

## FREEBORN MOMENT

## Steve Adams Is Arrested on Warrant From Denver.

## HELD IN IDAHO PRISON

## Witness in the Steunenberg Murder Case Is Charged With the Murder of Lyte Gregory in Colorado.

BOISE, Ida., Sept. 8.—(Special).—The case of Steve Adams grows complicated. No objection was made by the state to his release on the writ of habeas corpus issued by Judge Stewart yesterday. He was immediately arrested on a fugitive warrant issued on the request of the Sheriff of Denver, Colo., on a charge of murdering Lyte Gregory in that city May 15, 1904, and is held in charge of the Sheriff of this county.

Now Sheriff Angus Sutherland, of Shoshone County, this state, has wired that he is coming for Adams, armed with a warrant charging him with complicity in the brutal murder of two men on the St. Joseph River in Fall of 1904. These men were named Tyler and Valley. They were shot from ambush and it has always been understood that J. L. Simpson, now a fugitive from justice in connection with the Steunenberg assassination was one of the murderers. The deed was done on or near Simpson's ranch.

Adams was no sooner in receipt of actual liberty than two charges of murder appeared against him. It was the plan of the state not to lodge the charges against him, but so soon as he yielded to the blandishments of the defense in the Moyer-Haywood-Pettibone case, the road has been becoming rocky for him. He was living in the penitentiary practically as the guest of the state, but now he will probably have to serve some where under accusation for bloody crime.

It was just 10 o'clock this afternoon when Prosecuting Attorney Koelsch, of this county, received the following dispatch from Denver:

"Denver, Colo., September 8.—District Attorney Ada County, Boise, Idaho: A charge of murder against Steven W. Adams for the killing of Lyte Gregory in the city and county of Denver, May 15, 1904, filed here today before Grant L. Hudson, Justice of the Peace and warrant in my hands. Swear out fugitive warrant and hold Adams. Regulation papers are being prepared and agent will start not later than Monday."

Alexander Nesbit, Sheriff, Denver County and city.

Koelsch at once swore out a warrant for arrest of Adams before Justice Dunbar. About 2:30 o'clock Judge Stewart, of the District Court, made an order releasing Steve Adams from the custody of Warden Whitney at the state penitentiary by writ of habeas corpus. The court adjourned and Steve Adams, a free man, arose and began shaking hands with his attorneys, when he was tapped on the shoulder by a Deputy Sheriff, asked to step into the Judge's private office and there in the presence of his wife, his uncle and his attorneys, the warrant was served on him.

Warden Whitney, on his return, merely stated that Adams had been placed in his charge for safe keeping by the Sheriff of Canyon County, on an order from the Probate Court of that county. In his answer the warden stated that the order of the Probate Court had never been revoked and that no other order concerning the disposition of Adams had ever been made. He also stated that Adams' incarceration in the penitentiary had been made with the full consent of Adams, his attorney, C. A. Moore, of Baker City, and the attorneys for the state.

Attorney Shew, for the state, in a few words stated that he had no objection at all to the court allowing Adams his freedom, if Adams himself wished to be released. He stated the State of Idaho had at that time no charge against the man and wished to make no effort to deprive him of his liberty.

As the court finished Adams' wife turned to her husband and smiled. He returned the smile and rose to his feet to shake hands with his uncle, who was also smiling. Then he turned to shake hands with his attorney, when he was tapped on the shoulder by Deputy Sheriff Higgins. The happy, smiling look vanished from Adams' face instantly. He was apparently greatly surprised. His uncle glared scowlingly at the deputy and Mrs. Adams hurried toward her husband.

"Are you going to play any more tricks on my husband?" she demanded. "Are you going to steal him again?" Then he went into the Judge's chambers and was formally placed under arrest.

## Crime Charged at Denver.

DENVER, Sept. 8.—Lyte Gregory, for whose murder Boise authorities are now holding Steve Adams, was employed as a detective and special officer by a private Denver agency and had previously spent several years working for the police and detective departments in this city. While on his way home from Edward Cleary's saloon in West Denver at a late hour of the night of May 15, 1904, Gregory was shot down just at the entrance of an alley-way. It was some time before an alarm was raised and the police notified, and Gregory's assassin made good his escape.

Examination disclosed the fact that 10 bullets were fired into Gregory's body. John Combes, a carpenter, was the only person arrested, and as it was impossible to connect him with the crime, the authorities released him after an investigation. Only a few weeks before his death, Gregory was named by William Warjon, an organizer for coalminers in Colorado, as one of the men who had brutally assaulted him at Sargent, Colo.

## GATHERED IN BY O'FALLON

## RESIDENTS FROM THE MEADOWS TO BE TAKEN TO BOISE.

Some Are Witnesses, Others Are Charged With Fraud in Filing on Government Land.

