ounsel upon a contingent fee would be Stirring Up Litigation.

pressly forbidden by the positive law in

states. The American Bar association. however, would amplify the prohibition

for it declares in the twenty-eighth canon

that no one should be permitted to remain

in the profession "who hunts up defects

in titles or other causes of action and in-

forms thereof in order to be employed to

bring suit." This would condemn a good

many lawyers in New York, some of whom

have made large sums of money by discov-

ering defects in assessments or other tax

proceedings and in titles to real estata

and then procuring employment based on

such discoveries and the promise of a per-

to the proposed code of ethics such practi-

tioners should be disbarred.

centage in the event of success. According

In the fifteenth canon the American Bar

association condemns the proposition that

"it is the duty of the lawyer to do whatever

may enable him to succeed in winning his

client's cause." The rule of conduct is

stated as follows: "No lawyer is justified

lawyer to refuse. We doubt very much

strictly technical defenses which are in-

selves of such defenses. Yet pleas of this

kind are permitted and, indeed, provided

for by statute, and to say that a lawyer

cannot properly interpose them is virtually

Advertising Business.

advertising by lawyers. The publication or

circulation of ordinary, simple business

cards is declared not to be improper, it's

being a matter of personal taste or local

sonal communications or interviews is de-

nounced as unprofessional, and the canon

condemns as in tolerable the custom of in-

directly advertising for business by furnish-

gations are conducted and the magnitude

of the interests involved. We believe there

matter of advertising by statutory prohi-

the committee of the American Bar association proposes a new oath of admission to

Special oaths for attorneys are now pre-

scribed by law in sixteen states of the

Proposed Oath.

We doubt whether the legislature of New

York would have the constitutional power

to prescribe any such oath to be adminis-

tered to attorneys in this state. The posi-

a form of oath to be administered to mem-

bers of the legislature and all officers, exe

cutive and judicial, except such inferior

officers as shall be exempted by law. The

constitution further provides that no other

oath, declaration or test shall be required

as a qualification for any office of public

The recommendation that the oath for

mulated by the committee of the Ameri-

and territories would therefore seem to be

impracticable so far as the state of New

Chinese Gambling.

Musings of a Cynic.

divorce business.

as follows:

The twenty-seventh canon treats

to render them unavailable to the client,



J. A. WILLIAMS,

At the close of my fractional term I shall

standing the saving referred to above.

Yours very truly

J. A. WILLIAMS,

State Railway Commissioner.

State Railway Commissioner, Candidate for Renomination at the Primary Election September 1, 1908.

To the Republicans of Nebraska: Before | I want provision made for good wages making my statement to you I desire to such as will secure and keep good workcall your attention respectfully to a condition wherein the facts have come to use in all departments. With these points James G. Jenkins of Wisconsin, formerly claim was outlawed. According to the good markets on Cuming and North coll your attention respectfully to a condition wherein the facts have come to use in view I shall stand for such reductions, a circuit judge of the United States. tion wherein the facts have come to us adjustments and equalization as the facts through investigation by the commission show me to be just. Possibly I have made and from reports on file. Messrs. S. C. Ma- some enemies. I should be heartily shall briefly consider those which deal of a majority of the legal profession. Many comber, F. G. Ryan, F. H. Crosby and oth- asbamed of myself were I so good to all with matters of public interest and are not other instances might be suggested of news to heavy hardware is now represented ers connected like these with the railroads as to never make an enemy. of Nebraska have been engaged for several months in trying to organize the railway employes, and more especially to array have had two years' experience as railway them against me as a railway commis-sioner. This they do because they think enforcement of all laws and for good serthat I will not submit to their will nor to vice and fair treatment. We have as a that of their employers in the matter of commission done much good work that is individual who for the time being adregulating the common carriers of the being commended by all who really know ministers its function." The second canon state. These men have been riding on the facts. We have been instrumental in passes all over the state while doing this securing better service along all lines of political work. They and the rauroad man- railroad, telephone, telegraph and express duty of the bar "to endeavor to prevent agers claim that they are, and all along business and have helped to bring about political considerations from outweighing have been, born fide employes of the rail- a saving to the people of an aggregate sum roads and that they cannot be prosecuted of about \$7,000,000 already, and this, at the under the anti-pass law by reason of that rate of over \$377.50 per month, in express fact. They have been paid by the railroads rates alone. while engaged in this work of organizing an avowed political party with the one officers and candidates for railway commissioner and the legislature with a nevertheless. Increased traffic with better judicial office depends entirely upon the formidable array of voters. At a meeting operation has kept the earnings up notwith- character of that activity. Many of the of the Rallway Employes' Protective assoclation held in Omaha a few days ago S. C. Macomber, the Union Pacific employe and organizer, disclosed the real purpose of the hurt, but rather helped in the final results.

