

RATHIE SURRENDERS WHEN POSSE NEARS

Worn and Ragged-Outlaw Is
Found on Hillside.

PLEA FOR LIFE IS MADE

"For God's Sake Don't Shoot" Is
Fugitive's Appeal as Man-
hunters Approach Him.

PENDLETON, Or., July 31.—(Special.)—Jack Rathie, one of the prisoners who broke jail here last Sunday during which Sheriff Taylor was killed, was captured at 9 o'clock this morning at Garden Ridge, three miles from Gibbon and 46 miles from Pendleton. He was taken by a posse of six men, five of whom formed the man-hunting party at Gibbon this morning following the news that Rathie was in the immediate vicinity. The fugitive was tracked for little more than two hours when the posse came upon him lying on a side hill, resting. He made no attempt to escape, although he had heard the approach of the posse. Rathie, offering no resistance, threw up his hands and said: "Boys, for God's sake don't shoot!" He was unarmed, having thrown his gun away early in the week, according to his statement.

Trail Hotly Followed.
Poses were hot on Rathie's trail last night at the Blue Mountain sawmill, near Toll Gate, fully 15 miles from where he was captured. During the night Rathie doubled back to Gibbon and this morning put in appearance at the residence of Henry Thompson, asking for food. Mr. Thompson recognized Rathie from descriptions and after Rathie's departure immediately spread the alarm which resulted in the forming of the posse. Rathie was brought to Pendleton by automobile, arriving here shortly before noon. Word of his arrival spread quickly and within a few minutes a crowd of nearly 100 men gathered at the courthouse.

Catching sight of the outlaw being taken through the hall, the crowd made known in no uncertain terms their opinion of the fate due the man involved with Hart and Owens in the killing of Sheriff Taylor, but the influence of officers kept the mob from action.

Rathie Worn and Ragged.
Rathie was worn and ragged. He had been kept on the move almost continuously for the last six nights and days. He told his captors that he had narrowly escaped being caught several times. Many times the bloodhounds were all but on him, he said, but he managed to evade them. Concerning the whereabouts of Anderson and Patterson, the two fugitives who are still at large, Rathie was uncertain and was prone to give conflicting statements as to where he thought they might be. He said five of the jail breakers stayed together until Monday night, when they heard the baying of bloodhounds and decided to split up. The were at Squaw Creek canyon at the time. When the party broke up, Hart and Owens, the inseparable half breeds, declared their intention of striking out for Mexico. Rathie declared Patterson and Anderson had the same intention.

Story Verified by Rathie.
Rathie verified the story that five of the six jail breakers boarded an eastbound freight train immediately after they left the courthouse Sunday and that they left the train at Cayuse, five miles from Pendleton. They all hid in a wheat field that night.

Albert Lindgren, the other prisoner, who was captured the night of the murder, left the party almost at the courthouse doors.

In the posse that captured Rathie were Robie, Bonifer, Duffy, Thompson and Holliday of Gibbon and Conger of Athena. Bonifer and Duffy, who were separated a short distance from the rest of the group, discovered Rathie. The posse had been out only a few hours when they came upon their quarry after several posses had spent the past week combing the hills and valleys of the country for reward of \$750 was offered for the capture of Rathie, \$500 being offered by the county and \$250 by Pendleton.

Sentiment Runs High.
While the sentiment against the outlaws, particularly Hart, Owens and Rathie, the leaders, is at a high pitch, local officials do not think Pendleton citizens will try to deal out justice to the captured men by any mob demonstration. All steps against any such an outbreak have been taken by the officers and there is no indication that an attempt at lynching will be made, according to R. L. Keator, district attorney at Pendleton. A group of crowd gatherers at the county courthouse at noon, when Rathie was brought back to jail, but they handled the captives remarkably well considering how high sentiment was running.