WEISER, Idaho, Sept. 8.—(Special).—The Government is after fraudulent locators of timber land in this section. A party of 39, a majority of whom are charged with making false entries and the remainder as witnesses, were brought here today from the northern portion of the county, where the entries were made. The men are all residents of the section surrounding Meadows. It is charged by United States Timber Inspector O'Fallon, who secured the evidence against the men, that the land was located and proved up on by the defendants in the interest of the Cook Timber & Lumber Company, of Pennsylvania, and that the money to prove up was furnished by B. S. White, agent of the company, who paid the locators from \$200 to \$400 each to prove

up and turn the land over to the company. White has left for parts unknown. The timber land claimed to be thus illegally entered comprises about 20,000 acres of the finest timber in the state. The land is included in what is now the Seven Devils and Weiser forest reserves.

If charges of fraud are proven the land will revert to the Government. Federal Court convenes at Boise Monday and the men will be taken there for trial. There will be about 50 defendants. It is stated other extensive land frauds are being investigated and interesting developments are expected.

## Brick Johnson's Slayer Captured.

LA GRANDE, Or., Sept. 8.—Sheriff Blakely, of Walla Walla County, arrived in this city this morning from Salmon Meadows, Idaho, where he captured John Reor, who on June 11 shot and killed Brick Johnson, of Enterprise. The murderer had been hiding in Innaba County and was caught while having his gun repaired.

The prisoner has a wife and three children, the oldest 5 years. He is aged 32 and has lived in Walla Walla County 23 years. On a slight provocation he entered Ott Brothers' saloon on June 11 and killed Brick Johnson, while the latter was sitting at the bar.

## Northwest People in Chicago.

CHICAGO, Sept. 8.—(Special).—Oregonians registered today as follows: Stratford—A. M. Curry and wife, Portland. Kaiserhoff—M. B. Coolidge, Portland. Palmer House—M. E. Thompson, Portland.

## MADE TWO GOOD INDIANS

## ISAIAH MATHENY, STRONG TYPE OF WESTERN PIONEER.

Mystery of Many Years Cleared Up by Tale Told by Argonaut After Reaching Old Age.

ASHLAND, Or., Sept. 8.—(Special).—Isaiah C. Matheny, whose funeral was held here Thursday, was a pioneer among Oregon pioneers, having come across the plains with the Applegate



The Late Isaiah C. Matheny.

train in 1843, his family settling at Wheatland, on the Willamette River, near Salem. Four sons and two daughters survive, viz: N. G. Matheny, of Seattle, Wash.; Mrs. Mary Norris, Pueblo, Colo.; D. L. Matheny, Santa Ana, Cal.; Mrs. Lottie Paulson, Astoria; A. A. and G. H. Matheny, of Chicago.

Mr. Matheny was married in Yamhill County in 1850 to Emeline Allen. They lived in Marion County until 1866, when they removed to California, residing there for a few years, but seeking the frontier again in 1871, this time in the Snake River region of Southern Idaho, where Mr. Matheny embarked in the stock business on the fringe of the Nez Perce Indians' home, but lost his herds of fine cattle during an unusually severe winter. In later years the couple made their home with their daughter in Ashland.

A native of Edgar County, Illinois, he was in his 80th year at the time of his death. Mr. Matheny fought Indians through the Cayuse war in 1847-8 as a member of the regiment raised in Oregon for that purpose, but his experience with the Indians was not confined to that conflict, and he spoke the Chinook and other Indian jargons readily. He was also one of the early Argonauts to California and went to the Golden State right after the first news of Marshall's discovery of old Fort Sutter.

It was on an expedition from Oregon to California that he had a thrilling incident with Indians. There was a mystery for years and years in connection with the death of two notorious Indian horse thieves and desperadoes in November, 1848, at Hangtown, or Placerville, Cal. and it was only a few years before his death that Mr. Matheny cleared it up and gave the story of the connection of himself and companions with the mystery.

The incident had long slipped from public mind, but it was one morning early in November, 1848, that the bodies of two stalwart Indians were found on the outskirts of Hangtown. One had a long-bladed knife plunged into

