

# 5 O'CLOCK BURGLAR CONSIDERED KILLER

## Police Suspect Man of Age Murder Last June.

### HOMES INVADDED LATELY

#### Failure to Take Property of Value Persuades Detectives That Intruder Is Insane.

When the "5 o'clock burglar," who last week entered or attempted to enter seven east-side homes in the city, the first demand he made upon him by police was to tell where he spent the night of June 10, 1921—the night that Harry Agee's throat was slashed as he lay in bed with his wife in 1729 Third street.

The police declared earmarks of the recent robberies laid them to the same man, and detectives have said that he must be a man of iron nerve and absolutely ruthless. Dismissing the smoking burglar, who enters houses when the occupants are away, the "5 o'clock burglar" jimmies his window between 3 and 5 A. M., and ransacks the drawers to take the householders sleep about him.

**Loot of Little Value.**

In seven burglaries he has stolen nothing of value. A pair of gloves, an electric iron, or a trivial piece of jewelry seems to satisfy him, and consequently he has had little newspaper notoriety, as burglars usually are given space according to the amount of their loot. That a man would chance his life for such small reward has led detectives to believe the "5 o'clock burglar" is an irresponsible pervert of some sort, one who would slay at the slightest provocation.

Some residents of Irvington fear the burglar so greatly that they have co-operated in stringing electric wires in the fire about their houses, lighting their homes all night as for a lawn fête.

**Special Police at Work.**

Other homes keep all lights burning, and a number of special watchmen have been engaged to watch homes. The burglar operated in Irvington yesterday morning, despite a corps of detectives, under command of Lieutenant Thatcher, who patrolled the district all day.

A. R. Porter, 723 Tillamook street, reported to detectives yesterday that the third attempt in three weeks to enter his home was made at 5 o'clock yesterday morning, and was successful. The prowler took an electric iron and left a 2-cent ladder behind three new rounds in the back yard.

**Doctor Sees Intruder.**

Dr. A. M. Marcellus, 615 East Broadway, awoke early on the morning of February 7 to see the intruder steal out of the bedroom door. Dr. Marcellus told the police that he had always wondered whether he would if he awoke to find a burglar in the house, and he said he found out. He lay perfectly motionless until he saw the burglar, who he identified as Harry Agee. He showed remarkably good judgment.

Mr. and Mrs. L. Cunningham, 653 East Broadway, awoke on the morning of February 7 and heard a noise downstairs which they took to be a burglar.

"Get out, or I'll come down and take a shot at you," Mr. Cunningham shouted.

**Householder Is Defied.**

"All right, come ahead," responded a "ruff voice, and the burglar took plenty of time in leaving the still and other marks on the wall, and the "5 o'clock burglar," who he left his "card" in the form of similarity of one of the burglar's Harry Agee. Seventy-fourth street and Sandy boulevard; William F. Woodward, 1215 Commercial street; Mrs. A. H. Cameron, 125 Thompson street; Mrs. A. H. Cameron, 125 Thompson street; and C. R. Davis, 667 Halsey street.

According to those who visited the Agee home Saturday night, all indications pointed to a burglar as being the murderer, and it was not for several days that the Agee home was believed to be the murderer's hide-out. The murderer ran through the front door to make his escape.

**Murder Believed Accident.**

The condition of the house and furniture in no particular indicated a "punch" and the bureau drawers, drawn evenly out, tended to confirm the impression that they had been softly opened and examined leisurely. The theory which throws suspicion upon the present "5 o'clock burglar" is that Mr. and Mrs. Agee were asleep in bed, and the burglar was at work when Mr. Agee awoke. The burglar, with an awakened man between him and the door, dashed past the bed, slashing Agee as he went out, and by chance inflicting a fatal wound.

The "5 o'clock burglar" of last spring and the "5 o'clock burglar" of this year. The police have declared he ceased operations after entering the Agee home because he feared the consequences of his crime there, but has gained courage to resume operations.

**Insanity Is Suspected.**

No common burglar could be accused of such a crime, but detectives point out that their suspect is not a common burglar. He is a daredevil who risks his life for baubles of little value and therefore is unbalanced to such an extent that he may actually be insane.

The detectives have advanced nothing definite, nor do they ask belief in their suspicion of the "5 o'clock burglar." If he is caught, however, he will have to stand the third degree in connection with the Agee home and the "5 o'clock burglar," the "3 o'clock burglar," the 1822 "5 o'clock burglar" and the murderer of Harry Agee.