"I feel confident that local people will let the law take its course in this case," said Mr. Keator. He explained that the fact that no blood was shed in the capture of Rathie and Owens is another strong argument against public action. The fact that action of the law is also ointment to the gallows is also ointment to the desires of the more rabid. A crowd gathered at the railroad station at noon upon the arrival of a train on which it had been reported Hart and Owens would be brought to Pendleton, but it was not a disorderly gathering and curiosity was the motive which led most of the citizens to the scene.

POSSES CAPTURE FIVE

(Continued From First Page.)

ply, but as he spoke he pointed at a man bundled in blankets by his side and then pointed down toward the other sleeper. The cabinates of the posses were immediately upon the two sleeping men and they were awakened. It was at once seen that they were the fugitive half-breeds, Hart and Owens. None of the posses had handcuffs, so a heavy rope was employed to bind the men together before they were taken by an automobile and rushed back to the county jail at La Grande. As Owens was being searched, just outside the shepherd's tent house, his gun in some manner slipped from its holster and fell down through his trousers to the ground. With a quick motion he made an effort to reach it. Just as he did so, Turner shoved the point of his gun under the prisoner's face and commanded: "Put 'em up quick or I'll shoot."

Rathie's Reply Surly.
"Shoot and be damned," replied the surly outlaw as another posseman grabbed the gun.

The ride from where the men were located back to La Grande was a rough journey over uncertain mountain roads, and it was 3:40 o'clock this morning when the posse arrived.

CHRONOLOGY OF UMATILLA COUNTY MURDER AND CHASE.

July 25—Sheriff Til Taylor slain in jail office at Pendleton by Neil Hart, 22, who escapes with James Owens, 29, like Hart, a half-breed Indian, and with him held on robbery charge; Albert Lingren, Richard Patterson and Lewis Anderson, held for alleged crooked check dealings, and Jack Rathie, 22, held on a charge of robbery.

July 26—Albert Lingren surrenders to posse near Cayuse, Or. W. R. Taylor, brother of slain sheriff, appointed his successor and takes charge of hunt for outlaws. Conflicting reports received as to fugitives' whereabouts.

July 27—Hart and Owens raid house near Cayuse and take all food in sight. Many false clues run down by possesmen. July 28—Poses still abroad, but with no tangible progress toward catching fugitives. July 29—Jack Rathie raids home of M. Ricks at Gibbon, Or., and compels Mrs. Ricks to give him food.

July 30—Union county posse reported but few hours behind Hart and Owens in Summerville district.

July 31—1 A. M., Hart and Owens found asleep by Union county posse near Kamela and shackled without struggle. Taken to Union county jail. 9 A. M., Rathie captured near Gibbon and taken to jail at Pendleton. Richard Patterson and Lewis Anderson, the two other fugitives, were captured at 4 o'clock in California gulch about four miles southeast of Kamela by John McCardon and Barney Develin, sheepherders, both of Heppner. The two prisoners were taken to the county jail at Pendleton.

At the county jail, Deputy Sheriff King of Umatilla county, who has been directing the search, immediately recognized both prisoners. He took them in charge.

At the county jail Hart and Owens related the story of their flight. Rathie slowed him up by hitting him in the face, said Hart. "During the flight I saw the sheriff's gun fall to the floor. I picked it up and shot him."

Both prisoners gave local officials valuable information concerning Anderson, alias Henderson, and Johnson, the two remaining fugitives, and it is now believed that it is only a matter of a few days when all six of those escaped will have been recaptured. They said these last two had struck out for the Walla Walla country.

A long distance telephone message from Walla Walla shortly after noon today told of two men being picked up in that section. Local officials are now seeking to determine whether or not these men are Anderson and Johnson.

Woman's Aid Suspected.
Belief is expressed here that Hart and Owens received assistance during their flight from Pendleton. Owens had a woman's handkerchief in his pocket when he was brought into the jail this morning. He did not have it when he left Pendleton.

Whether or not the two half-breeds will be kept at La Grande because of the high feeling prevalent at Pendleton, is being considered this afternoon at a conference between Sheriff "Jinks" Taylor of Pendleton, Sheriff Warnock of La Grande and Wood of Portland. Guy Warnock of Pendleton, Asa Thompson of Echo and several others. It is believed, however, that they will be returned to the Pendleton jail, as it is thought that the officials will be able to hold the angry Pendleton citizens in restraint if they attempt to storm the jail and lynch the prisoners.