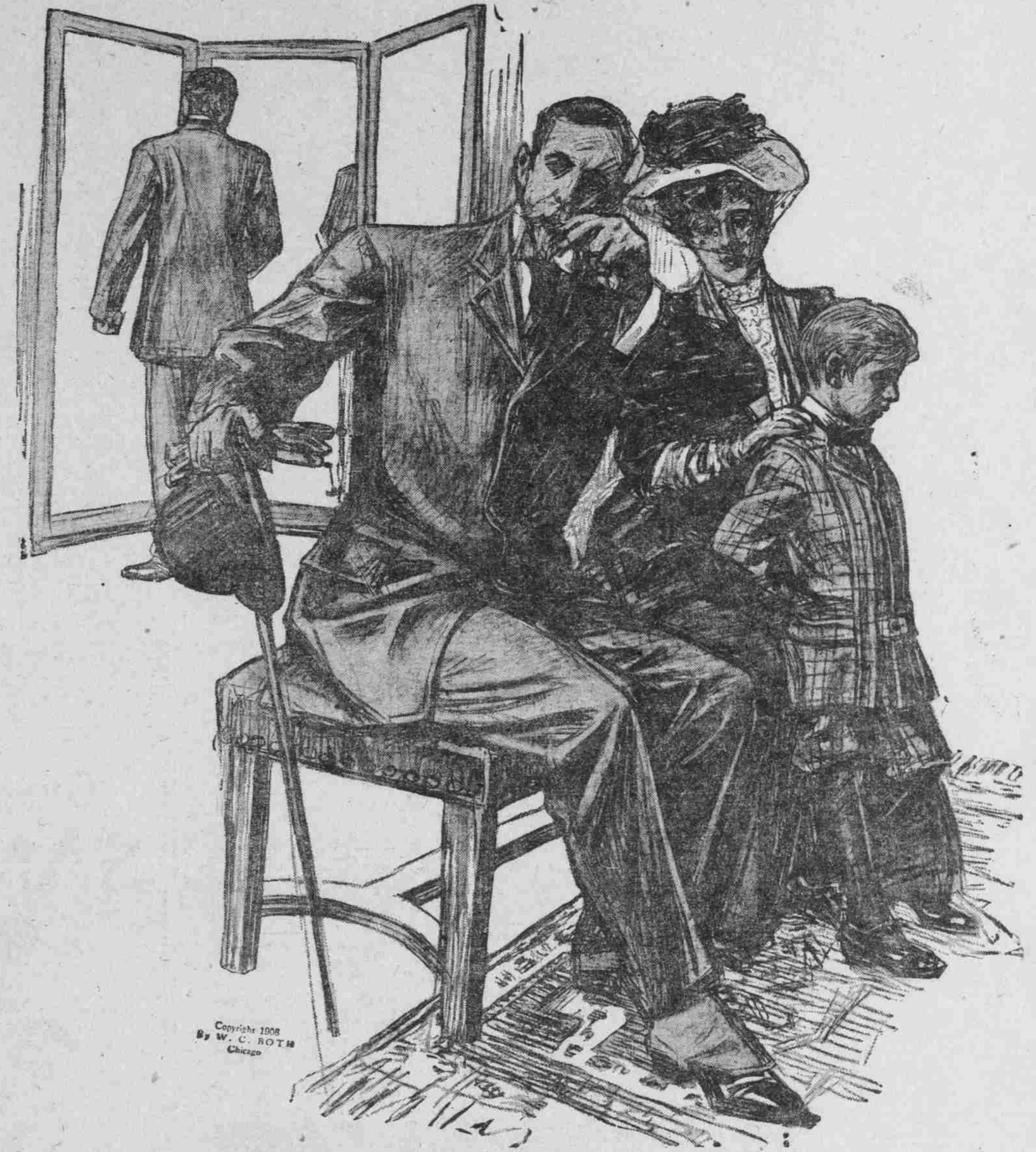
## WIDELY-KNOWN PIONEER WOMAN.



The Late Mrs. Eliza H. Marsh.

FOREST GROVE, Or., Sept. 8.—Mrs. Eliza H. Marsh, who died at her home here yesterday, aged 65, was born in Bloomfield, O. After her marriage to Sidney Harper Marsh in 1860 she came to Oregon. Her husband was the first president of Pacific University, and herself was widely known and beloved.

## IF YOU WANT TO KNOW WHAT SMARTLY DRESSED MEN WILL WEAR THIS SEASON ASK BEN SELLING



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By W. C. BOTS  
Chicago

The new apparel fads for Autumn are all here for those men whose discriminating tastes demand the very best in Suits and Overcoats

## BEN SELLING LEADING CLOTHIER

his heart and the other had a bullet hole through his head. The two Indians for the few months that Hangtown had been in existence had gained a reputation for thievery and many had made threats to shoot them at the first opportunity, but none had the heart to follow up on them.

They were powerful fellows and none dared cope with them in a conflict to the death.

When their bodies were found all were glad they were dead, save a few renegade Mexicans who shared the results of their raids, and they made threats to avenge them. No one in Hangtown claimed the honor of the killing, and though the good citizens made many efforts to learn the identity of their benefactors they never succeeded. It was left to remain a mystery because Mr. Matheny and his party were strangers in a strange land and fearful of the Indians, and I and three brothers named Thorp were hurrying to the newly-discovered mines as fast as we could go.