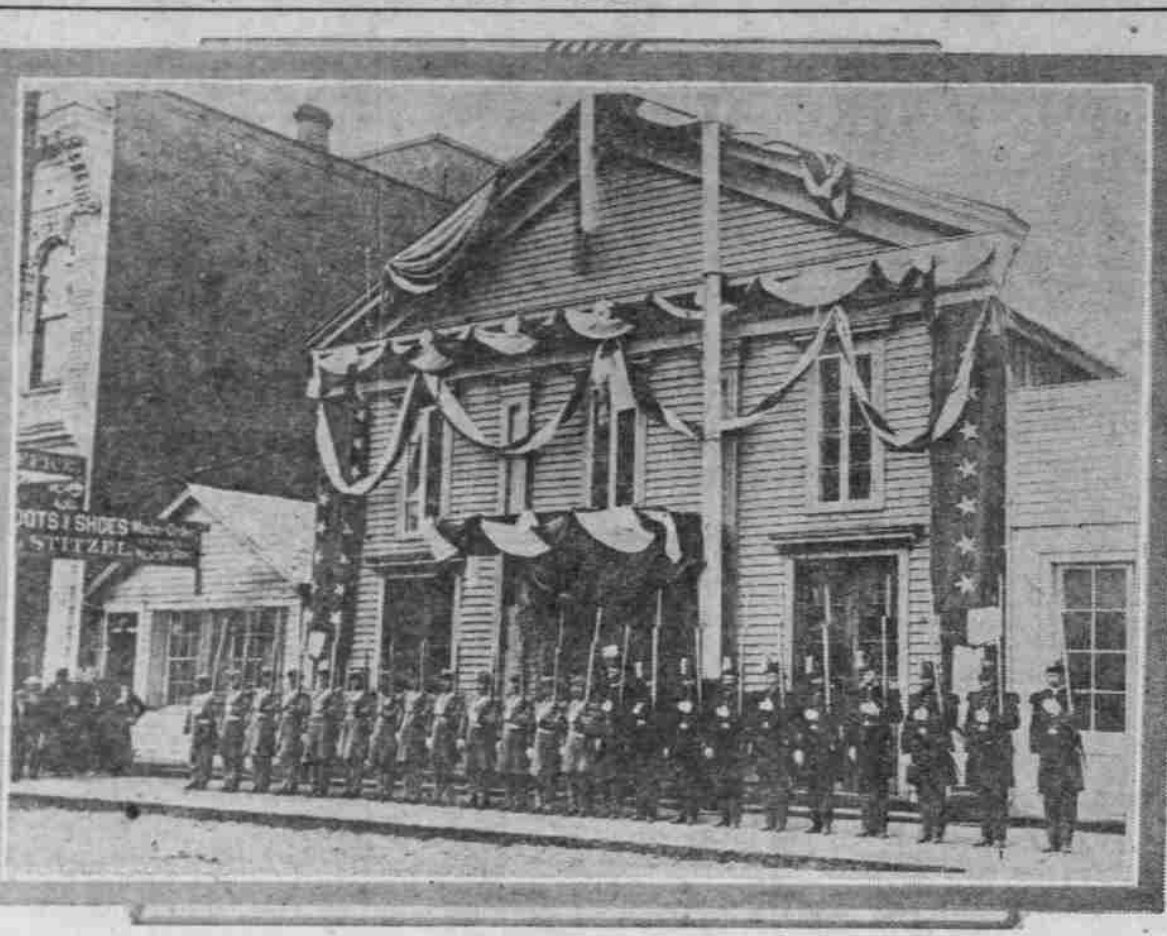
### BEACH CLUB PROJECTED

#### Hotel to Be Converted Into Big Exclusive Seaside Resort.

**SOUTH BEND, Wash., Feb. 11.—**(Special.)—If plans under way mature, the Breakers hotel at Long Beach, on the famous beach peninsula, between Willapa harbor and the ocean, will be remodelled and refitted and will be turned into an exclusive seaside club with grounds covering more than 1200 acres and many interesting features.

The J. M. Arthur interests are planning to make the large hotel an up-to-date club, with a number of private cottages in connection.

# DO YOU REMEMBER?



—Courtesy Oregon Historical Society.

The funeral of General Edward R. S. Canby, who was killed under a flag of truce by a band of Modoc Indians headed by Captain Jack and Searface Charley, at the south end of the Tule lakes April 11, 1872. Old newspaper accounts relate that not since the death of Lincoln had the city put on such a garb of mourning as it did on that occasion.

His death was an instance of rank treachery. When General Canby refused a request made by the Modoc delegation, Captain Jack fired a pistol point-blank at his head. The other Indians also fired, killing all of the party but one. This affair reopened the Modoc war.