The possibility of chartering a special train on which to return them to the jail from which they escaped is now being considered.

HANGING LAW IS ALL RIGHT

Attorney-General Thinks Constitutionality Assured.

SALEM, Or., July 31.—(Special.)—In reply to a suggestion made here

today that the murderer of Til Taylor, sheriff of Umatilla county, probably would engage counsel and launch a legal battle to test the constitutionality of the statutes restoring capital punishment in Oregon, Attorney-General Brown said that, although the law was prepared in Portland, he examined it thoroughly prior to its enactment by the legislature and believed it constitutional in every particular.

Under the law providing for the disposition of first-degree murder cases it is incumbent upon the state to present the evidence to the court even though the defendant may have entered a plea of guilty. This, according to Mr. Brown, is necessary in order that the degree of murder may be determined before imposing the sentence.

The attorney-general said that the laws governing persons charged with murder in Oregon had been tried out time and time again and there was little, if any, possibility of the supreme court declaring the recent act restoring capital punishment unconstitutional.

Gentlemen's Neckwear Half-Price

Here's the making of a joyous August: Hundreds of cut-silk ties—every one I own—have been put on the counters at exactly one-half their former prices. There's every color in the spectrum—there's bizarre color combination—and there's an abundance from which to choose one, two, three—or a dozen!

\$5.00 Ties only \$2.50
\$4.00 Ties only \$2.00
\$3.50 Ties only \$1.75
\$3.00 Ties only \$1.50
\$2.50 Ties only \$1.25
\$2.00 Ties only \$1.00
\$1.50 Ties only \$0.75
\$1.00 Ties only \$0.50

All Knit Silk Ties One-Fourth Off



All Bathing Suits Take a Price Bath!

Grab a suit and be off to the seashore! Prices are down.

\$3.50 Bathing Suits \$2.65
\$5.00 Bathing Suits \$3.75
\$6.50 Bathing Suits \$4.90
\$7.50 Bathing Suits \$5.65
\$8.50 Bathing Suits \$6.40
\$10.00 Bathing Suits \$7.50
—all on the main floor.

BEN SELLING

Leading Clothier
Morrison Street at Fourth

Sheriff Taylor in the jail office Sunday afternoon.

Belief is expressed here that Hart and Owens received assistance during their flight from Pendleton. Owens had a woman's handkerchief in his pocket when he was brought into the jail this morning. He did not have it when he left Pendleton.

Whether or not the two half-breeds will be kept at La Grande because of the high feeling prevalent at Pendleton, is being considered this afternoon at a conference between Sheriff "Jinks" Taylor of Pendleton, Sheriff Warnock of La Grande and Wood of Portland. Guy Warnock of Pendleton, Asa Thompson of Echo and several others. It is believed, however, that they will be returned to the Pendleton jail, as it is thought that the officials will be able to hold the angry Pendleton citizens in restraint if they attempt to storm the jail and lynch the prisoners.

The possibility of chartering a special train on which to return them to the jail from which they escaped is now being considered.

Under the law providing for the disposition of first-degree murder cases it is incumbent upon the state to present the evidence to the court even though the defendant may have entered a plea of guilty. This, according to Mr. Brown, is necessary in order that the degree of murder may be determined before imposing the sentence.

The attorney-general said that the laws governing persons charged with murder in Oregon had been tried out time and time again and there was little, if any, possibility of the supreme court declaring the recent act restoring capital punishment unconstitutional.

Under the law providing for the disposition of first-degree murder cases it is incumbent upon the state to present the evidence to the court even though the defendant may have entered a plea of guilty. This, according to Mr. Brown, is necessary in order that the degree of murder may be determined before imposing the sentence.

The attorney-general said that the laws governing persons charged with murder in Oregon had been tried out time and time again and there was little, if any, possibility of the supreme court declaring the recent act restoring capital punishment unconstitutional.

