

STARS TAKEN OFF

Policemen Church, Roberts and Caffee Suspended.

FOR PART IN ALBERS CLUBBING

Hearing by Commissioners to Determine Guilt is Postponed Until Tonight—Popular Indignation is Still at Height.

Police Sergeant O. P. Church, City Jailer James H. Roberts and Patrolman Edward T. Caffee, who took part in the fight with Henry C. Albers, were suspended from duty yesterday by Chief of Police McLaughlin. The order of suspension will remain in effect until an investigation into the matter is made and the blame fixed by the Board of Police Commissioners. Chief McLaughlin has nothing to say about his action further than that the three men have been relieved from duty.

Inquiry into the conduct of the policemen who beat Henry Albers into insensibility was to have been held by the Police Commissioners last night, but it was postponed until tonight in order to permit the attendance of Frank Albers, who witnessed and took part in the fight between his brother and the civilian-clothed Officer Church. It is doubtful if any of the Albers will appear at the investigation. Some of their friends say they have nothing to gain by submitting their case to a tribunal which is more likely to sustain the actions of the men who beat him than to grant justice to persons whom those men maltreat.

One Commissioner Shows Up. The inquiry was to have been begun at 8 o'clock. At that hour the only Commissioner present was Chairman D. S. Cohen. Chief of Police McLaughlin was dropped in a few minutes later. Commissioner George W. Bates was out of town, and Commissioner C. N. Rankin, who introduced Church's action just after the trouble Sunday, was unable to be present. About 8:30 o'clock Dr. J. A. Semler, editor, and Albert Kern, proprietor, of the German paper Nachrichten, entered the rooms of the board and were closely followed by Bernard and George Albers and Matt Foeller. Chairman Cohen advanced and shook hands with Bernard Albers, and asked him if he was ready to proceed with the investigation. Mr. Albers answered that he was not; that his brother Henry was still confined in the hospital and suffering from the effects of the clubbing he received; that no statement could be obtained from his yet; that his brother Frank, who witnessed the fight, could not be present, and that he himself was not prepared to make a statement. He asked the inquiry be postponed, and Mr. Cohen, who is the diplomat of the board, readily granted the request.

In further conversation Mr. Cohen said the board could not proceed with the investigation until evidence supporting the charges was offered. Mr. Albers could write out his statement and present it to the board if he wished, but he was not to occupy more than one evening, and hearings could be held in the afternoon if desired. Mr. Cohen said in a conciliatory way that the three officers alleged to have done the clubbing had been suspended. He also said the Commissioners wished to get to the bottom of the matter and to fix the blame, and to ascertain whether the officers had overstepped their authority or not.

Mr. Albers and Mr. Foeller both said they were not ready to proceed with the inquiry, on account of the condition of Henry Albers and the absence of Frank Albers. Mr. Cohen again said the inquiry would be continued until tonight, and the party withdrew. At this meeting Commissioner Rankin is expected to be present.

Popular Indignation High. The popular heat from the assault on Henry Albers had not subsided yesterday. The clubbing affair was the ruling topic of conversation in the business streets. The German-Americans of the city were especially indignant. One declared that he was willing to circulate a petition for the removal of the officers who did the beating. He said that the German-American vote would be a large one at the next election, and that it would be in one direction.

George W. Simpson, a front-street merchant, scouted the assertion that Henry Albers was drunk. "Nobody ever saw Mr. Albers drunk," said he. "I have known him well for the past six or seven years, and I never saw him intoxicated. He is a good, upright citizen, and his treatment from the police is outrageous. I have done business with him to the extent of \$25,000 or \$30,000 per year, and I know him to be thoroughly honorable and law-abiding. He did not know Church was an officer, and he did not know that he was being beaten by a police officer. Would the police dare to force any of the leading citizens into the patrol wagon?"

Case May Go Before Courts. The Albers brothers were averse to talking yesterday. They said, however, that they would pursue the matter to a conclusion that would not be pleasing to the offending police. It is understood that they have already secured counsel and are preparing to enter the courts. It is not known whether the case will be the object of their attack, or whether the city will have to defend itself for the action of its servants.

