

TABLES TURNED

Harassed Borrower Finds Money-Lender Owes Him.

Has Paid \$47.80 Interest on a \$20 Loan—Penalty.

Because D. F. Mallory, a colored man employed in the federal building, borrowed \$20 three years ago and has paid \$47.80 in interest, he no longer owes the lender. Instead, the lender is indebted to the borrower to the extent of \$63.20, if Radcliffe Lee, assistant county attorney, construes the law correctly.

D. F. Mallory revealed a case of not high, but frenzied, finance to Fred Robertson, United States district attorney today. According to Mallory's story, he borrowed \$20 from W. T. Martin, another colored man in October, 1911. Mallory claims that in borrowing, although he received only \$20, he signed a note for \$30, but whether such was the case or not is of small importance.

The interesting fact revealed in this financial transaction is told by a number of canceled checks and a receipt for cash paid, and also a letter from Martin, who is now in Raton, N. M. The canceled checks show that Mallory has paid \$44.80 by check. He also has a receipt showing that he paid \$3 in cash. All told \$47.80 appears to have been paid Martin by Mallory on an original loan of only \$20.

But the letter shows that Martin thinks Mallory still owes him the original \$20, and Mallory does not deny this. That \$47.80 which Mallory has paid, all applied as interest, Martin is not satisfied. He wants Mallory to pay him \$20 yet, and has placed the matter in the hands of Topeka lawyers for collection. In Martin's letter to Mallory he tells Mallory he has not been charging him an unusually high rate of interest. "Here I can get fifteen cents a month on every dollar I loan," he writes Mallory from Raton, N. M.

"I still owe that \$20, and yet I feel like I had paid that man enough," Mallory told the United States district attorney. The case is not of a kind to be handled by Mr. Robertson, as a federal officer,

but he thinks possibly a violation of the state's usury law might be proven.

The attempt to force collection caused the worm to turn. As long as only threats were made, Mallory doled out a few dollars every little while. "I did not want to be bawled out," he explained to Mr. Robertson, "but now that the matter is in the hands of lawyers, I just as well face things."

No Criminal Penalty.

Radcliffe Lee, assistant prosecuting attorney, was told of the transaction. "There is no criminal usury law in this state," Lee said, "but the law provides a civil penalty where an excessive rate of interest has been collected. Ten per cent per annum is the most the law allows, and a penalty any sum exceeding that rate which has been paid the lender by the borrower is doubled and charged against the lender. Instead of Mallory owing Martin, Martin now owes Mallory.

"The interest on \$20 for three years at 10 per cent would be \$6. Deduct this \$6 from the \$47.80 Mallory has paid in interest. What is left, or \$41.80, is the amount illegally collected and to be doubled and charged against Martin as a penalty. This amounts to \$83.60. But Mallory still owes the original \$20 which he borrowed. After deducting this, Martin owes Mallory, instead of Mallory owing Martin. The lender in this case is indebted to the borrower in the sum of \$63.60."

Old Phrases—New Settings.

"I have thee on the hip," as Texas Sam said to the six-shooter. "I feel for you deeply, observed the diner, probing about in his stew for a stray oyster.

"This parting gives me pain," as the man said when he was having a troublesome tooth extracted.

"Why will you keep prying into other people's business?" demanded the cop as he collared the jimmy-using burglar.

"I can only offer you a light repast," said the Eskimo hostess as she handed a candle to each of her guests.

"You are setting us a bad example," as the algebra class said when the teacher wrote a hard equation on the board.

"We will pursue this subject no further," declared the head warden as the escaped lunatic they were chasing leaped off the roof.—Bristol Transcript.

HAPPY EAGLES.

Topeka Aerie No. 58 Celebrates Tenth Anniversary Thursday.

Will Take Marshall's Band to National Convention at K. C.

The national convention of the Fraternal Order of Eagles will be held in Kansas City next week, Wednesday, Thursday and Friday. While it will be of interest to Eagles all over the country, the members of Topeka Aerie No. 58 will be feeling especially jubilant, for the occasion also marks the tenth anniversary of the founding of the local Aerie.

