THE BEE: OMAHA, SATURDAY, JUNE 17, 1911.

Hopper is President, Elected Unanimously

Chosen as Head of Travelers' Protective Association at Philadelphia Moeting.

Charles Hopper of Omaha was elected president of the Travelers' Protective Association of America at Philadelphia Thursday morning. The first information regarding his election was received by Colonel Hopper in a telegram from Frank R. Holbrook, president of the Nebraska division, who is attending the Ph.Iadelphia convention. The telegram states that the election was unanimous.

OPPRESSIVE FEES OF ATTORNEY

Interesting Case in New York Court Involving Contingent Compensation.

A contingent agreement to compensate attorneys in land or in money came before the appellate division of the supreme court of New York in a suit of Thomas W. Butts and Albert W. Balley, the attorneys, against Marie Julie Collins Carey, the client, and others, to partition certain premises which became the client's property as a result of the sult in which the contingent agreement was signed. Upon the trial of the case the attorneys abandoned their PASSING OF PLUNGER WALTON claim to a right to the partition of the premises and asked to establish a lien on Famous Race Track Sport of Past the property under their retainer. They got judgment for the entire amount of their services, but the appellate division sets it aside and orders a new trial.

In 1904 the attorneys, who were practicing as partners, were retained by Mrs. Collins to bring action against her son, to bring forth from his wallet a faded Charles H. Collins, to set aside a deed clipping from a Philadelphia paper which executed in 1885 to six lots in the Bronx. told of the engagement of "Miss Emily They took the case on a contingent basis, Jewell Walton, daughter of Mrs. Caroline and were to receive nothing unless they Elliot Walton and granddaughter of the recovered the property or some part thereof, late Francis Theodore Walton." or a judgment for the value or some part "I keep that to remember that I am thereof. The agreement provided that "she officially dead," said Colonel Walton, who shall and will pay, deliver, transfer, and died recently at his home at 622 West convey to them, and they will accept as One Hundred and Fourteenth street, New compensation in full for their services and York, recently. Although "Plunger" Walcounsel fees, one-fourth of any and all ton has truly been "officially dead" since money or property which may or shall be he left the betting rings of American and paid." By the agreement the client also English tracks a decade ago "for good." transferred to the attorneys one-fourth of there are bookles in two hemispheres still the property, for which she was suing, ex- living who remember the times when cept two plots, and it was agreed upon ad- "Plunger" Walton would either win or justing the fee after the judgment, the im- lose \$100,000 or more at one track and call proved property, including the house and it an afternoon. And whether he had lot where she lived, should be allowed to won or lost the fortune on a single race her, and if there was not a sufficient por- no one could tell from his manner as he tion remaining to allow the attorneys one- wandered away from the track. fourth of the whole, they were to get the equivalent in cash.

The attorneys obtained an interlocutory judgment adjudging the property to be held by the son as trustee for their client and directing him to reconvey the property to his mother and give an accounting. Pending the accounting the client conveyed to her daughter 23,500 square feet of property, leaving a remainder of 20,700 square feet. When this deed came to the attention of the attorneys they filed their suit for partition of the entire property and to have it adjudged that the conveyance was subordinate to their rights under the retainer, on the theory that the retainer constituted a conveyance of one-fourth of the premises. At this time they had not fully performed their services under the retainer, because they had not obtained a final judgment or reconveyance to their client by her son.

The trial court found that the conveyance by the client to her daughter was leys, although the appellate division claimed went far toward bringing him mays: attor



Generation Recalls Betting Ring Incident.

It was one of the best jokes in the life of Colonel Francis Theodore Walton, "Plunger" Walton, during recent years

Colonel Walton half a dozen years after the close of his civil war military service was recorder of Philadelphia. Later he went in for Pennsylvania mining and railroad stocks. The labor riots of the late '70s in Pennsylvania wiped him out financially or almost so. Wherefore he decided to go in for racing. He had a new idea which on days would

ring him a fortune-and which perhaps the next day would take it away from him-and which in time was adopted by Pittsburg Phil, thereby calling the attenion of racing men to these two foremost of plungers. The colonel would not trust to his own judgment before a race; he relied upon jockeys who knew their

business, especially, during his paimlest The strange ins and outs of high finance as they are displayed in the narrative of the days, upon Billy Donohue, who later went to England to train Lily Langtry's horses collapse of the Carnegie Trust company of New York are detailed in an article in and now is living in France. Hampton's by Frank Parker Stockbridge.