"Church Wore No Star," Says Spectator. George Houghton said yesterday that Officer Church had no star. "I passed within three feet of him several times before the dispute, and Church did not display a star. His overcoat was closely buttoned up under his chin. After the fracas, he put his star on the outside of his coat."

Death of Rev. F. E. Judd. A venerable Episcopal clergyman passes away.

Rev. Dr. Francis E. Judd, a well-known clergyman of the Protestant Episcopal Church, who lived at 34 Tillamook street, died yesterday morning at the Good Samaritan Hospital, from the result of kidney trouble. The funeral service will take place at Trinity Episcopal Church tomorrow afternoon at 3 o'clock. Dr. Judd was born at Stratford, Canada, 72 years and 10 months ago, and at an early age he entered the ministry of the Protestant Episcopal Church. When a young man he moved to Iowa, where most of his life was spent, except when he attended college at Burlington, Vt. In Iowa he was rector of churches at Mount Pleasant, Dubuque, Davenport, City, Brooklyn, Marshalltown and March, Ia.

all these places he was esteemed for his ability and fidelity to his clerical duties. He had a long and successful career as rector. His health failing, Dr. Judd came to Portland three years ago. For the past two years he had been chaplain at the Bishop Scott Academy, and during the absence of Rev. Dr. A. McFadden in Europe Dr. Judd officiated in Trinity Church. He also has conducted services in all the Episcopal churches of Portland, but has not taken regular service since his health would not permit it. Since he has been in Portland Dr. Judd had made many warm friends. He strikingly venerable appearance and uniformly courteous manner always commanded attention wherever he went. For the past two weeks he had been in the Good Samaritan Hospital. A wife and six children survive him. The children were: Mrs. D. P. Wood, Portland; Mrs. W. F. Cushman, Northfield, Vt.; Mrs. Allen Judd, Des Moines, Ia.; Mrs. F. H. Gaynor, Le Mars, Ia.; Mrs. F. H. Boucher, Marshalltown, Ia.; H. E. Judd, Evanston, Ill. His wife is quite aged, lives in Marshalltown, Ia.

WANT NO RAILROAD WAR.

Business Men of King County Opposed to McBride's Keel. The business men of King County are not giving Governor McBride's attitude against the railroads serious attention. It is clatter, designed for effect, and is not entitled to any considerable notice," said E. C. Neufelder, of Seattle, at the hotel yesterday. Mr. Neufelder is prominent as a banker and capitalist, and is generally credited with being the Seattle representative of Levi Ankeny, the millionaire banker of Walla Walla, who will be a candidate before the next Legislature for election to the United States Senate. He has been prominent in the Republican party in Washington for several years, and is one of the leaders in Seattle. "It is doubtful if Governor McBride can make the Republican party of Washington adopt as its principles and declarations his extreme views antagonistic to the railroads," continued Neufelder. "Features of his declared policy will not be approved by the business men of Seattle. Particularly dangerous will be the proposed creation of a Railroad Commission, to which will be intrusted the control of railroad rates within the state, and other regulations to be applied to transportation lines. It would result in placing unlimited power in the hands of two or three politicians, and it is a serious question whether or not capable men would always be in office."

"I am in favor of a bill being introduced into law, and I believe others who will oppose the Railroad Commission will be lowered, as has been the case in the East, where the carrying capacity of the railroads is many times larger than the lines in Washington."

"At this time to get think Governor McBride's anti-railroad policy has any distinct bearing on the coming Senatorial fight. It is generally believed that the Governor will do everything in his power to accomplish the election of Harney to the United States Senate. John L. Wilson will probably be a candidate, and I have not heard that Mr. Ankeny has abandoned his ambition for the honor. In the course of the month or so the Legislature will have developed more definitely. An expression of the King County voters will be had at the primaries preceding the nomination of a Legislative ticket, and ex-Senator Wilson, Mr. the approval of the opposing forces, from present indications, in Seattle and King County. Personally I am in favor of letting Eastern business men and the State and State Senatorship and Seattle the Congressman who has been added to our representation in Congress."

"MR. FERGUSON OF TROY,"

Clever Comedy Well Presented by Amateur Theatricals.

