selected during the next ten days after a conference between Omaha wholesalers, retailers and members of the National Corn Growers association. At the meeting of the executive committee held in the ofices of the exposition Friday afternoon it was thought best to defer the selection of dates until a later time, when all interests can be consulted and conflic-

The executive committee organized with C. C. Rosewater as chairman and the next work of the committee will be to finance the coming exposition. This work is already started and the committee in charge is meeting with good success.

J. Wilkes Jones, who was general manager of the 1908 exposition, is still looking after his land interests in Idaho and the executive committee has not yet received word when he will arrive in Omaha. The disposition of the stockholders seems to be that those who made such a success of the 1968 exposition should remain in charge of the coming corn show as far as possible, with some changes in the division of the work and departments which will enable the organization to handle the large amount

of work to better advantage. Mr. Jones will undoubtedly be again connected with the exposition, as will also W. O. Paisley, the assistant general manager and Miss Jessica E. Besack, who had charge of the women's department last year and conducted it with eminent success,

HIS SALARY ESTIMATE HIGH Elwood Riggs Got Too Much, Former Employers Claim, and Court

Sustains Them.

Elwood Riggs overestimated the amount due him as manager of the Columbian Optical company, according to a decree by Mrs. John C. Wharton was awarded Judge Lee Estelle. Riggs was to get 25 per what amounted to \$50,000 by a decision of cent of the net receipts for the years 1904 the Nebraska supreme court handed down and 1905 and this he figured out to be \$6,000. Saturday morning. The ruling is believed The company claimed that the amount he took was not 35 but 40 per cent. He is ordered to pay back \$2,195.51, leaving him a balance of \$3,806.49. The court held that Riggs was unduly optimistic in the matter of bills payable and assumed in making his Wharton is entitled to \$5,400 a year, with- calculation that debtors would come across with 100 per cent. They did not. On the estate created by Boggs' will. This point other hand Riggs charged the company \$400 for extra work done in settling books and accounts and this is sustained, the plaintiff

CALLAHAN'S WOES AT AN END

County Attorney Enters Nolle Prome and "Grave Desceration" Case Comes to a Finish.

Dan Callahan's troubles are over. Convicted on a charge of grave desecration at the Prospect Hill cemetery his lawyers took the case to the supreme court which sustained a plea of insufficient evidence, Saturday the county attorney entered a noile prosse which, of course, ends the matter. It is useless to undertake a new tained in the county court. An appeal to trial for all the evidence at hand was

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Full Quarts, 80c, \$1.00 and \$1.25 Prompt delivery service. Both phones. SPECIALS:

banana, etc. 696
50c bottle California port or sherry wine
for . 296
Pine old rock and rye . 486

Hiller Liquor Co. 1309 Farnam St.

We pack and ship without extra charge. \$3.00 orders or over prepaid.

LUNCH ROOM OPEN DAY AND NIGHT

GOOD TRINGS TO EAT FOR MONDAY

Old Plantation Vegetable Soup 10c Oxtall Soup with Barley, 10c Radieshes, 5c Green Onions, 5c Sliced Tomatoes, 10c

Boiled Fresh Ham with Sauer Kraut,

Roast Leg of Mutton with Home Made Jelly, 25c Braised Beef with Potato Dumplings
20c
Veal Loaf Creole Sauce, 20c
Home Made Sausage, 20c
VEGETABLES

wed Tomatoes, 5c Sugar Corn, 5c
June Pens, 5c
SALADS
Chicken, 25c Lobster, 25c
Celery, 15c

Peach Cobbler, 10c Pie, 5c Ice Cream, 10c Charlotte Russe, 5c Orange Ice, 19c Taploca Pudding, 5c Cocos, 5c Coffee, 5c Pot Tea, 5c

Cigars at Wholesale Prices

We have made it our fixed policy to handle cigars in large quantities—obtain-ing them generally as direct Factory Shipments—and satisfying ourselves with profix so small that the regular cigar jobbers would scorn at it. Be carefully watching the market, we quits often are able to obtain a large quantity of standard 10c cigars at such a price that we can retail them for 5c each. Any brand mentioned below can be sent by mail or express by adding to schedule price as follows: For box of 25 cigars, add 12c; for box of 50 cigars, add 22c Gontract—Absolutely the biggest value ever produced and sold for 5c each, 5 for 25c, box of 25 \$1.25, box of 50 \$2.50.