"T'll back your horse," the commel would say to an owner, "if you put Billy Donohue up." And he admitted once Equally interesting are the life stories of some of the men concerned in that huge with at consideration, and was executed that he did offer bonuses to jockeys if failure. Of Robin, the immigrant who be coepted in fraud of the rights of the they would win, a practice which he came a powerful banker, Mr. Stockbridge

says here was no allegation of fraud upon winnings and which he defended against Deposits accumulated in Robin's Northwhich to base the conclusion. The client the argument of racing men who did western bank, where he was chairman of that the not think the practice proper the executive committee, until more than

When It Comes To a Show-Down

Which is the best ready-to-wear clothes, we are positive that our celebrated brands will find first favor. Other stores set up claims for other lines. But when ours are carefully examined and evidence put against them, their claims have never a leg to stand on-and we are always prepared to put the right suit on every man that comes in-

\$18.00 to \$40.00

Broken Lines of If You Knew

Boys' Vacation Wear

Dress him in cool wash linens and cottons. They will be a comfort to themselves and to their mothers. She especially, when she knows that the wash tub will renew the freshness and good looks of our washable suits and trousers.

Suits 95c to \$2,50. Linen, Duck and Khaki Pants, 50c, 65c, 75c and 90c. Waist and Shirt, 45c up. Underwear 25c and up.

Play Suits. Boy Scout Suits \$3.25. Cowboy Suits \$1.25. Indian Suits 95c. Base Ball Suits 95c. Rompers 45c.

\$12.50 -- \$17.50 Popular priced clothes range from \$15.00 to \$28.00 and \$30.00. More are sold at these prices than any other. Therefore the sizes on these prices are the first to be broken. We find quite a number among our big assortment, and have separated them from the others, and also separated the price to such an extent that if your size is among the different lines you can find a suit in two or three-piece styles that

Summer Suits

sold to \$20 for \$12.50-and suits that sold to \$28.00 and \$30.00 for \$17.50.

This is worth looking into, and we would advise you to see our windows.

Half as much about our Straw Hats as we do, there would be no use in our boosting them as we do. All we want is a chance to show you qualities and styles that are, as we know, away ahead of any other hat in town, and whole lot lower in price. Look over our display-it's worth while-\$1.00 to \$5.00

Building Permits.

Panamas \$3.50 to \$7.50.

Soft Collars and Wash Ties, 25¢ Suspenders Handkerchlefs,-25¢ Thin Hoslery, 15¢ Soft Collars and to 50c. Ties to match 10¢ to 50¢. to \$1.00. to 50¢. 25¢ to 50¢. Lion brand Collars, Men's Garters, 25¢ Leather Belts, 25¢ Cool Underwear,-Soft Shirts \$1.00 to \$4.25. 50¢ to \$5.00. to 50¢. to \$1.50. 2 for 25¢.

Chirteenth, alterations,

System by Which a New York Finan cier Got Away with the Money.

Berg Clothing

LESSONS IN CROOKED BANKING company and a couple of construction com-"clover patches." And this was the bepanies to carry out the project. ginning of his downfall. Down in Wall street, men who profess to know say that if he had located his rallroad anywhere else except on Long Island.

Armstrong & Walsh, 1421 Sherman he would never have got into trouble. Long Island is one of Wall street's 14,000; N. A. Woodard, 3216 Woolwo nue, frame garage, 5500; Fred Mer

ger, 2210- building,	McCarthy, 2766 Browne, frame dwelling \$2,100; Charles L. Bord, Twenty-eighth and Fort, frame dwelling, \$2,500; L. L. Young \$863 North Thirtleth, frame dwelling, \$2,000

Women The pap	are	the	best	buyers
The pap	er tl	nat i	s read	d by the
women j	pays	adv	ertis	ers Lest

'Berg

Suits Me.''