Seldom has a Portland audience witnessed a more clever amateur performance than "Mr. Ferguson of Troy," a farce-comedy, in three acts, that was presented at the Cathedral of the Holy Hall last evening by some of this city's most popular and accomplished young men and women. The play abounded in earthy-provoking situations, and the approval of the large and interested audience was continually attested by generous applause. Frank Hennessy was perfectly at home as Mr. Ferguson, a sportsman from Troy, and contributed largely to the evening's fun. Charley Marshall, a young man in love, was portrayed by Fred W. Jones in such a realistic manner that no one could doubt the genuineness of his love. He did ample justice to the character of Lionel Fairchild, a poetical crank. Miss Alice Juston, as Ellen Hawley, the elder's wife, displayed dramatic talent of a high order. She had as much ease and self-possession as one with years of experience. Her work was greatly appreciated. As Miss Juston's love, George W. O'Farrell did ample justice to the character of Mike Murphy, one of the finest; and Mrs. P. Bacon was a dignified and gracious Belinda Ferguson.

RUSH TO PAY TAXES.

Already \$85,000 Has Been Received on 1901 Roll.

Taxes on the 1901 roll are coming in fast. The books were opened on February 17, and \$85,000 has thus far been taken in. The collections yesterday amounted to \$20,000. The large taxpayers are all anxious to save the 2 per cent rate that will be allowed by law on all taxes paid on or before March 15. They have nearly all filed applications for state-ments of the amount of their taxes. There have been so many requests for statements that Sheriff Frazier has a force of clerks at work all night making them out. Clerks were kept on at first only until midnight, but the applications for statements were so numerous that the men had to be put on, and the work continued all through the night, in order to get them out of the way.

The heavy accumulations rapidly after having received their statements. Personal taxes will be delinquent on the first Monday in April, and after that date the penalty will be 10 per cent will be added, and the Sheriff will levy on goods to enforce payment. The Sheriff says that personal taxes are coming in slow, and if business men and others want to save such taxes do not wait up until they find that instead of saving 2 per cent they will be out 10 per cent.

SMITH'S DANDRUFF POMADE

Positively cures dandruff, itching scalp, eczema, and stops falling hair. Price, 50c. at all druggists. Sample free. Address Smith Bros., Fresno, Cal.

BUSINESS ITEMS.

If Baby is Crying. There is a sure and sure old and well-known remedy. Mrs. Winslow's Soothing Syrup, for children, cures colic, soothes the stomach, allays pain, cures wind colic and diarrhoea. Are unlike all other pills. No purging or pain. Act specially on the liver and bile. Carter's Little Liver Pills. One pill a dose.

TO STAY AT VANCOUVER

NO CHANGE IN HEADQUARTERS OF DEPARTMENT OF COLUMBIA.

Chamber of Commerce is Reassured on This Point—Fireboat and Advertising Plans Discussed.

The Army headquarters of the Department of the Columbia will stay at Vancouver. Authentic information to this effect was read at yesterday's meeting of the trustees of the Chamber of Commerce. The trustees authorized the president to appoint a committee to investigate the advisability of a fireboat. The advertising committee submitted a plan for issuing literature for immigration purposes. Members of the board present were: S. M. Meers, Adolph Wolfe, W. J. Burns, L. A. Lewis, F. M. Warren,

POLICE-SERGEANT O. P. CHURCH.



SUSPENDED BY POLICE COMMISSIONERS ON ACCOUNT OF ALBERS CLUBBING.

W. S. Sibson, W. B. Ayer and Lewis Russell. Last week, on receipt of the rumor that the Army headquarters would be moved from Vancouver, telegrams were laid out for the Chamber of Commerce and to C. E. S. Wood and General Beebe, to exert every effort for an open river. Washington. All the responses received say that there is no prospect of a change and that removal of the headquarters has not even been considered by the department. General Beebe called today on General Root. All have heard nothing about the proposed change, and he will do all he can to prevent it. He says the subject has not even been mentioned in considerations of the board on Army post. The rumor is unnecessarily alarmed. There does not seem to be any well-directed movement for the removal of the headquarters.