6 to 60 brands domestic cigars.
6 to 40 brands Clear Havana cigars.
6 few brands Imported and Porto Rican
ars.
6 to 40 brands 5c cigars at 3 for 10c,
7 box of 50.
8 Garcia—Perfecto Finos, 15c each, 2 for 25c, \$2.75 for box of 25.
9 You cannot obtain such values in clear Havana cigars elsewhere.
9 Garcia—Regalias, 10c straight, \$4.00 for box of 50. 50 to 60 brands domestic cigars. 20 to 40 brands Clear Havana cigars.

About 40 brands 5c cigars at 2 for 10c, and \$1.25 to \$1.65 box of 50.

About 20 brands 10c cigars at 5c each, 41.25 box of 50,

About 20 brands 10c cigars at 5c each, 5c each, 6 for 25c,

About 20 brands 10c cigars at 4 for 25c,

About 20 brands 10c cigars at 4 for 25c,

About 20 brands 10c cigars at 4 for 25c,

About 20 brands 10c cigars at 4 for 25c,

About 20 brands 10c cigars at 4 for 25c,

About 20 brands 10c cigars at 5 for 50. About 15 to 20 brands 10c straight ci-gars at 3 for 25c, or \$2.50 to \$4.00 for box of 50.

10 to 12 brands 2 for 25c cigar at 10c straight. 10c Borinquen (Porto Rican) 5c each, 6 for 25c, \$2.00 for box of 50. Blue Point Stogies, 3 for 50, \$1.65 for box of 100.

box of 100.

Capadura, 5c each, 8 for 10c, 7 for 25c, \$1.65 for box of 50

Chancellor Knickerbocker 10c, 3 for 25c, \$1.85 for box of 25.

Chancellor Magnolia 10c, 2 for 15c, \$1.85 for box of 25.

Chancellor (Little) 5c each, 4 for 15c, \$1.85 for box of 25.

Chancellor (Little) 5c each, 4 for 15c, \$1.85 for box of 25.

Tor 25c, \$1.75 for box of 50.

Tor 25c, \$1.75 box of 25.

(Try to duplicate the Carmen cigar at 2 for 25c.)

El Capitan General, 5c each, 3 for 10c, 6 25.

Relo. 15c each, 2 for 25c, \$2.75 for box of 25.

Relo. 15c each, 2 for 25c, \$2.75 for box of 25.

S for 25c.)
Et Capitan General, 5c each, 3 for 10c, 7 for 25c, \$1.85 for box of 50.
10c Grace Kimball Panetelius, 5c each, 5 for 25c, \$2.50 for box of 50.
Garcia—Conchas Especial, 10c each, 2 for 25c, \$3.25 for box of 50.
Garcia—Cabinets, 10c straight, \$225 for box of 25.
Garcia—Entreatos 5c each, 6 for 25c, 82.50 for box of 50.
Et 60 for box of 1fty.
Garcia—Knickerbockers, 10c straight, \$25 for box of 25.
Robert Burns' Sockey Club, 10c each, 2 for 25c, \$1.50 for box of 50.
Robert Burns' Jockey Club, 10c each, 2 for 25c, \$1.50 for box of 50.
Robert Burns' Jockey Club, 10c each, 2 for 25c, \$1.50 for box of 50.
Robert Burns' Jockey Club, 10c each, 2 for 25c, \$1.50 for box of 50.
Robert Burns Invincibles, 10c each, 3 for 25c, \$1.55 for box of 25.
Robert Burns Invincibles, 10c each, 3 for 25c, \$1.55 for box of 25.

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CORNER 16th AND DODGE STS. OWL DRUG CO., Corner 16th and Harney.