organization when he said: "We are going to defeat Commissioner Williams, who believes in still further re- state. duction of freight rates, either at the primaries or at the polis."

taking. My record as State Rallway Com- all lines, must make an official capable missioner in an open book. I have tried of rendering better service to the state always to be just and fair and have never even thought of class or sectional favorit- to give me a job. ism. Any public official or candidate who would cater to any class, however powerful, to gain votes for himself would simply "ekin" the people and corporations at the new and difficult work. first chance. I sand squarely for fair treatment of the corporations and the people served, in all respects; for good and VERY LAST ON THE LIST OF CANDIreasonable rates, for a good income on the DATES FOR STATE RAILWAY COMinvestment and on the reasonable value of MISSIONER, except in Douglas county, the property involved in the business with where the names are rotated. a just allowance for depreciation, but FOR ALLOWANCE ON WATERED

Draft Prepared by Committee of American Bar Association.

CODE OF ETHICS FOR LAWYERS counsel upon a contingent fee we

REVIEW OF PRINCIPAL CANONS

How They Affect Practice in Criminal and Civil Cases-Contingent Fees Frowned Upon-The Pro-

posed Oath.

legal profession by the efforts of the American Bar association to agree upon and formulate a code of ethics for lawyers. The draft of such a code has been prepared by a committee of the association appointed for that purpose and has been submitted to the bar of the country for consideration and discussion through the published reports of the association itself and the agency of various legal publications. The conduct of lawyers is a matter of as much importance to the community at large therefore the proposed code is a proper subject for lay criticism.

The committee by which the code of to do for himself." Still further on, in ethics has been prepared consists of the thirtieth canon, we are told that a York is represented on the committee by him just." We can see no valid objection General Thomas H. Hubbard, the founder to this last rule, which applies only to of a lectureship on legal ethics in the affirmative procedure on the part of coun-Albany Law school; Alton B. Parker, for- sel; but is it strictly correct to assert that merly chief judge of the court of appeals. a lawyer should not do for a client what and Francis Lynde Stetson, a distinguished his sense of honor would forbid him to do corporation lawyer with whom Grover for himself? Take the case of a man who Cleveland was in partnership during the borrowed \$100 from a frend seven years period which intervened between his two ago. The friend is compelled to sue for terms in the White House. Other promi- the money. If the borrower were a decent nent members of the committee are David lawyer his sense of honor would prevent J. Brewer of the District of Columbia, one him from pleading the statute of limitaof the associate justices of the supreme tions. Suppose, however, that the borrower Howe, a well known Louisiana lawyer, and him to take advantage of the fact that the The code of ethics proposed by this com-

mittee consists of thirty-two canons. We whether this view would agree with that exclusively of a professional character.

Concerning Political Activity. The first canon merely declares the truism that "the law enjoins respect for courts and for judicial officers for the sake of the office and not for the sake of the tion of judges and proclaims it to be the This proposition is well stated. The word "outweighing" is significant and should be emphasized. It is a very common mistake to suppose that a lawyer is rendered unfit All the reduction laws have been fought for the bench because he has been an in the courts, but the commission has suc- active participant in politics. The effect best judges in England and America have been men who were prominent in political Even with the financial flurry the earn- affairs before their accession to the beach. ings of the common carriers have not been A man can hardly become Lord Chancellor in England without having been an active The carriers are prospering and we all politician. In the supreme court of the want them to prosper with the rest of the United States many of the most distinguished judges have taken an active interest in the politics of their respective As commissioner I have studied all departments of the railroad, express and tel- states before they were appointed to the accept the issue. I shall go forward and of the study, along with practical observation and conference with experts along politician in the best sense of the word out to be an excellent judge. San ford E Church, the first chief judge of the court of appeals under its present organ-I do not want you to vote for me simply associates, are striking examples. To come Vote for me, if at all, because you trust down to the present day, where shall we me and because you want the state to find a man of more active political inferhave the benefit of my experience in this ests than William H. Taft, and yet who will deny his fitness for the highest judicial office While, then, the American Bar YOU WILL FIND MY NAME THE association is entirely right in declaring that political considerations should not outweigh judicial fitness in the selection of judges, we are glad that it has not adopted

A lawyer may undertake with propriety

the defense of a person accused of a crime, although he knows or believes him guilty, and having undertaken it, he is bound by all fair and honorable means to present such defenses as the law of the land permits, to the end that no person may be deprived of life or liberty but by due process of law.

