

WILL HEAR THE CONTEMPT CASE

Municipal Judge Hogue Will Not Grant Change of Venue.

VAUGHN ASKS SPEEDY TRIAL

Defendant Asserts That the Court is Prejudiced, and Asks for Hearing Elsewhere—Request Will Be Refused.

DEVELOPMENTS IN VAUGHN CONTEMPT CASE.

Municipal Judge Hogue this morning will render his decision in the contempt case of Attorney Vaughn, granting or refusing to grant a change of venue. Although the court declines to make public his decision in advance, it is regarded as certain that it will refuse the motion of defendant's counsel. This means the case must be tried out before Judge Hogue, who preferred the charge against Attorney W. T. Vaughn.

District Attorney Manning refuses to have anything to do with the case, and Deputy City Attorney Fitzgerald will, in all probability, act as prosecutor. T. G. Green, Oglesby Young and V. K. Strode appear for the defense.

That Attorney W. T. Vaughn, charged with contempt of court, will be tried before Municipal Judge Hogue is believed to be certain. The court will render its decision when it mounts the bench this morning, and those who have been following the case closely say there can be no question as to what will be the result. It is believed that the motion of defendant's counsel for a change of venue will be denied.

Deputy City Attorney Fitzgerald will, in all probability, act as prosecuting attorney. District Attorney Manning has refused from the start to have anything to do with the case, making necessary the appointment of a special person for this purpose.

While Mr. Fitzgerald, when asked to serve, expressed reluctance, he nevertheless will not decline to do so, for he is a public official. This fact, it is pointed out, makes him the logical man for the task. In fact, the case out of which the charge of contempt grew was one laid by Mr. Fitzgerald in the case because he is interested in his capacity of Deputy City Attorney.

Judge Hogue declined to make any statement regarding his decision, when requested to do so yesterday, except to say that he would render a decision this morning.

Investigation shows that there are many Supreme Court cases from various states, favorable to Judge Hogue, as applied to the point at issue in this affair, and but few against him. This coupled with the court's recent statement while on the bench hearing strong evidence for the defense that the court is not prejudiced, leads those deeply interested to believe the charge of venue will not be allowed.

Counsel for the defense set up as a plea for a change of venue that Judge Hogue is prejudiced against the defendant, and that he cannot give a fair and impartial hearing. Attorney Vaughn filed an affidavit to this effect. It is also claimed by the defense that Judge Hogue has no jurisdiction in the case because the alleged act occurred, if at all, outside his courtroom. It is believed this point also will be overruled.

Attorney Vaughn's alleged contempt, as charged, consisted in approaching Edward Glass and Mrs. Glass in a sidewalk of the court, and asking them to make their testimony vague against Fred Carlson and Sam Swanson.

This case is regarded by attorneys as the most important one ever coming before Judge Hogue, and every move is being watched with intense interest. It is the general belief that the defense intends to attempt to make out a case of subornation of perjury against Judge Hogue, and to also file suit against him for damages.

Judge Hogue first wished a charge of subornation of perjury filed against Attorney Vaughn, and later Vaughn went before District Attorney Manning to cause Judge Hogue's arrest on the same charge. One of the strong contentions of the defense is that Judge Hogue compelled Glass to sign the affidavit upon which the proceedings were based against Vaughn.

The case, it is believed, will be tried out immediately, as Attorney Vaughn wishes to leave the city for a vacation and desires the matter cleared up before going. Oglesby Young was before Judge Hogue yesterday morning, requesting an early decision, and said the defense was ready for a speedy trial. A date will probably be set today for the hearing.

WANT A NEW SCHOOLHOUSE

Holladay Park Addition People Perfect an Organization for Work.

For the purpose of securing school facilities, better water supply, cleaning up the neighborhood and working for general betterment of the community, citizens of Holladay Park Addition perfected an organization last evening in the hall at East Twenty-first and Clark streets. At a former meeting J. Wood Smith, O. W. Muelke, W. G. Goss, J. C. Schaefer and Mrs. Frank Richer were appointed to prepare a report on what was needed, and this committee reported at the meeting last night. It recommended the following four officers, who were elected: President, J. Wood Smith; vice-president, N. C. Phillips; secretary, M. Point; treasurer, Joseph Jaeger; attorney, W. Muelke; executive committee, E. E. Thomas, J. C. Schaefer, Dr. W. G. Woodruff, O. W. Muelke.