We traveled overland from this state, starting as soon as we got news of Marshall's discovery and arriving at Sutter's Fort early in November. We pushed on and when within a few hours' ride of Hangtown night overtook us and we camped. We had 21 horses with us and thinking we were near civilization and as the horses were pretty well fagged

we allowed them to run at will, keeping only two of them tethered to round up the rest with in the morning.

"When morning came the free horses had disappeared and we hunted three days for them without success. On the morning of the fourth day Elvin Thorp and I started off with the two horses we had left to look for traces of the lost animals in a canyon some distance from where we had previously been searching and only a short distance from Hangtown. Thorp had a bowie knife and a rifle and I was armed with a double-barreled pistol. As we rode into a hollow we caught sight of two Indians on one of our lost horses, and away we went after them, hoping to get information from them of the rest of the band.

"The Indians jumped from their horses shortly after the race commenced and attempted to escape on foot, but we soon overhauled them. One carried a bow and some arrows, and as I jumped from my horse he commenced to string it, but my pistol was leveled at him before he could fit an arrow to it and he dropped his weapon.

"Thorp had stopped the other Indian, but while dismounting from his horse the trigger of his rifle caught in some shrubbery and the weapon was discharged. It was a muzzle-loading affair and before he could reload it the Indian grappled with him. The man I had cornered gave a loud yell and came at me.

"I had some compunction about shooting a man, even if he meant me

harm, and I attempted to back away. In doing so I stumbled over a rock and before I could regain my balance the Indian was upon me. He grasped the muzzle of the pistol as we fell and we rolled over and over, fighting for the weapon. Finally, by a display of strength that I did not know I was capable of I wrenched the weapon from his hand. My left arm was free and, grasping him by the hair, I pulled his head to one side and, placing the weapon at his temple, pulled the trigger.

"I freed myself from beneath the dying Indian and as I staggered to my feet Thorp came running to my assistance with his sheath knife dripping with blood. The other Indian lay dead not over a dozen yards away.

"Leaving their bodies where they lay, we hurried on in the direction that the Indians were going when we first saw them, and not over half a mile away we found our horses in a corral that had presumably been built by the men we had killed. We there resolved not to tell how the Indians had been killed, fearing the vengeance of their friends, and this is the first time the story has been told."

William Abernethy Is Injured.

ROSEBURG, Or., Sept. 8.—(Special).—As William Abernethy, of Forest Grove, was coming in from his farm at Dorcas County, to attend the district fair at this place he was thrown at a late hour from his horse and sustained a fracture of both bones of his right leg just above the ankle. He is now resting comfortably at a private residence in West Roseburg. His advanced age makes it the harder for him.

## Not Satisfied With the Pay.

OREGON CITY, Or., Sept. 8.—(Special).—Deputy Sheriff Shirley Buck will resign the chief deputyship in the Sheriff's office next week, and Sheriff R. B. Beattie has announced that Robert W. Baker will be appointed as Buck's successor. Dissatisfaction with the salary that is paid and the failure of the County Court to grant an advance is the reason assigned Deputy Buck for tendering his resignation.

## Beckett's Sentence Is Deferred.

TACOMA, Wash., Sept. 8.—(Special).—The sentence of young Beckett for forgery, which was expected to come up in the Superior Court this morning, was deferred by Judge Shell until a later date, the court desiring to inquire into the matter further. Beckett is the swift youngster who posed as a Canadian Pacific official and cut a swath in Tacoma and Portland under the name of Drinkwater.

## Doomed Man in Cheerful Mood.

SALEM, Or., Sept. 8.—(Special).—J. C. Barnes, of Douglas County, who is under sentence to hang at the penitentiary

10 days hence, is living in hopes of executive clemency, or relief from the Supreme Court of the United States. So far as anyone else knows, he has no basis of a hope from either source. Barnes is cheerful, eats heartily three times a day and gives no trouble whatever. When asked about his case, he says he is expecting the Governor to commute his sentence and that in case the Governor refuses to interfere, the case will be taken to the Supreme Court of the United States.

## Rains End Fire Warden's Work.

OLYMPIA, Wash., Sept. 8.—(Special).—State Fire Warden J. R. Welby reports that the rains of the past few days have closed the season's active field work and he is now checking up to find how his office stands financially. The funds provided for the summer's work in fighting fires amounted to \$10,254, of which \$241 came from the fire protection fund in the State Land Commissioner's office. The remainder came from voluntary subscriptions by timber and millowners. The total will probably be a little short of requirements.

The largest distribution of funds was in Skagit County. Fires in some sections were practically beyond control when the rains fortunately began two days ago.

During the first three months of the present year there were 558 strikes in the Oregon empire. Last year there were 240 strikes, only 328 of which were a complete success for the strikers.