The body was brought from Yreka, through Roseburg and Salem, to Portland. The funeral was held April 13, 1872, and the body lay in state in the Washington guard armory that day. The photograph shows the guard of honor lined up in front of the armory, which was on Stark street near Second. The armory had formerly been the old Willamette theater. The guards dressed in gray were the old Washington guards, and those in blue were the Emmett guards, the Irish organization of the militia.

When Al Zieber ran the Clarendon hotel at North First and Flanders streets? C. E. O.

When the boys in Jacksonville built a political platform, including several different nations each represented by a character? M. D.

Daniel E. Handmann, the German tragedian, when he played Richard the Third at the New Market theater, limping on the right leg in the first act, the left leg in the second, and not at all in the third? J. R. W.

When Willie Gateen, now judge, was errand boy at John Crand's drygoods store on First street near Alder? E. N. W.

When Arthur Matschek published a weekly paper called the Star, and then an eclipse came? R. C. C.

When Richard Koehler was walking on the floating ties in the 1894 flood and stepped on the end of an unspiked tie and went out of sight all but his bonnet? W. S.

## OLDEST LIVING PERSON IN WORLD DIES OF PNEUMONIA

### "Wrinkled" Meat, Chippewa Indian, Once Firemaker of Powerful Blackfoot Tribe, Said to Be 137, Outlives Eight Wives.

**CASS LAKE, Minn., Feb. 11.—**All business hours were closed Thursday for the funeral of Ga-be-nah-gew-wonce, Chippewa Indian, said to be 137 years old, who died Tuesday.

The aged Indian, also known as Wrinkled Meat and John Smith, joined the Catholic church several years ago.

Wrinkled Meat died, not of old age, but from pneumonia, contracted a week before. When the end came he lay on the floor, holding but to the last instant a blanket and a bed, which he contended was no place for a husky warrior. Several years ago, when struck by a switch engine, he was taken to a hospital, but refused a bed, seeking instead a "comfortable" place on the floor. He rolled into a blanket and remained on the floor for three weeks until he recovered.

Most of his life was spent in northern Minnesota, in the vicinity of Cass Lake, and his birthplace, near what is now Pokegama of his life he had been married, having had eight wives. The only survivor, however, is Tom Smith, a stepson, at whose home he died.

**Claim of Great Age Accepted.**

The United States bureau of Indian affairs, the American Scenic and Historic Preservation society and various other historical societies that interested themselves in this famous aborigine, in fact, had been led to accept the claim of Ga-be-nah-gew-wonce and his fellow Indians on the Minnesota reservation that he was "the oldest living person in the world."

The date of his birth had been figured back by some authorities as early as 1785, which would have made him 135 years old—just about as old as the Constitution of the United States—while others contended that he was born in 1793, which would have made him 129.

**Firemaker of Blackfoot Tribe.**

Ga-be-nah-gew-wonce was also known as Wah-ha-wonce, and would even answer to plain John Smith.

## SOLOISTS WHO WILL BE FEATURED IN WILLAMETTE UNIVERSITY GLEE CLUB CONCERT.



Everett H. Craven R. M. Blenkinsop

The Willamette university glee club, which is making a tour of the northwest, will give a concert at the Centenary-Wilbur Methodist Episcopal church, East Ninth and Pine streets, tomorrow night. The club has a musical programme of great variety and of a high class, including ensemble numbers, as well as quartet and solo selections, which will be presented at that time.

R. Blenkinsop and Everett Craven will be featured in a number of solos and also will appear in duet and quartet numbers. Both men are unusually good singers.

The programme has been selected to include heavy as well as lighter selections. Two numerous skits will be in the programme to give variety. One will be a policeman's comedy and the other a clever dialogue. There will also be a reading by Fred McGrew.

There are 17 men included in the club, four men to each part and the accompanist, Fred Arnold. The present tour covers about 1500 miles.

# WAYSON INDICTMENT IS HELD IRREGULAR

## Government Counts Branded Violation of Rules.

## ACCUSED HAS ADVANTAGE

### Vital Issues of Inquiry Clouded by Extraneous Allegations, Says Arthur M. Geary.

Certain specifications that were placed in the charges made by the government against Dr. N. E. Wayson, head of the local public health service, are a violation of the rules and regulations of the public health service and constitute a "prestitution of the court-martial procedure," according to Arthur M. Geary, in a letter written to James J. Crossley, commander of Portland post of the American Legion.

Mr. Geary implies in his letter that the charges were drawn in Washington in such a manner as to give Dr. Wayson the advantage in the proceedings of the investigation.

