

MURDER CHARGE AGAINST THEORIEN

Warrant Issued, Accusing Sea Captain of Killing M. C. Rasmussen.

SUSPECT HAS DISAPPEARED

Clews Point Strongly to Former Master of Sloop Condor, for Whom Officers Are Now Searching City.

Charged with the murder of M. C. Rasmussen, who was shot and robbed while employed as watchman on the steam schooner Washington, at the drydock, Wednesday, a warrant was issued yesterday for the arrest of Captain F. Theorien, recently master of the gasoline sloop Condor and ex-mate of the steamer Sue H. Elmore. Theorien has completely disappeared since the tragedy, though the searching officers believe he may be endeavoring to secure passage on a sea-going vessel, either at a land or down-river port. It is possible that he may have embarked on one of the vessels that have departed since the discovery of the murder, but every port which these vessels will make has been notified by the officers. His arrest is expected shortly, for it is believed that all possible means of escape have been closed.

Seaman Guilty of Crime.

An accumulation of evidence pointing to the guilt of the sea captain has been gathered by Sheriff Stevens and his deputies. Acting upon the theory that the watchman must have met his death at the hands of a seaman or another thoroughly familiar, not only with Rasmussen's habits and personal affairs, but with the various parts of the vessel as well, the officers made a thorough search of the Washington and of the murdered man's belongings. Certain bits of evidence, it is said, were found among the dead man's effects which pointed to Theorien as the murderer.

The position of the body when found was regarded as the strongest proof that the deed had been done by a seaman. The body had been hidden in the engine-room in a place rarely visited and one that probably would not have been selected by other than a seaman. The discovery that Rasmussen had been shot in the back of the head while descending the ladder also indicated, according to the officers, the deed of a seaman. A sailor on board a vessel in port, it is said, always descends a ladder or steps face-forward, while at sea, it is said, he descends backwards, holding to the railings. Except while descending the steps with his back toward the murderer, the watchman would not have given the latter a chance to fire at his back, the officers argue.

Officers Trace Down Clews.

Convinced that a seaman was responsible for the brutal murder of the watchman, the officers had little difficulty in discovering clews that are alleged to connect Theorien with the crime. For weeks he has been out of work and has made daily visits not only to the Couch-street dock, but also to E. P. Baumgartner, local agent for the Washington. Theorien made daily requests for a position on the Washington as soon as the repairs were completed, and also solicited the place as watchman. Since the murder he has been seen at neither of these places nor at any of his old haunts along the river front. On Wednesday morning, the day of the murder, he announced to Mr. Baumgartner his intention of visiting the Washington for the purpose of "seeing how things were getting on."

Theorien, it is said, was seen aboard the vessel at 10 o'clock Wednesday morning and at noon of the same day. The description of the stranger seen on board the Washington by the crew of the Leyland Brothers is said to correspond remarkably with that of Theorien, and the description of the stranger seen by the launchman who delivered various articles to the Washington that day also tallies, it is said, with that of the sea captain. The foreman of the drydock asserts he saw Theorien on the Washington Wednesday.

Theorien was seen in the city as late as Thursday morning. He appeared on the Couch-street dock that morning, the date on which the first announcement of the discovery of the murder was made. Since that time he has not been seen, so far as can be learned by the officers.

Theorien is an ex-convict, having served four years at the State Penitentiary at Salem for forgery. Soon after his release, he secured the position of mate on the steamer Sue H. Elmore, which plies between Astoria and Tillamook. His next job was as captain of the gasoline sloop Condor, plying between this city and Astoria. Several vessels have departed since the tragedy, but Sheriff Stevens has notified the officers of every port where these vessels will stop to apprehend Theorien if he is aboard. There are also a number of other vessels preparing to depart from Portland and various down-river ports, but his escape on these, it is said, will be impossible.

Advices received late last night by Sheriff Stevens from the Chief of Police at Astoria were to the effect that the suspected murderer has passed out to sea on board the Nome City, bound for San Francisco.

MR. C. E. S. WOOD'S OPINION

But, as a Democrat, He Takes a Democrat's View of It.