1611-27 Maple, repairs, \$5,000; Fred Men-gedoht, 1812-30 Maple, alterations and re-pairs, \$5,000; J. L. Eastman, 2400 Chicago, repairs, \$500; F. M. Le Flange, 530-24 South Thirteenth, alterations, \$2,500; Mark M.

lien of the attorneys. The trial court ex-Was error.

division opinion, says it is quite clear that ticularly Colonel Walton, whose big bets the attorneys are not entitled to a decree of a court of equity adjudging that they have a lien against the part of the premises conveyed by the client if the client's equity in the premises retained is of sufficient value to protect the attorneys' rights under the retainer. If there is any in reply. "It's the men like you who spoil ambiguity in the agreement of the re- the turf." tainer, it is to be construed most strictly against the attorneys who drew it, the court said. The attorneys contend that string, of which Girofie was the star, to is client did not have a right to make a lection of any part of the premises until they had agreed with respect to the fee to be charged, but Justice Laughlin says there is no force in this contention, and men quietly invited the colonel to quit concludes:

"The enforcement of the general agreement of retainer as herein sought by the respondent would be oppressive, and should not receive the sanction of a court of equity."-New York Sun

PRATTLE OF THE YOUNGSTERS.

"Well, little boy, did you go to the circus the other day?"

"Yes'm. Pa wanted with him."

"Mongraf" . > Bed the mother of a 4-yearold, whe dressing, "haven't you got by a nose. "Yes, mailima," answered Minnie, "all

but one."

Father-Well Johnny, how did you come out at the school examinations? Johnny-Oh, first rate. I answered all the questions

Father-How did you answer them? Johnny-I said I didn't know.

Small Edith was much interested in the solored plates in a work on physiology. "Mamma," she asked, "what makes our blood red ?" While ht. mother was searching her brain for a suitable answer. Edith continued: "Oh, I know. It's 'cause we eat strawberries."

Tommy-Our Sunday school is to have picnic next Saturday.

Dick-Good!

Tommy-Why do you say that? Are you going? Dick-Nope. But that means there'll be

a double-header at the ball park next day.

One day Charlie, aged 4, and his baby sister were playing with some small marbles when one of them disappeared and could not be found. Their mother assisted in the search and was very much alarmed, fearing the baby had swallowed it.

"Oh, well, don't worry about it, mamma," anid Charile. "We've got enough marbles without it."

Marriage Licenson The following marriage lices F. Croft, Omaha.... I. Sullivan, Omaha M. Balley, Eannas City, Mo. us Stain, Omeha

be held July 3 and 4. Horse races, base ball games, foot races and other sports are being arranged for.

The Key to the Situation-Hes Want

mother's equity was ample to satisy any Especially he liked to back the Lorillard \$3,000,000, mostly the funds of small tradesand Keene strings. From external evimen doing business in Harlem and the cluded evidence on this point on the dence Mr. Keene has not been known Bronx, were in its coffers. His Riverside ground that it was not germane to the openly to back his own horses, but Mr. bank was prosperous. People were flockissue. The higher court holds that this Lorillard did, and Lorillard, therefore, ing to put their money into his Washington was not slow to express around the pad-Savings bank and he began to look around

of more than \$250,000.

goes.

New York Sun.

tifully set in silver.

ing sprinkled with enenille dots.

Much white embroidery on black chiffor

or net is seen in the new assortments and

Mousseline de sole waists with duil silver

gold embroidery are being worn with after

Winner is to Celebrate.

WINNER, S. D., June 16 .- The residents

of Winner, the county seat of Tripp county,

are making preparations for a celebration

in honor of the opening of railroad com-

munication. The Northwestern rallroad

recently completed an extension to Win-

ner, and July 2 the first passenger and

reight train to run on a reguar schedule

will reach here, marking the opening of regular train service. The celebration will

contrasting material.

plenty of black on black.

noon suits on cool days.

Justice Laughlin, writing the appellate docks his opinion of the plungers, parfor other ways of getting the money. He got into the Fidelity Development company, a real estate concern which spolled the odds for Lorillard himself. "I'd like to bet \$10,000 on your colt," owned the old Morris Park race track, and some one recalled recently having heard soon controlled it. He acquired control of Colonel Waiton say to Mr. Lorillard at the Bankers' Realty and Surety company Saratoga one day in the S0s: To carry out his schemes he needed a title "Oh, hush-go away!" Lorillard snapped nsurance company. The Aetna Indemnity company of Hartford, which had formerly

been one of Fritz Heinze's concerns, owned The colonel was a bold better and one the Title and Guaranty company of Rochday in 1881 he set off for England wih a ester. Robin bought control of the Astna and from it purchased the Rochester con make a killing. He did. Not only with cern.