Mr. Geary was asked by Commander Crossley to act as counsel for Dr. Wayson, and he has declined to do so, on the ground that the public health service in the prosecution of the case.

**Indictment Held Invalid.**

A portion of his letter to Commander Crossley is as follows:

"Instead of Dr. Wayson being tried on two charges and three or four specifications, the authority at Washington who drew up the charges and specifications included a number of specifications which the preliminary hearing clearly indicated were either trivial or impossible to prove."

"The inclusion of these specifications was a violation of the rules and regulations of the public health service and a prestitution of the court-martial procedure, whether intended or not, to use as a medium of gaining publicity for Dr. Wayson and of bringing into public ridicule his many accusers."

**Straw Men in Front Line.**

"No man can watch the proceedings closely to discern here and there specifications that are straw men, upon which Dr. Wayson and his attorney made frontal attacks with great ease."

"Dr. Wayson's own admissions conclusively prove that disabled veterans and their dependents have not received the treatment they were entitled to. Such a situation should arouse the sympathetic interest of every patriotic man and woman in Oregon."

"I will be glad to go fully into this matter if the court-martial system before the executive committee of the American Legion."

**Sportsmanship Held Lacking.**

When informed of Mr. Geary's letter, Dave Robinson, an officer of the public health service who is defending Dr. Wayson, declared that the complaint was an displaying good sportsmanship by his attitude.

"If the prosecution does not believe the charges that have been placed against Dr. Wayson are important enough to go to trial, Dr. Bolton and his associates have the right to ask the court for a dismissal. Mr. Robinson. 'I would have preferred that several of the specifications be dropped and the prosecution have insisted and we have been forced into trial on every specification.'

"When the prosecution has the right to ask the court for a dismissal, it is decidedly unfair for Mr. Geary to make such statements in his letter to Commander Crossley. It is poor sportsmanship."

**Preliminary Evidence Wanted.**

Mr. Robinson declared that he was called into the case just a short time before the preliminary examination of the charges against Dr. Wayson," said Mr. Robinson. "In this I have failed, in private sanitizing here, suffering it was announced, from a nervous breakdown. He came here recently from Chicago."

**MR. WOODWARD INDORSED**

**Candidacy for Legislature Is Approved by Principals.**

Indorsement of William F. Woodward and his platform as a candidate for the state legislature was made yesterday by the Portland School Principals' association at their regular meeting.

In the announcement of his candidacy for the legislature Mr. Woodward, now a member of the school board of Portland, declared that he stood for free textbooks and the policy of having school elections and general elections at the same time like qualifications for voting in both school and general elections, and a term of office for school directors of four years.

These four principles were indorsed by the principals.

## FIJI ISLANDERS RESTIVE

**Natives Will Not Work and Bad Influence of India Felt.**

**VANOUVER, B. C., Feb. 11.—**(Special.)—Officers of the Canadian government went off to the Fiji Islands, which arrived from the antipodes, via Fiji, Thursday, said that conditions in that country are anything but satisfactory. The Fiji government has been unable to stand for free textbooks and the policy of having school elections and general elections at the same time like qualifications for voting in both school and general elections, and a term of office for school directors of four years.

Interference by India is also blamed to some extent for the unsettled conditions in Fiji, as the propaganda for self-government has extended to the islands and is being fostered by delegations making frequent visits from India.

## PLEA MADE FOR SAFETY

**Engineers Demand Adequate Staff of Building Inspectors.**

A plea for an adequate building inspection force, sufficiently paid to insure competent service, is made in a letter sent to Mayor Baker yesterday by E. M. Howard, secretary of the Oregon chapter of the American Association of Engineers.

Recent building catastrophes in New York and Washington, D. C. are cited in the letter as evidence of the need of adequate inspection.

"When hundreds lie dead, the people and their newspapers see clearly the importance of the building departments," the letter states. "When budgets are being made short-sighted taxpayers loom large in the legislator's mind."

## MOTOR LAWS OPPOSED

**Hood River Vehicle Owners Decri Service Commission Control.**

**HOOD RIVER, Or., Feb. 11.—**(Special.)—Following a mass meeting of motortruck and motorbus operators and individual automobile owners, who were addressed by A. V. Hemmings, secretary of the Motor Vehicle League of Oregon, signatures of 40 were appended to membership blanks. Talks given by local automobile men and questions asked of Mr. Hemmings indicated that existing motor vehicle licensing laws and traffic rules are exceedingly unpopular.

The sentiment for removing the administration of the laws from the hands of the public service commission was expressed.