It was the sense of the meeting that if a lot should be assessed to remove weeds, rubbish and cut grass and keep the streets in order. Also that a subscription be opened for more funds for this purpose. The matter of employing some one to do the work was referred to the executive committee with power to act.

In the matter of school facilities, it was reported that in Park Addition there were now 78 children and that the nearest school is the Holladay district, too far off. It was decided that a school building was needed near, probably in Carter's addition. It was also reported that members of the Board of Education were looking up a location for a schoolhouse that would relieve Holladay, Williams-Avenue and Highland, and were likely to place such building north of the race track.

too far from Holladay Park, where a new building was needed. W. G. Goss, Muelke and Haines were appointed on the schoolhouse committee. In the matter of better water supply the executive committee was instructed to present the needs of the community to the attention of the water committee. On constitution and by-laws, M. Point, M. Muelke and John E. Aitchison were named. Secretary Point was instructed to address a letter to each resident of the addition, asking his co-operation in the work of the club. The meeting then adjourned, subject to the call of the president.

AT THE THEATERS

What the Press Agents Say.

TODAY AND TONIGHT ONLY

End of the Columbia Stock Company Is Near.

This afternoon at 2:35 the last regular Saturday matinee of the Columbia Stock Company will be given, and it will be with most sincere regret that these hundreds of Portland's best ladies, school girls, and even children, will watch the curtain slowly descend and shut out their beloved stock company for the last time. Tonight will be the closing of the company's career, and after the final curtain it will be the end of the Columbia Stock Company. Many people, friends and admirers, even those who have attended during the week, have purchased seats for this final performance for the privilege of bidding their favorites farewell, and the event promises to be one that will not soon be forgotten, and to which one will be glad to recall having been present when a few years have gone past.

"East Lynne" at the Empire.

The two last performances of the great emotional drama, "East Lynne," which has been filling the Empire Theater to overflowing all week, will be given this afternoon and tonight. Frank Montgomery, the leading man, and all other members of the company, have gained new laurels for themselves in the different roles of the famous play.

COMING ATTRACTIONS.

"The Marble Heart" Tomorrow.

The Empire Stock Company will open the fourth week of its season tomorrow afternoon, presenting for the first time in Portland the beautiful romance founded on events in real life, entitled "The Marble Heart." This well-known play, containing, as it does, a powerful and interesting story, with original plot and constant vein of bright comedy, is bound to spring into instantaneous success with the patrons of the Empire.

"Parsifal" at the Marquam.

Next Friday night, May 5, at the Marquam Grand Theater, the animated pictures of Richard Wagner's famous opera, "Parsifal," will be given. Mrs. Walter Reed, Portland's famous contralto, will assist by rendering several Wagnerian numbers.

Ramsay May Stay With Wahash.

NEW YORK, April 28.—The Board of Directors of the Wahash Railway Company held a special meeting this afternoon. After the meeting it was semi-officially announced that the differences of opinion between George J. Gould and President Ramsay, which led to the resignation of the latter's resignation, had been settled amicably and that in all probability Mr. Ramsay would retain the presidency of the company.

DAUGHTERS OF ST. DAVID PRESENT AMUSING COMEDY, "A SCHEME THAT FAILED"