The savings bank could lend money on Girofie but with other runners he won so steadily and so great an amount that the real estate owned by the realty com the more conservative English sportspanles. The Title and Guaranty company could guarantee the mortgages to satisfy the English tracks. About the only the bank examiners, and the two commercomplaint the Englishmen had to make cial banks could lend money on the capi against him was that he was winning tal stock of any of the other companies of too much money. But before he quit he of each other. With all these institutions had backed in European classics Girofle. under his control Robin could take money Foxhall and Iroquois, American horses, out as fast as the public put it in.

and came back then through the Narrows His personal tastes were luxurious, eve as "Plunger Walton" and with a fortune oriental. He established himself in luxuri ous apartments, gorgeously furnished, in The story has been printed that the an expensive house in Gramercy park reason he left the track "for good," as Like other players in the big game, he he put it himself, was that one day while wanted a country place. He built a mag he sat calmly in an English grandstand nificent mansion at Wading River, Long with his wife the horse which he had Island. One of the important details of

backed and which in the stretch segmed "Driftwood Manor," as called his place the money was beaten in the last stride was its well-stocked wine cellar. Robin entertained house parties of kin "Well, let's be moving back to the dred spirits, men and women. The resihotel," he said to his wife so the story dents of the little village of Wading River "That nose cost me £200,000." The talk of the things that went on at these amount he lost on this last bet probably house parties. They tell stories of the has been stretched by the racing racon-

"Snow Waltz," in which, after a night of teurs who have told this and many other revelry, the dancers would whirl out stories about the colonel's bets since that through the open door and, regardless of day about twenty or more years ago. But low necks and thin slippers, would finish it is certain that he was one of the most their dance on the anow-covered verandas fearless plungers the race courses on either Other tales are of a summer sport of a side of the Atlantic ever have known .-somewhat similar nature in which the pone near the house took the place of the

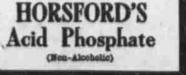
In the Paris Shops. veranda. The evening slippers of satin are finished No matter how fast the money came in Robin always needed more. There was no with French buckles of rhinestone, beauend to his schemes-and for the most part

The pekine materials, in which the stripes they were good and perfectly legitimate are broad or narrow, have taken a firm schemes. He conceived the idea, for examhold on the public fancy. ple, of running a trolley line across the An idea which is taking everyone's fancy new Queensborough bridge and through by storm is the summer muff. It may be Long Island City to Jamaica. Such a line made in anything pretty and light. would tap a large, undeveloped section of

Octagon mesh velling in clustesr of chen-Long Island and be of real public service. ille dots is seen also, also fliet mesh veil- He obtained a franchise for this line, including the only available route to Jamaica. Sailor collars in numerous variations are He organized the South Shore Railroad fashioned of lace with borders of tussah of

Physical Exhaustion

When you feel weak, tired out, and unrefreshed by sleep or when your appetite and digestion are poor, you will find its use invaluable.





Your Guests Will Relish a cold, refreshing glass of some real old German lager beer-Old Fash-

This beer is delicious-rich and mellow-because it's made in the

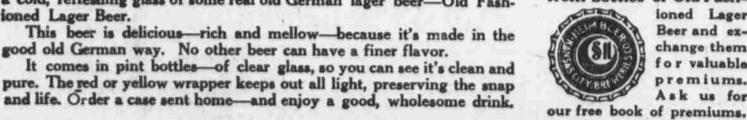
and life. Order a case sent home-and enjoy a good, wholesome drink,

good old German way. No other beer can have a finer flavor.

ioned Lager Beer.

Douglas 647

Save the Caps



from bottles of Old Fashioned Lager Beer and exchange them for valuable premiums. Ask us for



MAIL ORDERS for "Old Fashioned Lager Beer" filled the day received. Shipped Everywhere,

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