The Lewiston Commercial Club announced by letter that it had appointed Charles F. Adams, of Boston, to represent Idaho in the delegation of citizens that will soon go to Washington in the interest of the open river, and the Dalles-Celilo appropriation. The letter suggested that Levi Ankeny, of Walla Walla, represent the State of Washington. It was held on the table to await further needed information.

Henry Hahn, formerly president of the Portland Chamber of Commerce, in a communication urged that the trustees of the open river, especially east of the mouth of the river, be given the right to select a committee to take charge of and see that a proper distribution is made of the funds appropriated by the legislature for the Second Oregon Regiment and Batteries A and B towards the carrying out of the project for the erection of a suitable monument at Riverview cemetery.

General O. Summers, Portland. Colonel George O. Yoran, Eugene. Major C. U. Gantenben, Portland. Captain R. S. Gilbert, Portland. Captain R. S. Greenleaf, Battery A, Portland. Captain W. J. Riley, Battery A, Portland. Sergeant Richard Deich, Company A, Portland. Private E. L. Stowe, Company B, Portland. Sergeant Chris C. Kauffman, Company C, Portland. Corporal Charles Proebert, Company D, Portland. Captain R. E. Davis, Company E, Portland. Lieutenant F. N. Dunbar, Company E, Portland. Corporal George H. Wigg, Company F, Portland. Captain Alford P. Hayes, Company G, Portland. Private Frank Freeman, Company H, Portland. Lieutenant George W. Martin, Company I, Oregon City. Lieutenant Charles A. Murphy, Company K, Salem. Private William H. Wells, Company L, Portland. Sergeant Willis A. Platta, Company M, Portland.

THE AEOLIAN RECITAL.

The programme at tonight's recital at Aeolian Hall will be made up from requests that have been sent in for various selections. Seats are free. All are welcome. Doors open at 8:15; recital promptly at 8:30. Programme: Piano organ, "Grand Overture de Cecilia No. 2." Mr. Elwell. Piano, "Pilgrims' Chorus" (from Tannhauser). Mr. Elwell. Aeolian orchestra, "Cavalleria Rusticana (intermezzo)." Mascagni. Piano, "Pavane." Mr. Elwell. Aeolian orchestra, "Faust" (Fantasia Brillante). Mr. Elwell. Piano, "La Polka de la Reine." Op. 26. Raff. Piano organ, "Light Cavalry." Suppe. Mr. Bruce.

For Brucine—Use Salva-cera. It is never possible to tell just where the result of the poisoned nerve centers will show forth. There is but one sure way to cure such cases, and that is to instill upon leaving off coffee and using Postum in its place. Postum is the element for rebuilding the nerve cells and brain. Albumen is furnished in a variety of foods, but albumen cannot be obtained by patients when they leave off coffee and take Postum. It must also be added that the poison of the coffee does not affect the heart in the stomach and bowels with one, perhaps in the eyes with another, and kidneys with another, and general nervous prostration with another.

The doctor further refers to the widespread prevalence of heart trouble from the use of coffee and tobacco, and speaks of the advantage gained by patients when they leave off coffee and take Postum. It must also be added that the poison of the coffee does not affect the heart in the stomach and bowels with one, perhaps in the eyes with another, and kidneys with another, and general nervous prostration with another. The doctor further refers to the widespread prevalence of heart trouble from the use of coffee and tobacco, and speaks of the advantage gained by patients when they leave off coffee and take Postum. It must also be added that the poison of the coffee does not affect the heart in the stomach and bowels with one, perhaps in the eyes with another, and kidneys with another, and general nervous prostration with another. The doctor further refers to the widespread prevalence of heart trouble from the use of coffee and tobacco, and speaks of the advantage gained by patients when they leave off coffee and take Postum. It must also be added that the poison of the coffee does not affect the heart in the stomach and bowels with one, perhaps in the eyes with another, and kidneys with another, and general nervous prostration with another.

LAWYERS HAVE OF CHOICE

MUST TRY CASE IN ANY DEPARTMENT COURT ORDERS.

Practice of Allowing Attorneys Right to Place Their Cases Discontinued by Fraser.