A successful entertainment at Burkhart Hall last night, several members of the guild appearing in the cast of the amusing comedy in one act, "A Scheme That Failed." After the performance an informal dance was enjoyed, the music being directed by Frederick W. Goodrich, organist of St. David's. Miss Dorothy Moore and Miss Imogen Rafferty had the candy table and ice cream was served by Miss Louise Thompson, Miss Frances Richmond, Miss Elsie Lewis, Miss Leslie Cate and Miss Bertrine Graham. The plot of "The Scheme That Failed" unfolds itself in remarkable style through the adventures of Fanny, the sister of Paul Jennings, of New York, the young woman being a person of breezy personality and much determination. She arrives to visit her brother and her sister-in-law, whom she has not met before, on the day that her brother is informed that his old college chum, Dr. Victor Craven, is coming to see him, with his mother. Mr. and Mrs. Jennings are in need of a maid, being in possession only of a stately cook, Bridget, and as Mrs. Jennings is out when Fanny arrives, the young lady proposes to be the maid herself. "Crasy," says the brother. "Your wife has never seen me, and the company won't know the difference." Fanny answers and her brother finally consents, as Fanny always has her own way. Upon the arrival of the guests the pretty maid discovers that one of them is the man to whom she is engaged, and she decides that the situation is almost too complicated as "Victor is so awfully proper and his mother is an awfully precise," for there she is playing the part of a servant girl. Victor, of course, recognizes Fanny, and is kinder to her as the precise mother enters, the latter being at first overcome, then incredulous as they try to explain, but is finally reconciled and graciously receives the new daughter. Miss Miriam Van Waters was a delightful Fanny, Miss Edna Vaughn, as Mrs. Jennings, acted well and looked charming; Miss Leslie Kennedy was an excellent Bridget in make-up and acting, and Miss Jessie Chase, as Mrs. Craven, was a stately elderly lady, very well bred and extremely well preserved. Roy Entler, as Paul Jennings, and Walter Backus, as Victor Craven, were especially good in the scenes in which they set down to relate their experiences since leaving college, each occupying by a hairbreadth making a statement that would explain the situation of the play.

OBJECT TO SALOONS

Members of Ministerial Association Take Action.

RESOLUTION IS ADOPTED

Body Asks the City Council to Revoke From Granting Further Licenses in the Vicinity of the Exposition.

The church people have taken up the question of the saloons gathered about the main entrance to the Exposition grounds, and yesterday afternoon, at the conclusion of Rev. F. B. Meyer's address at the First Presbyterian Church, President E. L. House, of the Portland Ministerial Association, introduced the following petition, which was unanimously adopted:

To the Members of the Common Council of the City of Portland, Or.—Gentlemen: The undersigned citizens of Portland beg leave to call your attention to the number of saloons already granted for the immediate vicinity of the gates of the Lewis and Clark Exposition grounds, and to the number of additional licenses already applied for and likely yet to be applied for in the same vicinity; and we would further and more particularly urge upon your attention the fact that every corner immediately facing the main entrance of the Exposition grounds is already occupied by a saloon, and that there remains not a single thoroughfare leading to the main entrance to the Exposition that does not at its near approach pass through a saloon district.

Holding that these facts affect the good name of our city, and are therefore the rightful concern of the citizenship of the whole city, and not of a single precinct only, we do hereby respectfully but earnestly protest against the further licensing of saloons in the vicinity of the Exposition grounds; and further do earnestly pray you to take such measures as lie in your power to reduce the number of licenses already granted; and particularly that the front of the Exposition entrance and the main thoroughfare immediately thereto be cleared and be kept clear of saloons and every other objectionable thing. This we pray and ever will pray as citizens of Portland, irrespective of our several positions on the general question of the licensing of saloons, solely for the welfare and good name of our city.

Dr. J. R. Wilson, of the Anti-Saloon League, prepared the resolution after personal investigation of the conditions about the gates and at the license department of the City Hall. The petition will be presented to the citizens of the city for their signatures.

AT ELKS' COUNTY FAIR

Big Attendance, Today, the Last Day, Is Expected.

This is the last day of the great Elks' County Fair at the Armory. The attendance last night exceeded the utmost wishes of the members of the committee, who have so zealously labored to make the Fair a big success. The entire proceeds of the Fair are to be devoted to the furnishing of the rooms of the Elks' new temple, several of which are to be given over entirely to the lady members of the order. One of the features this afternoon will be a baby show. The members of the

committee have decided to present a valuable prize to every handsome baby exhibited. Special features have been provided for the children in the way of amusement, and even the "Elks' Minstrel Maids" will give their performance. Tonight all unsold articles will be disposed of to the highest bidder at auction. The articles are valued at several thousand dollars. There will be several additional features added to the vaudeville programme tonight. As this closes the Fair the largest attendance of the week is expected.