This declaration appears to have received the assent of every member of the committee. It cannot have been adopted without the most careful consideration. We may fairly assume that it correctly states the view of the great majority of lawyers. Nevertheless we venture to doubt its correctness even from a strictly professional standpoint. Of course, there can be no doubt that a lawyer may properly undertake the defense of an accused person. so far as to insure him a fair trial and see to it that he shall not be convicted trust. unless in accordance with the rules of law. but it seems to us to be going too far to declare that he may properly undertake can Bar association should be adopted the defense of such a person, although he by the proper authorities in all the states knows him to be guilty, if by this it implies a knowledge of the client's guilt in a legal sense—that is to say, if counsel York is concerned .- New York Sun. knows that if put upon trial and tried according to law upon the evidence available against him the client ought to be found guilty. The question, however, is not of as much practical importance as it might to light by the murder of a Chinese resemble to be at first blush, for the cases recently. In the search for the alleged in which the counsel has any actual knowlseem to be at first blush, for the cases in which the counsel has any actual knowledge or well founded belief in reference to his client's guilt are comparatively rare. He may entertain a susplcion on the subject, but it will generally be conceded, we think, that this does not preciude him from doing all within his power to procure a fair trial for the accused, as the canon suggests, "to the end that no person may be deprived of life or liberty, but by due process of law."

Contingent Fees.

The canon next in order of importance is the thirteenth, which relates to contingent fees. "Contingent fees may be contracted for," we are told, "but they lead to many abuses and should be under the supervision of the court." Hon, James G.

supervision of the court." Hon. James G. Jankins of the committee dissented from this canon because he was opposed to contingent fees under any circumstances. Indicate the date and time of the day on which the drawings are to be held. The name applied to the Chinese form of lottery as played with the freak poem is 'Pok Kop Plu." which is synonymous in English with thingent fees under any circumstances. Formerly contingent fees were almost universally frowned upon and fifty years ago no respectable lawyer would have thought of formulating a code of ethics which admitted the propriety of undertaking to conduct a litigation in which the compersation of counsel should depend wholly upon the result. There has been a radical change of sentiment in this respect not only in the legal profession, but in the community at large. The argument which that the community at large. The argument which the community at large of the country of the community at large. The sequence of the other fellow's ills.

In giving good advice save a little for yourself.

To be successful you must be a comer before you are a goner.

Even where a train of thought is concerned it is possible to miss connections. It doesn't pay to mortgage your opportunities.

The eleventh commandment might very well be, "Mind your own business." versally frowned upon and fifty years ago community at large. The argument which has prevailed with the public is that there is a very large class of poor persons who would otherwise be unable to enforce their rights in the courts, especially in cases.

The eleventh commandment might very well be, "Mind your own business."

Many a run tries to ride a hobby that throws him.

The proof of the bluffe is in making good.

Wise is the man who wants no more than

arising out of the negligence of others, and he can get.

to deny these people the right to employ also be envied.—New York Times,

CUMING STREET TO THE FORE

With this thirteenth canon there should Property Along That Thoroughfare is be considered the twenty-eighth, which Getting Attention. prohibits the stirring up of litigation either directly or through agents. This is ex-

the state of New York and in many other PRICES SHOW STEADY ADVANCE

Owners Are Holding at 25 Per Cent Above Figures of Three Years Ago and Show Reason for Their Attitude.

Increases in the value of business prop-

erty on Cuming street, between Sixteent and Twenty-fourth streets, are the subjecof much comment among real estate dealers as well as investors. It is conservatively figured that every substantial building in the eight blocks, with its site, has in creased 25 per cent in value in three years. Vacant lots have not increased at such a rapid rate, but have enjoyed, a good increase in value and are now in demand One real estate firm had a client who wanted to buy a business block as an in vestment and picked a three-story brick on Cuming street, offering \$15,000. as it is to the lawyers themselves; and in substituting another's conscience for his owner declined to sell at less than \$16,000 own. A lawyer should not do for his client although he paid but \$12,000 for the propwhat his sense of honor would forbid him etty three years ago. This was not an arbitrary valuation by the present owner, as was shown by the rents being received The chairman is lawyer "may counsel and maintain only for the building as stores with flats above. Henry St. George Tucker of Virginia. New such actions and proceedings as appear to It is paying a good 8 per cent interest net Other Cuming street property is advancing in proportion. A recent buyer, who secured a corner lot for flats at \$15,000, and has his excavating completed, has been offered \$20,000 for the lots, the dealer making the offer proposing to also pay for the excavation work. The offer has been delined. As the north part of the city is milding up rapidly, it is anticipated that Cuming street will do a larger share of business. The fact that many markets in the downtown district proper do not deliver north of Cuming street, while others court of the United States; William Wirt | were als client and came to him and asked | draw their line only a few squares north of Cuming street, has led others to open some improvements during the last year and almost every line from stationery and terposed every day in behalf of their ing street property anticipate a good sale for it during the next year and continued clients by honorable members of the bar advances in values. who would never think of availing them-