Lawyers are not to be allowed to try by particular department of the State Circuit Court. Judge Fraser yesterday made the following announcement in reference thereto: This court does not recognize the right of attorneys to ask that any certain case be tried or not tried before any one of the Judges of this court, and requests of such nature will not be considered by the court.

Judge Fraser, as presiding Judge, will assign cases for trial as he sees fit. Before the present rules governing the courts were adopted, Judge Cleveland tried the equity cases. Judge George tried the criminal cases, and the law actions were divided between Judges Fraser and Sears. The law actions were distributed between these two Judges by the Clerk of the Court according to the order in which they were filed, every other one to each Judge. Some attorneys prefer to try a case before one Judge rather than another, but the Judges have decided that preference shall not be considered. The purpose is to keep the courts perfectly free from any thoughts of partisanship or favor of any kind.

PUT OFF AT WRONG STATION.

That is Why Mrs. Atkinson is Suing Railroad Company.

Mrs. M. Atkinson yesterday filed suit in the State Circuit Court against the Northern Pacific Railway Company for \$200 damages. The complaint on which the suit is based is a strange one. It sets forth that Mrs. Atkinson, January 2, 1902, boarded a train of the defendant at Portland, to be conveyed to Houston, and that when the train reached Holbrook Station the conductor ordered her to get off, which she did, thinking she had arrived at Houston. It is alleged that on ascertaining she was at the wrong place Mrs. Atkinson walked to a landing on the Columbia River and took a boat and returned to Portland. The weather, it is stated, was cold and inclement, and by reason of the exposure it is charged that the plaintiff became sick and expended \$200 for medical services.

DEED IN DISPUTE.

Suit to Clear Up Matter—Divorce Case Left Unsettled.

Dorothy Wetmore has commenced suit in the State Circuit Court against her husband, Ward C. Wetmore, to compel him to execute a deed to her covering lots 4 and 5 and Portland Homestead, which she alleges he holds in trust for her benefit. Mrs. Wetmore avers that in 1880 her husband gave her a lot in double block Q, Portland, which she afterwards sold, and subsequently reinvested. As a result of numerous investments Mrs. Wetmore asserts that she became possessed of lot 1, block 28, Portland, which she sold in 1890, with improvements, to Herbert Bradley, for \$3000. She alleges that she entrusted the proceeds to Wetmore, and he purchased the Portland Homestead lots in his own name and refused to transfer them to her.

A divorce suit filed by Wetmore against his wife two years ago is still pending. It has been to the Supreme Court and back. The court recently decided that the property dispute could not be tried out in the divorce proceeding.

Damages Suit Dismissed. The \$1000 damages suit of John Moore against John A. Brown and James Watts, partners as Brown & McCabe, was dismissed by Judge Fraser yesterday, on motion of John F. Watts, plaintiff's attorney. It is stated that the case was settled by the payment of \$200. Moore was employed by the defendants as a stevedore, and his skill was fractured December 25, 1901, while he was assisting in loading the steamship Knight Companion. He was struck on the head by a hatch.

Articles of Incorporation. Articles of incorporation of the Diamond Land Company were filed in the County Clerk's office yesterday by Charles E. Rumelin, Mark M. A. Ashley and Roscoe G. Ashley. Capital stock, \$100.

Decision Today.

Judge Fraser will announce a decision.

AUTHOR AND PHYSICIAN

Writes Interesting Tale.

The author of "Under Palmetto and Pine," "Norma Trial," "Four Years on 'Olema," etc., Dr. J. W. Carhart, of La Grange, Tex., in addition to his literary efforts is a hard working physician in general practice. He writes interestingly of how his freedom from heart trouble was gained by leaving off coffee and using Postum in its place. "I drank coffee in the ordinary form for many years; nervous trouble involving disturbance of the heart's action resulted. On coming to Texas I fell into the habit of drinking coffee after hard, cold rides in my practice or when in camp or on the trail. My heart trouble soon became exceedingly aggravating, resulting in frequent attacks of what was pronounced angina pectoris, a severe agonizing pain over the heart, extending to the back, and sometimes down the left arm."

"In some of these attacks but for the timely administration of morphine injected hypodermically, I could have survived but a short time. At different times I abandoned the use of coffee, believing it the cause of my troubles, and invariably improved. I had nothing to suggest to me to take its place in the way of a beverage I returned to its use."