Thursday, August 6, is to be "the big day" at the national meeting in Kansas City and the Topeka Aerie has completed arrangements to do its part and then come in the matter of a (ding to the bigness of the day). Arrangements for a special train service have been made and Marshall's Band will accompany the Topeka Eagles and head them in the big parade taking place on that day. The band will also be entered in the band contest and the Topekans hope to bring back with them a handsome cash prize for having the largest and best band in the marching line from within a radius of 100 miles.

During the ten years that Topeka Aerie has been in existence a remarkably good record has been made.

"When we started ten years ago," said S. F. Holtwick, secretary, "I had a box of crackers."

The last financial statement of the Aerie shows that \$40,345 has been collected, and \$221 disbursed in sick benefits, and \$223 in death benefits, and that there are total assets remaining of approximately \$15,000. In ten years the membership has grown from 29 to 503.

The Eagles seem to be a healthy body of men. There has not been a death in the Aerie in nearly six months, and there have been only nineteen deaths since the establishing of the local order.

Beginning with a cracker box, the Aerie now owns a comfortable clubhouse and lodge room between Sixth and Seventh streets on Van Buren

street, having purchased and remodeled the old Collins property.

The charter members of Topeka Aerie No. 58 are J. S. Dodsworth, William Jewell, George Rausa, John Courtwright, F. H. Chamberlain, Archie J. Kellum, O. E. Kennedy, Charles Quinche, R. H. Semple, T. W. Hall, George Burghart, Robert Garrard, H. H. Keith, L. M. Fenwell, L. Strouse, C. E. Fry, E. F. Holtwick, F. G. Marshall, J. E. Keeney, S. G. Nelson, C. Redding, J. A. McCabe, J. W. Neale, S. Freidberg, H. R. Cook, J. M. Cook, Henry Kanode, Arthur Hodgins, H. O. Bidden, W. D. Bishop, W. M. Monahan, Theo. Schreiber, J. E. Maxwell, Theo. Spattinger, William F. Boettcher, Dr. L. S. Chamberlain, B. R. Campbell, and T. D. Milligan.

OAKLAND NOTES.

(Items for this column may be phoned to 2915 or the State Journal office.)

At the last meeting of the council board which was held Saturday, July 25, at the court house the levy for road improvements was reduced one mill for Topeka township. The last reduction reduces the levy from 2 mills to 1 1/2, making the reduction of one year three-fourths mill, and the roads today are in better shape than they have ever been.

The W. A. Oliver family have moved from 201 Arter avenue to Perry. Mr. and Mrs. Russell Van Duzer moved today from East Topeka to the Oliver home.

Mrs. Armbre Willis, of Kenwood addition, is spending a few days with her parents, Mr. and Mrs. T. J. Nichols, of Arter avenue.

The missionary society of the Oakland Christian church will give a picnic supper on the church lawn next Friday.

Mrs. M. E. Lewis and daughter, of Salina, are the guests this week at the J. A. Hally home, 309 Oakland avenue.

Mr. and Mrs. O. R. Peak and two sons, of Kansas City, are visiting for a short time with Mrs. Peak's parents, Mr. and Mrs. J. H. Huey, of Chester avenue, and other relatives and friends.

Miss Hazel Stewart will entertain the members of the G. T. club next Tuesday evening at her home on Norton street.

Mrs. Matilda Miller, of Topeka, has purchased the property at 476 Green street, where she will move within a short time. Mrs. Miller formerly lived in Oakland, where she is well known.

The Oakland W. C. T. U. will have its regular business meeting and annual election of officers next Tuesday at the home of Mrs. W. F. Eastman, 256 Wabash avenue. The meeting will be followed by a picnic supper on the lawn for the members and their families.

Miss Ruth Stackelbeck has returned from Leavenworth, where she spent the past six weeks with relatives and friends.

The Loyal Women's class of the Oakland Christian church will have a picnic supper next Tuesday for the members and their families at Gage park.

Mr. and Mrs. Walter Hamill, of Forest avenue, are spending the weekend at the Thos. McCoombs home southwest of town.

Mr. James Huey, of Bellevue, Kan., enroute to Horton, where he will visit relatives and friends a short time, was the guest Friday of his cousin, J. G. Huey and family.

Miss Bernice Bealm, of Corydon, Iowa, is the guest of Miss Agnes Ray for a few days.

The Oakland Forestry club held its annual picnic for the members and their families last night at Gage Park. About forty people attended, among them Mrs. W. A. Johnston and Mrs. F. G. W. Travis, two of the honorary members. The next regular meeting of the club will be held August 23 with Miss Augusta Waiter on Arter avenue.