(To the Editor.)—Referring to this Statement No. 1 question, it seems to me, Judge Williams' illustration, that the Legislators are in much the same position as a Judge who should promise to decide a case a certain way before his election, but might afterwards find he could not in conscience do so, is not sound. The Judge sits to decide the rights of other parties. His own discretion and judgment are not arbitrary and he cannot sacrifice the rights of third parties to his personal ambitions, but the man who seeks the votes of the electors has a perfect right to surrender to those electors his right of action on any subject. He is, after all, only their representative; and he may, as a condition of election, say, "I will vote for this bill, or that bill, or I will not approve this measure or that measure." No one pretends that a law compelling a legislator to surrender his right of action is constitutional, but as a view

it, no amount of argument can excuse the man who has sought office under a pledge from keeping that pledge. It is said that the Chamberlain Democrats helped nominate Cake. That has not been proved and cannot be proved. It is then said by The Oregonian that the difference between the men it reproached for violating their pledges to vote for Dolph and the men who have promised to vote for the people's choice is that the men who promised to vote for Dolph and broke their pledge were at least loyal to their party, but Chamberlain could not have been nominated by the people over Cake without an overwhelming Republican vote. The Democrats in this state are in a minority, and when Republicans choose to vote for Chamberlain instead of Cake they know that they were deliberately forsaking party; it is they who are responsible for a Democrat being selected and the men who gave the pledges and the men who broke them, cannot see that the man who breaks his contract to vote for Mr. Dolph, but votes for a party man, is so much more honorable than the man who violates his voluntary solemn pledge to the whole people. C. E. S. WOOD.

AGED MAN GETS OUT IN RAIN

J. F. EGGLESTON HAS DELUSION BURGLARS ARE IN HOUSE.

Leaves Bed and Wanders Around Streets in Nightclothes—Police-man Called, but No Thieves.

Seized with hallucinations at 3:30 o'clock yesterday morning, J. F. Eggleston, more than 70 years old, who resides at 70 East Ninth street, arose from his bed and in scanty attire and with bare feet trudged out into the rain and mud. Trembling from the exposure and with eyes staring, the aged man was met at the corner of Grand and East Ankeny street by Nightwatchman Andrews. He ran to the watchman and in bated breath told him that burglars were ransacking his house. His story was so impressive that Andrews telephoned to Captain Slover at the police station. Sergeants Keller and Klennen and Patrolmen Epps and Wanless were sent to the scene in a hurry. They met Andrews and the shivering old man, who recounted a thrilling story of how he had awakened to find masked, armed burglars rummaging through his house, and how he had escaped without their having seen him. On their arrival at Mr. Eggleston's house the watchman and the two patrolmen stood guard at the front. Sergeant Klennen took up his station in the rear and Sergeant Keller entered the front door to look for the robbers. After a search had been made through the lower part of the house, without any trace of the thugs, Mrs. Eggleston was still sleeping. She had not missed her husband, was found in a rear upstairs room. She awoke to hear the astonishing tale of burglary from the police and informed them that Mr. Eggleston was occasionally afflicted with temporary dementia. The burglars had been merely a delusion. Mr. Eggleston was left in the charge of his wife, who assured the officers that he would not get out into the wet again.

ROAD BILL TO BE CHANGED

Amendments Considered at Meeting of Good Roads Workers.

Changes in the Johnson road bill were considered yesterday by committees representing the good roads workers in this state. The sessions were held in the Commercial Club convention-room, one in the morning and another last night. Changes decided upon in the bill were of a minor character, and it appears likely that the measure fathered by Senator A. A. Johnson will be practically as originally drafted when it is submitted to the coming session of the Legislature. Perhaps the most important modification made by the committees representing the different organizations of the state interested in good roads was the proposition to do away with the road engineer provided for in the bill, and the foreman of the State Road Commission will, it is expected, carry out the work proposed to be done by the State Engineer.

A. ROUTLEDGE RETURNED

Oysters Still His Hobby.