"The literature of Postum Cereal Coffee is so full of my notices, and I resolved to try it. The directions for preparation were strictly followed, and I found it an agreeable, appetizing, invigorating table beverage. I continued its use in my family for the past year and a half or two years, during which time I have never had an attack of my old heart trouble, am capable now at the age of 61 years, and do as much professional and literary work as at any period of my life. I can endure physical exercise without weariness, but with rest and relief, and have gained in weight from 134 pounds to 186 pounds."

THE AEOLIAN RECITAL.

The programme at tonight's recital at Aeolian Hall will be made up from requests that have been sent in for various selections. Seats are free. All are welcome. Doors open at 8:15; recital promptly at 8:30. Programme: Piano organ, "Grand Overture de Cecilia No. 2." Mr. Elwell. Piano, "Pilgrims' Chorus" (from Tannhauser). Mr. Elwell. Aeolian orchestra, "Cavalleria Rusticana (intermezzo)." Mascagni. Piano, "Pavane." Mr. Elwell. Aeolian orchestra, "Faust" (Fantasia Brillante). Mr. Elwell. Piano, "La Polka de la Reine." Op. 26. Raff. Piano organ, "Light Cavalry." Suppe. Mr. Bruce.

For Brucine—Use Salva-cera.

It is never possible to tell just where the result of the poisoned nerve centers will show forth. There is but one sure way to cure such cases, and that is to instill upon leaving off coffee and using Postum in its place. Postum is the element for rebuilding the nerve cells and brain. Albumen is furnished in a variety of foods, but albumen cannot be obtained by patients when they leave off coffee and take Postum. It must also be added that the poison of the coffee does not affect the heart in the stomach and bowels with one, perhaps in the eyes with another, and kidneys with another, and general nervous prostration with another.

LAWYERS HAVE OF CHOICE

MUST TRY CASE IN ANY DEPARTMENT COURT ORDERS.

Practice of Allowing Attorneys Right to Place Their Cases Discontinued by Fraser.

Lawyers are not to be allowed to try by particular department of the State Circuit Court. Judge Fraser yesterday made the following announcement in reference thereto: This court does not recognize the right of attorneys to ask that any certain case be tried or not tried before any one of the Judges of this court, and requests of such nature will not be considered by the court.

Judge Fraser, as presiding Judge, will assign cases for trial as he sees fit. Before the present rules governing the courts were adopted, Judge Cleveland tried the equity cases. Judge George tried the criminal cases, and the law actions were divided between Judges Fraser and Sears. The law actions were distributed between these two Judges by the Clerk of the Court according to the order in which they were filed, every other one to each Judge. Some attorneys prefer to try a case before one Judge rather than another, but the Judges have decided that preference shall not be considered. The purpose is to keep the courts perfectly free from any thoughts of partisanship or favor of any kind.

PUT OFF AT WRONG STATION.

That is Why Mrs. Atkinson is Suing Railroad Company.

Mrs. M. Atkinson yesterday filed suit in the State Circuit Court against the Northern Pacific Railway Company for \$200 damages. The complaint on which the suit is based is a strange one. It sets forth that Mrs. Atkinson, January 2, 1902, boarded a train of the defendant at Portland, to be conveyed to Houston, and that when the train reached Holbrook Station the conductor ordered her to get off, which she did, thinking she had arrived at Houston. It is alleged that on ascertaining she was at the wrong place Mrs. Atkinson walked to a landing on the Columbia River and took a boat and returned to Portland. The weather, it is stated, was cold and inclement, and by reason of the exposure it is charged that the plaintiff became sick and expended \$200 for medical services.

DEED IN DISPUTE.

Suit to Clear Up Matter—Divorce Case Left Unsettled.

Dorothy Wetmore has commenced suit in the State Circuit Court against her husband, Ward C. Wetmore, to compel him to execute a deed to her covering lots 4 and 5 and Portland Homestead, which she alleges he holds in trust for her benefit. Mrs. Wetmore avers that in 1880 her husband gave her a lot in double block Q, Portland, which she afterwards sold, and subsequently reinvested. As a result of numerous investments Mrs. Wetmore asserts that she became possessed of lot 1, block 28, Portland, which she sold in 1890, with improvements, to Herbert Bradley, for \$3000. She alleges that she entrusted the proceeds to Wetmore, and he purchased the Portland Homestead lots in his own name and refused to transfer them to her.