Miss Goldie Wilson, of Silver Lake, is spending a few days with her grandparents, Mr. and Mrs. A. J. Folk, 245 Michigan avenue.

The fourth anniversary of the organization of the Oakland I. O. O. F. lodge will be celebrated Wednesday night, August 12 at the new hall. All members and their families are cordially invited to attend. A literary program will be given and the ladies will serve.

Mr. and Mrs. A. J. Folk, of Michigan avenue, will go to Silver Lake tonight to spend Sunday with their daughter, Mrs. O. Wilson and family.

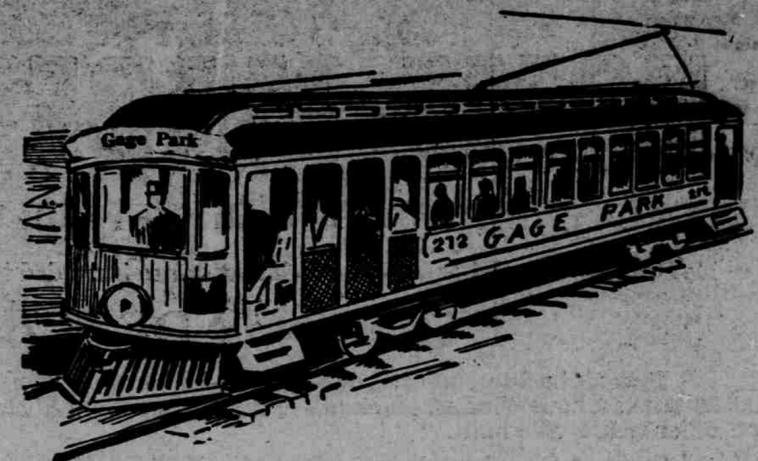
The ladies of the Oakland Christian church will serve dinner Tuesday, election day, at the church.

Card of Thanks.

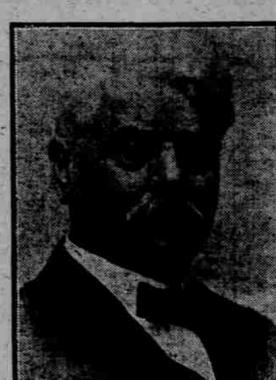
We wish to express our sincere thanks to all our friends as well as all members of the K. & L. of S., American Federation of Musicians, and K. & L. of S. band, during the death of our beloved brother and son, Tracy.

MRS. E. J. NININGER,
MR. JIM NININGER,
MR. ANDREW NININGER,
MR. ORA NININGER,
MRS. JOE BARGEE,
MRS. HERB TAYLOR,
MRS. JACK CUSTER,
MRS. HARRY McNAIR,
MRS. CLAUDE DOUGHERTY.

Adv.]



This car will take you to Gage Park, the coolest spot in Topeka. Take your picnic lunch with you and enjoy a swim in the lake, now that city water has been turned on.



Clark A. Smith
Cawker City
District Judge Eight Years (Fifteenth District),
Justice of the Supreme Court Ten Years,
Is a Candidate for Re-election

Please do not confuse the name of another candidate, Chas. W. Smith, for same office.

Advertisement.

VOTE FOR



Paul H. Heinz
Republican Candidate
FOR
Judge of the Court of Topeka

I Will Appreciate Your Support. **PAUL H. HEINZ.**

Advertisement.

Everybody Read the State Journal

New Bell Directory

The Missouri and Kansas Telephone Company will go to press with their next directory **August 10th**

Those desiring a listing in the new book should make the necessary arrangements at once.

Office 812 Jackson St. Telephone, No. 33

The Missouri and Kansas Telephone Company




J. E. Brewer
Abilene
Former State Senator from Dickinson County
Candidate for Republican nomination for **Lieutenant Governor**

A successful business man.
A friend of Topeka and her interests.

Make your after the second name on the ballot in Shawnee county.

He will appreciate your support Aug. 4th.

(Advertisement.)



Roland Medlicott
Candidate for **Register of Deeds**

Fifteen years' clerical experience; needs the job; can and will do the work; will make a courteous and industrious officer; never held a public office.

Will consider your vote and support an honor.

(Advertisement.)