Mr. A. Routledge who, the past few months, has been giving other departments of the oyster business his attention, has again joined with M. Griffith in the management of the Portland Oyster Co., a place he has occupied since 1896. He desires to assure his friends and patrons of the past that none of that attention to details or their wants, which characterized his management in the past, will be lacking in the future. It will, no doubt, be a source of satisfaction to the public in general to learn that he has arranged for oysters to come forward daily, specially selected to meet the requirements of the best entertainers and oyster-loving people of Portland, who want Mr. Routledge thoroughly appreciates.

CARD OF THANKS.

L. Boire and family wish to thank their friends for the sympathy and kindness sent them at the death of their son and brother, Emile Boire.

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APPEALS TO COURT

Advertising Concern Contests Assessment of Privilege.

OTHERS WATCHING RESULT

Suit Is Test Case in Effect, and Validity of Assessments Hinges on Result — Equalization Board's Views.

Question as to the right of the county to assess corporations and firms according to the value of privileges enjoyed by them, rather than upon tangible assets, has been raised and, after having been passed upon by Assessor R. D. Sigler and the Board of Equalization, is to be taken on appeal to the State Circuit Court. Notice to this effect was filed with County Clerk Fields yesterday.

Although the point is raised by but one firm, the Pacific Railway Advertising Company, yet it is known that a score or more of small firms are directly interested and thousands of dollars are involved in the litigation. The contesting firm insists that it can be assessed only on the value of its office fixtures. It places the value on the fixtures as being only \$267. But the county's assessment is \$15,000, and the County Board of Equalization has declared that the advertising concern must pay the amount.

Assessor Sigler, in fixing the value of the company's assets, learned that the privilege of putting advertising signs in streetcars was recently purchased by the Pacific Railway Advertising Company, the consideration being \$29,000. Making his assessment on the regular ratio, he laid aside the company's own confession that it had \$267 worth of property and negotiable assets and moved the amount ahead to \$15,000. When the company was advised of this change there was a protest, but Mr. Sigler refused to relent.

When the matter was presented before the Board of Equalization last Wednesday representatives of the advertising company insisted that the rights enjoyed by the concern are not of such value and that at any event the assessment could not be made annually on the purchase price, for the company might have paid out \$20,000 hoping to make its asset worth that amount for future operations. Further more, the privilege might be worth such an amount for an indefinite number of years and yet represent little value for a single year.

But the Board contended that such privileges were exactly similar in nature as the franchise given a corporation. The signs are posted in public service conveyances and are based on a franchise given the streetcar company in the operation of its cars. So the Board affirmed Mr. Sigler's action and refused to reduce the assessment of \$15,000.

Five days in which to appeal to the Circuit Court was allowed by the Board. The notice of appeal was presented yesterday forenoon. Thus far, this is the only appeal from the findings of the Board. In the event the court finds favorably to the advertising company it is believed likely that much other similar litigation will ensue. Those familiar with laws relating to assessments aver that reversal of the Board's action is more than likely to occur when the issue is presented in court. Several county officials share this view.

Letters of Administration Filed.

Letters of administration for the estate of James P. McGlinchy were filed with the County Court yesterday by



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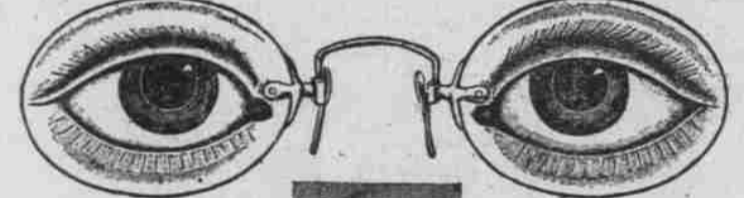
Recently Installed.

Several days ago a \$5000 Orchestron was installed in Fritz's Theater, on Second and Burnside streets. This instrument is beautifully decorated and is finished in the handsome "Teak" finish oak. The imposing case design, however, is only a surface indication of the marvelous volume of rich, melodious harmony that pours forth from the 31 pipes and accompanying instruments.

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