A divorce suit filed by Wetmore against his wife two years ago is still pending. It has been to the Supreme Court and back. The court recently decided that the property dispute could not be tried out in the divorce proceeding.

Damages Suit Dismissed. The \$1000 damages suit of John Moore against John A. Brown and James Watts, partners as Brown & McCabe, was dismissed by Judge Fraser yesterday, on motion of John F. Watts, plaintiff's attorney. It is stated that the case was settled by the payment of \$200. Moore was employed by the defendants as a stevedore, and his skill was fractured December 25, 1901, while he was assisting in loading the steamship Knight Companion. He was struck on the head by a hatch.

Articles of Incorporation. Articles of incorporation of the Diamond Land Company were filed in the County Clerk's office yesterday by Charles E. Rumelin, Mark M. A. Ashley and Roscoe G. Ashley. Capital stock, \$100.

Decision Today.

Judge Fraser will announce a decision.

AUTHOR AND PHYSICIAN

Writes Interesting Tale.

The author of "Under Palmetto and Pine," "Norma Trial," "Four Years on 'Olema," etc., Dr. J. W. Carhart, of La Grange, Tex., in addition to his literary efforts is a hard working physician in general practice. He writes interestingly of how his freedom from heart trouble was gained by leaving off coffee and using Postum in its place. "I drank coffee in the ordinary form for many years; nervous trouble involving disturbance of the heart's action resulted. On coming to Texas I fell into the habit of drinking coffee after hard, cold rides in my practice or when in camp or on the trail. My heart trouble soon became exceedingly aggravating, resulting in frequent attacks of what was pronounced angina pectoris, a severe agonizing pain over the heart, extending to the back, and sometimes down the left arm."

"In some of these attacks but for the timely administration of morphine injected hypodermically, I could have survived but a short time. At different times I abandoned the use of coffee, believing it the cause of my troubles, and invariably improved. I had nothing to suggest to me to take its place in the way of a beverage I returned to its use."

"The literature of Postum Cereal Coffee is so full of my notices, and I resolved to try it. The directions for preparation were strictly followed, and I found it an agreeable, appetizing, invigorating table beverage. I continued its use in my family for the past year and a half or two years, during which time I have never had an attack of my old heart trouble, am capable now at the age of 61 years, and do as much professional and literary work as at any period of my life. I can endure physical exercise without weariness, but with rest and relief, and have gained in weight from 134 pounds to 186 pounds."

THE AEOLIAN RECITAL.

The programme at tonight's recital at Aeolian Hall will be made up from requests that have been sent in for various selections. Seats are free. All are welcome. Doors open at 8:15; recital promptly at 8:30. Programme: Piano organ, "Grand Overture de Cecilia No. 2." Mr. Elwell. Piano, "Pilgrims' Chorus" (from Tannhauser). Mr. Elwell. Aeolian orchestra, "Cavalleria Rusticana (intermezzo)." Mascagni. Piano, "Pavane." Mr. Elwell. Aeolian orchestra, "Faust" (Fantasia Brillante). Mr. Elwell. Piano, "La Polka de la Reine." Op. 26. Raff. Piano organ, "Light Cavalry." Suppe. Mr. Bruce.

For Brucine—Use Salva-cera.

It is never possible to tell just where the result of the poisoned nerve centers will show forth. There is but one sure way to cure such cases, and that is to instill upon leaving off coffee and using Postum in its place. Postum is the element for rebuilding the nerve cells and brain. Albumen is furnished in a variety of foods, but albumen cannot be obtained by patients when they leave off coffee and take Postum. It must also be added that the poison of the coffee does not affect the heart in the stomach and bowels with one, perhaps in the eyes with another, and kidneys with another, and general nervous prostration with another.

LAWYERS HAVE OF CHOICE

MUST TRY CASE IN ANY DEPARTMENT COURT ORDERS.