Under the law providing for the disposition of first-degree murder cases it is incumbent upon the state to present the evidence to the court even though the defendant may have entered a plea of guilty. This, according to Mr. Brown, is necessary in order that the degree of murder may be determined before imposing the sentence.

The attorney-general said that the laws governing persons charged with murder in Oregon had been tried out time and time again and there was little, if any, possibility of the supreme court declaring the recent act restoring capital punishment unconstitutional.

Under the law providing for the disposition of first-degree murder cases it is incumbent upon the state to present the evidence to the court even though the defendant may have entered a plea of guilty. This, according to Mr. Brown, is necessary in order that the degree of murder may be determined before imposing the sentence.

The attorney-general said that the laws governing persons charged with murder in Oregon had been tried out time and time again and there was little, if any, possibility of the supreme court declaring the recent act restoring capital punishment unconstitutional.

Under the law providing for the disposition of first-degree murder cases it is incumbent upon the state to present the evidence to the court even though the defendant may have entered a plea of guilty. This, according to Mr. Brown, is necessary in order that the degree of murder may be determined before imposing the sentence.

The attorney-general said that the laws governing persons charged with murder in Oregon had been tried out time and time again and there was little, if any, possibility of the supreme court declaring the recent act restoring capital punishment unconstitutional.

Under the law providing for the disposition of first-degree murder cases it is incumbent upon the state to present the evidence to the court even though the defendant may have entered a plea of guilty. This, according to Mr. Brown, is necessary in order that the degree of murder may be determined before imposing the sentence.

The attorney-general said that the laws governing persons charged with murder in Oregon had been tried out time and time again and there was little, if any, possibility of the supreme court declaring the recent act restoring capital punishment unconstitutional.

Under the law providing for the disposition of first-degree murder cases it is incumbent upon the state to present the evidence to the court even though the defendant may have entered a plea of guilty. This, according to Mr. Brown, is necessary in order that the degree of murder may be determined before imposing the sentence.

Both half-breeds said they had had nothing to eat from Saturday night at the Pendleton jail until Wednesday night, when they came upon a sheepherder in the Meacham hill country who gave them food. Since Wednesday they said they were able to beg food at a number of sheep camps.

When arrested the men were carrying a gunnysack containing bacon, three or four potatoes, a piece of cheese and crackers. The provisions were enough to last at least two days more if they ate frugally.

Wednesday night they struck out down the Meacham hill and Thursday morning they were completely lost.

"I looked like the sun was rising in the west and we had no idea where we were," said Hart. "We were afraid that we might be going back toward Pendleton. It was then that we decided to keep to the high ridges and keep going."

Both Men Footsore.
When they arrived at the jail here early this morning both men were so footsore they could scarcely walk. A former gunshot wound which Owens had sustained on the index finger of his right hand had caused blood poisoning to set in and the finger looked to be in bad condition.

"I knew I could not have stood it another day," Owens said.

It was not until the men reached the jail that it became known that Hart killed Sheriff Taylor with the latter's gun. The gun which he had was a .38-caliber weapon on a 41-caliber frame. It was identified positively by Deputy Sheriff King as being the gun of the late sheriff.

"It's a good gun and I hate to give it up," muttered Hart as he saw the gun being placed in the office vault. Hart related briefly the hand-to-hand fight in Taylor's office just before the shot was fired. His story of this fight tallied with that given out by Guy Wyrick, who was with

today that the murderer of Til Taylor, sheriff of Umatilla county, probably would engage counsel and launch a legal battle to test the constitutionality of the statutes restoring capital punishment in Oregon, Attorney-General Brown said that, although the law was prepared in Portland, he examined it thoroughly prior to its enactment by the legislature and believed it constitutional in every particular.

Under the law providing for the disposition of first-degree murder cases it is incumbent upon the state to present the evidence to the court even though the defendant may have entered a plea of guilty. This, according to Mr. Brown, is necessary in order that the degree of murder may be determined before imposing the sentence.