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25% Discount

Monday we continue the 25% discount of Misses,' Children's, and Boys' Shoes. These are winter shoes on which we are overstocked-some are light-weightsome are medium-all are suitable for general wear. If you have not attened this sale yetwe advise you to do so Mondayit will be money in your pocket. All of our young women's

button and lace shoes, 2 1/4 to 6 size, regular \$3 value, All of our young women's button and lace shoes, 21/2 to 6 size, regular \$2.50, val-'1114 to 2 size, regular \$2 values, at\$1.50 All of our Misses' lace shoes, 11 1/2 to 2 size, regular value \$1.75, in this sale. \$1.31 All of our Children's button shoes, 8 to 10 1/2 size, regular \$2.00 value.... \$1.50 All of our Children's button shoes, 8 to 10 1/2 size, regular \$1.75 value . . . \$1.31 All of our Children's button shoes, 8 to 10 1/2 size, regular \$1.50 value. . . . \$1.12 All of our Boys' high cut storm shoes, 13 to 2 size, regular \$4 value ... \$3.00 All of our Boys' tans and blacks, 13 to 2 size, regular \$3.50 values. \$2.63 All of our Youths' high cut tans, 11 to 2 size, regular value \$3.25, at.... \$2.35 All of our Little Gents' high cut shoes, 10 1/2 to 3 size, regular \$2.25 value. \$1.70 All of our Boys' box calf

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shoes, 13 to 2 size, regular

Largest line in the city. From the cheapest to the best. 2c to \$2.50 Valentines retailed less than wholesale price. Special Discount to School Teachers.

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fortable, stylish and elegantly dressed, because he wears a fashionable shoe of the highest quality and best workmanship that can be put into a shoe.

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the Couturier model which is now creating a furore among cornetists, is now on exhibition and sale-in beautiful finish, ranging from \$58.00 up. It will pay you to try this before placing orders.

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Hazeikirke (large) 5c straight, \$2.50 per box of 50.

Henry George, 5c each, 3 for 10c, 7 for 25, \$1.65 for box of 50.

Lord Anson Conches Especiales, 10c, 3 for 25c, \$3.75 for box of 50.

Lord Anson Puritanos Finos, 10c, 3 for 25c, \$2.00 for box of 25.

Lord Anson Diplomanticos, 10c, 3 for 25c, \$2.25 for box of 25.

Lord Anson Favoritas, 10c, \$2.25 box of 25. You went to your druggist to buy a bottle of Extract of Vanilla and he offered you "Imitation Vanilia? Would you buy it? Guess not! How about your grocer? Why is it his vanilia(?) is labeled, IMITATION? Before the pure food law was passed this same identical IMITATION Vanilla was called by

the grocery stores "Pure Extract of Vanilla!"

When you want genuine goods that should be sold in a drug store, such as vanilla, spice, ginger, nutmeg, etc., go to any one of these druggists and you will not be offered IMITATION goods. These druggists all have A. D. S. goods too, the brand which did not have to be changed when the pure food law was passed. Ask for A. D. S. remedies and don't be buncoed any more: Ask any of the following druggists about these goods:

Ask any of the following druggist
Beil Drug Co., 1216 Farnam St.
S. A. Beranek, 1402 South 16th St.
Emil Cermak, 1262 South 16th St.
Crissey Pharmacy, 24th and Lake Sts.
R. H. Eblers, 2802 Leavenworth St.
Poster & Arnolds, 213 North 25th St.
J. J. Freytag, 1914 North 24th St.
Green's Pharmacy, Park Ave. and Pacific.
Haines Drüg Co., 16th and Farnam Sts.
Hanscom Park Pharmacy, 1501 So. 23th
Howell Drug Co., 297-295 N. 16th Sts.
W. C. Hayden, 2929 Farnam St.
He Grand Pharmacy, Cor. 16th & Howard.
Johaneson Drug Co., 24th and Spaiding.
H. S. King, 24th and Farnam Sts.
C. E. Lathrop, 1324 North 24th St.
J. H. Merchant, Cor. 16th and Howard.
L. E. Peyton, 1401 Leavenworth St.
Pribbenow & Co., 1527 Vinton St.
Saratoga Drug Co., 24th and Ames Ave.
J. H. Schmidt, 14th and Cuming Sts.
And 8,000 other druggists in overy vestling this weaksrful preparation today.

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All Winter Weight Suits and O'coats

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All Hart, Schaffner & Marx and other high grade makes, included in the sale. Blacks and blues go.

200 Suits and 125 Overcoats added to our big showing of \$10, \$12, \$15 and \$18 values Mon-day, at one price. \$650

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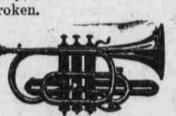
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