Practice of Allowing Attorneys Right to Place Their Cases Discontinued by Fraser.

Lawyers are not to be allowed to try by particular department of the State Circuit Court. Judge Fraser yesterday made the following announcement in reference thereto: This court does not recognize the right of attorneys to ask that any certain case be tried or not tried before any one of the Judges of this court, and requests of such nature will not be considered by the court.

Judge Fraser, as presiding Judge, will assign cases for trial as he sees fit. Before the present rules governing the courts were adopted, Judge Cleveland tried the equity cases. Judge George tried the criminal cases, and the law actions were divided between Judges Fraser and Sears. The law actions were distributed between these two Judges by the Clerk of the Court according to the order in which they were filed, every other one to each Judge. Some attorneys prefer to try a case before one Judge rather than another, but the Judges have decided that preference shall not be considered. The purpose is to keep the courts perfectly free from any thoughts of partisanship or favor of any kind.

PUT OFF AT WRONG STATION.

That is Why Mrs. Atkinson is Suing Railroad Company.

Mrs. M. Atkinson yesterday filed suit in the State Circuit Court against the Northern Pacific Railway Company for \$200 damages. The complaint on which the suit is based is a strange one. It sets forth that Mrs. Atkinson, January 2, 1902, boarded a train of the defendant at Portland, to be conveyed to Houston, and that when the train reached Holbrook Station the conductor ordered her to get off, which she did, thinking she had arrived at Houston. It is alleged that on ascertaining she was at the wrong place Mrs. Atkinson walked to a landing on the Columbia River and took a boat and returned to Portland. The weather, it is stated, was cold and inclement, and by reason of the exposure it is charged that the plaintiff became sick and expended \$200 for medical services.

DEED IN DISPUTE.

Suit to Clear Up Matter—Divorce Case Left Unsettled.

Dorothy Wetmore has commenced suit in the State Circuit Court against her husband, Ward C. Wetmore, to compel him to execute a deed to her covering lots 4 and 5 and Portland Homestead, which she alleges he holds in trust for her benefit. Mrs. Wetmore avers that in 1880 her husband gave her a lot in double block Q, Portland, which she afterwards sold, and subsequently reinvested. As a result of numerous investments Mrs. Wetmore asserts that she became possessed of lot 1, block 28, Portland, which she sold in 1890, with improvements, to Herbert Bradley, for \$3000. She alleges that she entrusted the proceeds to Wetmore, and he purchased the Portland Homestead lots in his own name and refused to transfer them to her.

A divorce suit filed by Wetmore against his wife two years ago is still pending. It has been to the Supreme Court and back. The court recently decided that the property dispute could not be tried out in the divorce proceeding.

Damages Suit Dismissed. The \$1000 damages suit of John Moore against John A. Brown and James Watts, partners as Brown & McCabe, was dismissed by Judge Fraser yesterday, on motion of John F. Watts, plaintiff's attorney. It is stated that the case was settled by the payment of \$200. Moore was employed by the defendants as a stevedore, and his skill was fractured December 25, 1901, while he was assisting in loading the steamship Knight Companion. He was struck on the head by a hatch.

Articles of Incorporation. Articles of incorporation of the Diamond Land Company were filed in the County Clerk's office yesterday by Charles E. Rumelin, Mark M. A. Ashley and Roscoe G. Ashley. Capital stock, \$100.

Decision Today.

Judge Fraser will announce a decision.

AUTHOR AND PHYSICIAN

Writes Interesting Tale.

The author of "Under Palmetto and Pine," "Norma Trial," "Four Years on 'Olema," etc., Dr. J. W. Carhart, of La Grange, Tex., in addition to his literary efforts is a hard working physician in general practice. He writes interestingly of how his freedom from heart trouble was gained by leaving off coffee and using Postum in its place. "I drank coffee in the ordinary form for many years; nervous trouble involving disturbance of the heart's action resulted. On coming to Texas I fell into the habit of drinking coffee after hard, cold rides in my practice or when in camp or on the trail. My heart trouble soon became exceedingly aggravating, resulting in frequent attacks of what was pronounced angina pectoris, a severe agonizing pain over the heart, extending to the back, and sometimes down the left arm."

"In some