The attorney-general said that the laws governing persons charged with murder in Oregon had been tried out time and time again and there was little, if any, possibility of the supreme court declaring the recent act restoring capital punishment unconstitutional.

Under the law providing for the disposition of first-degree murder cases it is incumbent upon the state to present the evidence to the court even though the defendant may have entered a plea of guilty. This, according to Mr. Brown, is necessary in order that the degree of murder may be determined before imposing the sentence.

The attorney-general said that the laws governing persons charged with murder in Oregon had been tried out time and time again and there was little, if any, possibility of the supreme court declaring the recent act restoring capital punishment unconstitutional.

Under the law providing for the disposition of first-degree murder cases it is incumbent upon the state to present the evidence to the court even though the defendant may have entered a plea of guilty. This, according to Mr. Brown, is necessary in order that the degree of murder may be determined before imposing the sentence.

The attorney-general said that the laws governing persons charged with murder in Oregon had been tried out time and time again and there was little, if any, possibility of the supreme court declaring the recent act restoring capital punishment unconstitutional.

Under the law providing for the disposition of first-degree murder cases it is incumbent upon the state to present the evidence to the court even though the defendant may have entered a plea of guilty. This, according to Mr. Brown, is necessary in order that the degree of murder may be determined before imposing the sentence.



SECOND
and Last
WEEK
Matinees
Every Day

"The Prince Chap"

THOMAS MEIGHAN

Thomas Meighan, cynical crook of "The Miracle Man"—the lovable flunkey of "Male and Female"—has a role entirely different in "The Prince Chap." An artist—a man, in a bunch of "wild Bohemians"—undertakes to raise an adopted, motherless baby girl. Thereby hangs the story—he loses the girl he loves, yet he wins. "The Prince Chap" is the most universally-liked picture that we have shown in months, and you are assured of absolute picture-satisfaction.

ALSO THREE EXCEPTIONALLY GOOD FILLERS

Comfortably Ice Cooled



Nordstrom, Organist



CORONA

Portable Typewriter

\$50.00, with carrying case.

fold it up—
take it with you—
typewrite anywhere

E. W. PEASE CO.

State Distributors, 110 Sixth Street.

Tire Distributors

Leading Tire Company, advertising Saturday Evening Post, with recognized line of quality, is ready to place exclusive distributorships with desirable houses now established and strong financially. Attractive discounts and prompt shipments. Our representative will be here about August 8. If interested write R. 227, Oregonian.



That
New Edison

Come in and find out about our Budget Plan.

It organizes your spending. Makes it easy for you to "swing" a New Edison.

We'll show you how.

Hyatt Talking
Machine Co.
350 Alder St.,
Portland, Or.

EDUCATION PAYS

FOR THE INDIVIDUAL AND FOR THE STATE
A Person with No Education has but One Chance in 150,000 to
Render Distinguished Service to the Public.
With Common School Education... 87 Chances
With High School Education... 87 Chances
With College Education... 87 Chances
ARE YOU GIVING YOUR CHILD HIS CHANCE?

THOSE STATES ARE WEALTHIEST THAT HAVE INVESTED
MOST IN EDUCATION

Oregon Agricultural College

Through a "Liberal and Practical Education" prepare the Young Man and Woman for
Citizenship and Successful Careers in
AGRICULTURE PHARMACY HOME ECONOMICS
COMMERCE MINING VOCATIONAL EDUCATION
ENGINEERING FORESTRY

The training includes PHYSICAL EDUCATION, MUSIC, ENGLISH,
MODERN LANGUAGES, ART and the Other Essentials of a Standard
Technical College Course.
Fall Term Opens September 20, 1920. Tuition Is Free

THE REGISTRAR, Oregon Agricultural College, Corvallis, Oregon

Gifts That Last

The DIAMOND

—the Gem Imperishable!

ARONSON Diamonds are full of life—flashing, glowing, scintillating life that never dies—never grows old!

Wear an Aronson diamond and keep young. Give an Aronson diamond as a token of never-ending affection!

ARONSON'S

Washington at Broadway