HE TAKES THE COLONELCY

C. U. Gantenbein Successfully Passes United States Examination.

Official notification from the War Department of his success in passing the examination for a Colonelcy, was received by Colonel C. U. Gantenbein, of the Third Infantry, O. N. G. The examination recently taken by Colonel Gantenbein was held under the provisions of an act of Congress known as the Dick bill, providing for the promotion and efficiency and also providing for examinations to the grade of persons specially qualified to hold commissions in any volunteer force which may hereafter be called for and organized under the authority of Congress other than a force composed of organized militia. Colonel Gantenbein's examination, which was conducted by officers of the Regular Army at Vancouver, consisted of administration, drill regulations, including the handling of a regiment, field-service regulations, small arms firing regulations, manual of guard duty, military law and topography.

But five applicants in the United States appeared for examination for the rank of Colonel, and considering the severe test contained in the examination papers the good showing made by Colonel Gantenbein speaks well for his military knowledge.

THATCHER MAKES DENIAL

Says Story of Check Given Rumelin Is Absolutely False.

J. H. Thatcher, manager of the Pacific States Telephone Company, whose name had been connected with the alleged payment of a \$5000 check to C. E. Rumelin, makes a positive denial of the whole transaction. He asserts without equivocation that the stories circulated are absolutely false.

"The story that I wrote a letter to C. E. Rumelin," said Mr. Thatcher, yesterday, "thanking him for the services he had rendered the Pacific States Telephone Company and inclosing a check for \$5000 is so silly and absurd that it would not deserve a denial but for the circulation this canard has received. The Pacific States Telephone Company has never paid a cent to a City Councilman for any purpose, or to any one else, for any service whatsoever, except in the legitimate course of business."

This statement of Mr. Thatcher's is substantiated by John C. Ainsworth.

Held for Grand Jury's Action.

Dan Rosenfeld was held to the grand jury yesterday by Municipal Judge Hogue on a charge of obtaining money by false pretenses from J. A. Kellogg. He was remanded to the County Jail in default of \$2000 bonds. Rosenfeld strongly denied any connection with the case or ever going under the name of Harry Cohn.

The Denver & Rio Grande Scenery is Even More Beautiful in Winter than Summer.

Travel East via that line and spend a day in Salt Lake City.

ONCE CAPTAIN TO THE KAISER

Now Fred Polleghkiet Is in a Felon's Cell for Larceny of Cow.

OWNER IDENTIFIES ANIMAL

Accused Man and His Two Companions Will Be Tried for Offense Which Is Severely Punishable by Imprisonment.

From serving the Kaiser as a Captain in the German army to a felon's cell in the Portland City Jail is the brief story of Fred Polleghkiet, now held with Ferdinand Powell and Albert Raymond on charges of larceny of cattle and slaughtering animals in the corporate limits of the municipality.

Yesterday M. C. Brandstrup called at police headquarters and identified the hide of a cow-slaughtered in the woods near Columbia Slough Wednesday night, and Deputy District Attorney Bert Haney filed charges of larceny of cattle against Polleghkiet, Powell and Raymond.

This is a penitentiary offense, punishable by imprisonment of from one to ten years or a fine of from \$50 to \$1000, and it is expected that the defendants will engage attorneys and prepare to save themselves from a term behind the bars, or payment of a heavy fine. They have entered pleas of guilty to the charge of slaughtering an animal in the city limits, and are awaiting the action of the officials in the case laid against them yesterday.

The trio of alleged cattle thieves were rounded up Thursday morning by Michael Tanner and Joan Sweetbaur, milkmen, who marched them to the city at rifle points and turned them over to the police. The three were discovered by Sweetbaur, in a thicket near Columbia Slough. He was going to the home of Tanner with a companion, shortly before midnight Wednesday, when he espied the strangers with a wagon in the wilds. He went for Mr. Tanner, and together they watched the place all night. At daybreak the alleged thieves tried to get away, and were rounded up.