**Easy Terms** **No Interest**

## CLOSING OUT

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<p><b>Living-Room Furniture</b></p> <p>Overstuffed Tapestry Davenport, 3 loose spring cushions... <b>\$69.50</b></p> <p>Fine Overstuffed Parlor Set, Davenport, Chair and Rocker... <b>\$117.50</b></p> <p>Beautiful Sample Mahogany Davenport Library Table... <b>\$29.75</b></p>	<p style="text-align: center;"><b>RUGS</b></p> <p>9x12 Brussels Rugs of good quality, now priced at... <b>\$22.50</b></p> <p>9x12 Wilton Velvet Rugs of high grade, linen fringed... <b>\$47.50</b></p> <p>9x12 Genuine Wilton Rugs, with slight imperfections... <b>\$75.00</b></p>

**Oak Duofold Davenport, waxed finish, very special at... \$45.00**

**48-inch William and Mary Dining Table, mahogany finish... \$25.00**

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**Easy Terms**

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## MEMORIES OF STIRRING DAYS OF CIVIL WAR TO BE REVIVED

### United States and Sweden to Join in Honoring John Ericsson, Inventor of First Turreted Battleship.

**NEW YORK, Feb. 11.—**Memories of the stirring days of the "60s" will be revived March 4 when dignitaries of two nations gather here with technical and civic societies to honor Captain John Ericsson and his partner, Cornelius H. Delamater, on the 60th anniversary of the battle between the first armored battleships—Monitor and Merrimack.

Four tablets will be erected to the designer and builder of the first turreted battleship, and in the evening an Ericsson-Delamater banquet will be held, to which have been invited President Harding, Secretary of Navy Denby, Assistant Secretary Roosevelt and other representatives of American officialdom, as well as the minister and consul-general from Ericsson's native Sweden. The occasion will be celebrated simultaneously in Stockholm by the Associated Swedish Engineers, members of the Swedish royal family and American diplomatic representatives participating.

**Four Tablets to Be Placed.**

One of the tablets to be erected here will be unveiled at the Phoenix country, where Ericsson built the first iron boats constructed in America, and also brought out his turreted screw propeller.

Another will be unveiled on the site of the Delamater iron works, where the engines for the Monitor, and the first self-propelled torpedo and the first submarine were built.

The third tablet will be placed at the Continental iron works in Brooklyn, where the hull of the Monitor was built.

The fourth will be unveiled at 36 Beach street, where Ericsson made his home in New York and where he died March 8, 1889.

Ericsson already has been honored by a statue which stands in Battery Park, near the spot where the naval pioneer experienced, in 1844, one of the bitterest of the many bitter disappointments of his early career.

**Accident on Princeton Recalled.**

Ericsson had been taken under the wing of Lieutenant Robert F. Stockton of the United States navy and commissioned to design the battleship Princeton, the first iron battleship with its boilers and engine below the water line, and the precursor of the modern dreadnought.

When the Princeton started for Washington for demonstration before President Tyler and other government officials, Ericsson was waiting at the Battery, expecting to be taken aboard for the cruise. But the Princeton sailed majestically past without stopping. A few days later a big gun, against the design of which Ericsson had protested to Lieutenant Stockton, exploded at the conclusion of the tests, killing Secretary of State Upham, Secretary of Navy Gilmer, Senator Maxey, two naval officers and President Tyler's bodyguard.

The accident led to an estrangement between Ericsson and his patron, and Ericsson sank into comparative oblivion until the Union's need of a battleship to meet the Confederacy's threatening Merrimack restored him to official favor and brought acceptance of the Monitor plans.

**Wife Joins Jailed Man.**

Sheriff Permits Woman to Share Cell With Her Husband.

**FOSSIL, Or., Feb. 11.—**(Special.)—Mrs. Frances Stephens appeared at the sheriff's office Thursday and sought permission to share her husband's quarters in the county jail. Sheriff Johnson granted her the privilege and Thursday night husband and wife, with their small child, were housed in the Wheeler county jail.

Stephens, who is about 23 years old, was sentenced at Mitchell, December 31, to serve 60 days in the county jail on a bootlegging charge. After about half his time had been served effort was made to get him released by means of a petition which was circulated in Mitchell, but no names could be procured for the petition.

Good behavior and labor have shortened his sentence eight days, so he will be released Monday.

**Old Trail to Be Advertised.**

**BAKER, Or., Feb. 11.—**(Special.)—The highways committee of the Baker county chamber of commerce has called a meeting of all points on the Old Oregon trail for February 23. Plans will be suggested for an advertising campaign this year to bring tourists over this route. It was announced by W. E. Meachum, secretary of the chamber.

Phone your want ads to The Oregonian, Main 7070, Automatic 550-95.

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