> Slow, steady sales of lots and tracts in two parts of Omaha, distant from each other, will add two beautiful suburbs to the city within the next few years. These will be the "Fairacres." west of Dundee, and Creighton's First addition, south and west of Hanscom park. George & Co. have been selling an acre tract in Fairacres now and then, always with a view that the buyer would erect a fine residence. After a season's selling the firm has disposed of custom and sometimes of convenience. On but a few of the tracts. They have not the other hand the solicitation of business been advertised nor pushed, with the result by circulars or advertisements or by per- that the cream of buyers and builders have been secured.

> Almost the same conditions have surrounded the sale of lots in Creighton's First addition by D. V. Sholes & Co. The ing or inspiring newspaper comments con- addition was opened last spring-or rather cerning the cases in which the lawyer is the sale of lots started. By August 15 the engaged or the manner in which the liti- firm had sold seventy lots. They all brought good prices, the prices asked, and almost every sale means a new home. Cehas been no attempt to deal with this ment walks are being put in, sewers, was, water and electric lights are already acbitions, however, except in regard to cessible and the Thirtieth street car line makes every lot convenient to street car At the conclusion of the code of ethics service.

With almost all real estate offices August the bar to be administered to all attorneys. will be a quiet month, only one or two r union, chiefly in the west. That proposed of George & Co., says: "Very quiet. Small ization, and William F. Allen, one of his by the committee is based upon the oath stuff continues to move, but I do not now used in the state of Washington and is know of a big deal which is being negotiated. July was a better month than August has been thus far."

I do solemnly swear: I will support the constitution of the United States and the constitution of the state of——; I will maintain the respect due to courts of justice and judicial officers; I will counsel quiries. Nothing very large has been sold. and maintain only such actions, proceedings and defenses as appear to me legally debatable and just, except the defense of a person charged with a public offense: I will but some good residence property sales have been made."

Harry Jordan of the Byron Reed com-

person charged with a public offense: I will employ for the purpose of maintaining the purpose of maintaining the purpose of maintaining the employ for the purpose of maintaining the employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or fact or law; I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with his business except from in connection with his business except from in connection with his knowledge and approval; I will abstain from all offensive personality, end advance no fact prejudicial to the ground. Among the largest building which they have made during the sales which they have made during the week was a flat building which they just completed and sold before it was rented sect, from any consideration personal to myself the cause of the defenseless or oppressed, or delay any man's cause for lucre or malice. So help me God.

Completed and sold before it was rented for \$8,000.

Harrison & Morton report business quiet.

Those who handle farm lands are doing a good business. J. H. Osborne of the Osborne Hansen Realty company reports a good demand for both the eastern and western lands. His company has sold tion of an attorney and counsellor at law is an office within the meaning of the state large tracts in South Dakota and western Nebraska, as well as farms in Washington, constitution, and that instrument prescribed Sarpy, Burt and Douglas counties.

PRATTLE OF THE YOUNGSTERS.

"Here, Willie!" cried the boy's father, you mustn't behave that way. Everybody will be calling you a little glutton. Do you know what that is?" "I suppose," replied Willie, "it's a big

glutton's little boy. Jamie was begging his father for a secnd helping of preserves. "When I was a boy," said his papa, "my father only al-

owed me to have one helping."

asked, "Aren't you glad you live with us A peculiar form of gambling was brought now, daddy?" The other night, when a Byrn Mawr man was putting his 4-year-old daughter to bed the following dialogue took place:

Jamie was silent for a minute, and then

"Can God hear what I say now?" from the daughter. "Yes." replied the father.

This time in a whisper: 'Did He hear hen?" inquired the daughter. "Yes. He hears you just the same," was

the reply. This time apparently lower: "Did He near me then?" asked the child. "Why, yes, of course. He does," said the

"Well, I did not say snything that time at all," declared the child in triumph --Phliadelphia Ledger.

Appropriate Wedding Music.

It happened at the Little Church Across the Street in New York City. A wedding was in progress. The organist had played "Lohengrin" as

the party came in and was prepared to play 'Mendelssohn" as they went out. During the ceremony the strains of "Call Me Thine Own" were blended with the prayer book service. Suddenly the sexton whispered in the ear of the organist, "Both of them's been mar-

Instantly the fingers on the keyboard redulated into the key of G flat, and through the low-vaulted aisles rippled that beautiful Opus Twenty-ninth Street, "Just for Today.

ried three times.

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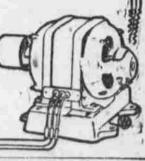
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