The carcass of the slaughtered cow was seized, the hide and head being held as evidence. The owner of the cow, M. C. Brandstrup, called at police headquarters yesterday and positively identified the hide. Before he saw it, he gave a minute description of it. He then accompanied to the office of Deputy District Attorney Haney, where information was made out against the trio now held at the City Jail.

According to Brandstrup, Polleghkiet targeted, some time ago, to have revenge, unless Brandstrup gave up the ranch he has leased, just north of the Portland Flouring Mill. Polleghkiet is said to have threatened to kill all of Brandstrup's cattle and horses, if the ranch was not vacated.

Brandstrup, as well as other ranchers, have been missing cattle for many months, and it is now thought probable that Polleghkiet and his associates have been engaged in slaughtering animals and carting them off to market.

Polleghkiet has a bad record here, and has been mixed up in crimes with the police. He formerly owned a saloon in Albina, where once a man was strung up by the thumbs and beaten. There was a great uproar about it at the time, but somehow Polleghkiet escaped without punishment. He once served with the German army as a Captain, and is said still to be drawing a monthly pension of \$15 from the fatherland.

Arrested for Shop-Lifting.

Caught in the act of "lifting" a pair of baby shoes and two dresses from corners in the store of Roberts Bros. yesterday afternoon, Mrs. Lillian Peterson was arrested by Policeman Hellyer and lodged in the City Jail on a charge of larceny. With Mrs. Peterson was her 8-year-old daughter. The little one was cared for at the station by Matron Simmons. The mother was slightly under the influence of liquor, and gave this as an excuse for her actions at the store. She says she lives at The Dalles, but her husband is working somewhere in Portland. She will be arraigned before Municipal Judge Hogue this morning.

Court and Nobles Drank.

The court was not all that it should be in the way of temperance, and the aristocracy was by no means careful concerning the amount of wines consumed. The litigious men and frequent taverns at which they imbibed not wisely but with consistent regularity. Most of the lesser lights supported themselves by writing at the taverns plays, stories or dramas that enabled them to eke out a precarious existence. This criticism, however, must not be applied to Beaumont and Fletcher, for theirs was not that kind of collaboration. All too common among the lesser Elizabethan dramatists at a time when managers eager to satisfy a restless public incessantly clamoring for a novelty paraded out single acts or even scenes of a play among two or three playwrights, to put together a more or less incongruous piece of work.

Of Ben Jonson the speaker said: "Jonson had little value except as a skeleton writer of plays, but he was clever and quick in his work. If he were asked to write a satire upon the grafts of the City Councilmen he would deliver it to The Oregonian before 7 o'clock this evening."

After giving the sketch of the way of life and work of the early English writers, Mr. Newell discussed the character of the Shakespeare plays, of their relation in style to the work known to have been written by Bacon, his audience finding this particularly interesting.

It is conceded that the author of the Shakespeare plays was the greatest genius of his age, perhaps of any age," said Mr. Newell, "and he must have been a man of broad and varied scholarship. He was a linguist, and Latin, Greek, Spanish, French and Italian were familiar to him, he had intimate knowledge of ancient and modern literature, he was a jurist, a profound philosopher, and Lord Chief Justice Campbell says had an intimate acquaintance with the most abstruse proceedings in English jurisprudence, and he was the greatest philosopher of his age."

In support of the argument that Shakespeare was not the equal of Bacon in superior education and culture, the speaker said that Shakespeare's daughter at 38 could not write her name, that Bacon, he said also that he was not trying to convince the clubwomen of Bacon's authorship.

"Whether Lord Bacon wrote these plays or not," said Mr. Newell, "the works are full of life, hope, enthusiasm and advice—everything that tends to make man and woman better, and no other man since the days of our Lord has done so much. I certainly do not want to conjure up the spirit of William Shakespeare, because I have expressed doubt of his having written the plays—I hope from the bottom of my heart that he did."

The resolutions indorsed by the club followed.

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AYER'S SARSAPARILLA. There are no less than fourteen remedies in this standard family medicine. Among them we might mention sarsaparilla root, yellow dock root, stillingia root, buckthorn bark, senna leaves, burdock root, cimicifuga root, cinchona bark, phytolacca root. Ayer's Sarsaparilla is certainly a medicine, a genuine medicine, a doctor's medicine.

AT WOMAN'S CLUB. Resolutions Against Saloons Near Fair Adopted. FINE LITERARY PROGRAMME. Shakespeare and His Contemporaries Form the Theme of an Interesting Talk by Arthur C. Newell at the Meeting.

KID SULLIVAN'S BENEFIT. Boxing Bouts Given to Secure Fund for Maimed Pugilist.

A free-and-easy piano-player sat on a high stool and did something "raggy" on a tinny piano. A party of sports and "would be's" sat about a quarter of eight and encircled the performer. The "artist" ducked his head by way of a bow in recognition and announced that he would try to entertain the sports with a song. He beat out a few notes and encircled the performer. The "artist" ducked his head by way of a bow in recognition and announced that he would try to entertain the sports with a song.

Then Tommy Tracey, a more-to-be-scorned than pitied immature person, who thinks he is a candidate for Alderman from one of the wards, was pitted against fresh lad stripped to the trunk and given a four-round boxing exhibition during the course of which Prag lambasted all about the ring and in various ways got decidedly the worst of it.

Tommy Tracey was master of ceremonies and the little soiree had been arranged by him as a benefit for one of his boxing pupils, "Kid" Sullivan by name, who recently lost a foot in a go with a railway train. The purpose of the hippodrome was to net sufficient funds to buy an artificial member for the unfortunate Sullivan, and the money which came to the door was sufficient for the purpose.

There were three other four-round bouts which pleased the spectators, although no decisions were given. An sporting club known as the Peerless Sporting Club seemed to stand sponsor for the affair and a couple of hundred fellows, who wore their hats with a decided list to port, were in evidence.

Those who boxed were Champion Brown, of the Peerless Club, and Mike Kenney, of Albina, youthful aspirants for basic honors, and Frank Freeman, of Oregon City, who was pitted against Kid Sullivan, of Albina. There was another match, but in the turmoil it was impossible to identify them.

Fred Merrill, a more or less radiant candidate for Mayor, was pitted against the exercises, but refused to accede to the demands for a speech, although Tommy Tracey introduced him as "The next Mayor of here." The Peerless Club must have a fox terrier, was also present.

Your complexion, as well as your temper, is rendered miserable by a disordered liver. Improve both by taking Carter's Little Liver Pills.

EDITOR BROWNE Of The Rockford Morning Star.

"About seven years ago I ceased drinking coffee to give your 'Postum' a trial. I had suffered acutely from various forms of indigestion and my stomach had become so disordered as to repel almost every sort of substantial food. My general health was bad. At close intervals would suffer severe attacks which confined me in bed for a week or more. Soon after changing from coffee to Postum the indigestion abated, and in a short time ceased entirely. I have continued the daily use of your excellent Food Coffee and assure you most cordially that I am indebted to you for the relief it has brought me."

"Wishing you a continued success, I am Yours very truly, J. Stanley Browne, Managing Editor."

Of course, when a man's health shows he can stand coffee without trouble, let him drink it, but most highly organized brainworkers should not. The drugs natural to the coffee berry affect the stomach and other organs and thence to the complex nervous system, throwing it out of balance and producing disorders in various parts of the body. Keep up this daily poisoning and serious disease is sure to supervene. So when man or woman finds that coffee is a smooth but deadly enemy and health is of any value at all, there is but one road—quit.

It is easy to find out if coffee be the cause of the troubles, for if left off ten days and Postum be used in its place, and the sick and diseased conditions begin to disappear, the proof is unanswerable. Postum is not good if made by short boiling. It must be boiled full 15 minutes. The coffee grounds, and the food elements are brought out of the grains and the beverage is ready to fulfill its mission of palatable comfort and renewing the cells and nerve centers broken down by coffee.

"There's a reason." Get the little book, "The Road to Wellville," in each package.