

THE SHOOTING OF ZACH LEWIS

1890-91 Wallace directory:
Cooke, Owen J., architect, Bank St.

Coeur d'Alene Miner, 12 Sept 1890:
COOKE & POWERS
Contractors and Builders
Plans, Specifications and Estimates Made
Fine Work a Specialty
Office on Bank St.

Coeur d'Alene Miner, 17 Sept 1890:
O.J. Cooke has bought the residence of M.
Ediamson, West Bank street.

Coeur d'Alene Miner, 20 Sept 1890:
J.J. Powers makes fine carpenter work a
specialty.

Have your plans for buildings made by O.J.
Cooke, the architect.

Spokane Falls Review, 22 Jan 1891:
MURDER AT WALLACE

Old Man Lewis shot fives times

HE WAS AT WORK ON HIS CABIN

When interrupted by speculating real estate
men, who ordered him away

Wallace, Idaho, Jan. 21 – A murder was
committed here about 1 o'clock. J.M. Harris, a
real estate agent, has located and held several lots
above Wallace, and driven away several would-be
locaters, although he is not residing thereon. Old
man Lewis and son began building a cabin on one
claim, but was interrupted by Harris and O.J.
Cooke of Cooke & Powers, contractors. Harris, it
is alleged, fired the first shot, and the old man is
alleged to have shot Cooke in the arm. Young
Lewis was shot in the cheek, and old man Lewis
was shot five times, and killed. Harris was
arrested. An inquest is in progress."

An identical story to the above appeared in the
Spokane Falls Chronicle.

Tacoma Daily Ledger, 22 Jan 1891:

Spokane Falls, Jan. 21 — A fatal shooting affray
occurred at Wallace, Idaho, late this afternoon.
An old man named Lewis, O.M. [sic] Cooke of
this city and another man whose name is
unknown took possession of a lot and were in the
act of erecting a shack thereon when John M.
Harris, the owner of the lot, ordered them off.
They refused to vacate, whereupon Harris went
up town and returned in a few moments and
opened fire on the lot lumpers with Winchester.
He fired 10 shots, killing Lewis instantly, putting
a bullet through Cook's arm and the third man
was shot through the leg. Harris is a brother of
William Harris, a leading butcher of Wallace, and
who is now visiting on Puget Sound. Harris is
under arrest.

Spokane Falls Review, 23 Jan 1891:
KILLING OF LEWIS

A brother of J.M. Harris in the city on his way
home from Portland

He says his brother has been constantly
harassed by land-jumpers

W.E. Harris, the brother of the slayer of old
man Lewis of Wallace, Idaho, was in the city
yesterday. He was very much concerned over his
brother's act, but expressed himself as being
satisfied that an investigation will prove at least
that the affair is a two-sided one. Regarding the
charge that his brother is a real estate shark, and
that he shot Lewis while he was building a cabin
upon his own land, he said:

"That particular ground is known as the Harris
addition. It was located and platted two years ago
by J.M. Harris. He has held that ground ever
since. He complied with the law, having built a
cabin on the land that he spends nearly all of his
time in. I have not learned the details of the

affair, for I was in Portland when it occurred, and am now on my way to Wallace, but know that my brother has had considerable trouble with men who attempted to jump his claim. That will account for the correspondent's reference to 'gun plays' made by him.

"While on the train on my way here I met several men who knew Lewis. They said he was a man whom one would not be surprised to find jumping another's claim. I am reasonably sure that my brother was only defending his own interests, and I believe that he will get justice at the hands of the authorities.

Coeur d'Alene Miner, 24 Jan 1891:
SHOT FOUR TIMES

Zaccheus Lewis killed in a fight over a tract of ground east of Wallace

O.J. COOKE SLIGHTLY WOUNDED

Cause of the difficulty – the inquest and evidence in full – Who the participants are

A few hundred yards east of Wallace there is a knoll of ground, or rather a bench, rising probably 20 feet above the valley about Canyon creek and the South Fork. This bench embraces probably an acre of ground. For nearly 200 feet it is almost level and then rapidly slopes to the mountain. It is a beautiful spot for one or more residences. It does not command an extended view, for both east and west the bend of the canyon, or valley, obstructs.

It was here, last Wednesday afternoon [Jan. 21], a few minutes past 1 o'clock, that a bloody battle with guns took place, the result of which is the death of Zaccheus Lewis and the slight wounding of O.J. Cooke.

Nearly four years ago, John M. Harris placed a fence around the tract of ground. At various times he has worked there or hired work done. Last year the Wallace gun club made some improvements for the privilege of using the ground. Whatever legal claim, if any, he had to the ground will be determined by law if it figures

in the case. His ownership was recognized, or rather, it was not disputed until the time in question. At various times he had received offers for the ground, at one time the sum of \$400. He claimed it as part of a ranch location, lying east and west of the two mill sites and connected by a strip of ground to the south.

THE INQUEST

Testimony of eye witnesses to the difficulty

Dr. W. S. Sims, county coroner, visited the scene of the trouble 30 minutes after it occurred. He viewed the dead body and later ordered a jury summoned for an inquest. Following are the jurors: George W. Tucker, foreman; P.J. Holohan, W.T. Townsend, Charles Hussey, Lewis Simpson, M.M. Sweet, John Calahan, W.A. Carr, W.R. Shields.

The jury viewed the dead body Wednesday. District Attorney O'Neil advised a post mortem examination. Under the circumstances Coroner Sims thought best to place the autopsy in the hands of a physician who was unacquainted with anything connected with the trouble, consequently Dr. John Sabin was summoned from Mullan.

Following is the evidence adduced:

JEREMIAH SEXTON

Am 48 years old, a laborer; came from Montana to Wallace a month ago; live at Denver Shorty's; have known Zaccheus Lewis, the deceased, for about three weeks; last saw him alive at a point east of the Y between 1 and 2 o'clock Wednesday afternoon; Lewis was building a frame house; don't know whether or not it was on his own ground; next saw him at the corner of the building dead; he had been shot; can't say whether Harris or Cooke fired the shots which killed him; both were shooting at him, Harris at this back and Cooke in front; I was behind Cooke when he (Cooke) fell; I think Harris fired the first shot from the center of the house, Lewis at the time standing outside the house, near a big box, facing the house; Lewis was getting his gun out of his coat pocket; Harris had a gun drawn on Lewis for half an hour; they had been talking; Lewis had said "There is a way of settling this business by

law”; Harris said at one time ‘If you pull a gun out of that coat, I’ll drop you’; Lewis then had no gun in sight; Harris fired the first shot, then Lewis shot; then Cooke shot; Lewis shooting at Harris and Harris and Cooke at Lewis; Cooke fell, arose and began firing; I did not see Lewis fall; Lewis was running around the house, Harris after him, both shooting; Cooke also was shooting, either at Zaccheus Lewis, deceased, or Charles S. Lewis, his son; did not see Charles Lewis shoot; when the shooting began Lewis was about 20 feet from Harris; just before the shooting Harris knocked Charles Lewis down; then Zaccheus Lewis secured his gun; Harris fired at Zaccheus Lewis and the latter began shooting.

TILTON CURTIS

Am a carpenter; live in Wallace; am 32 years old; know Zaccheus Lewis; was helping him put up a shack a short distance east of the Y; it was after 1 o’clock when I saw Harris and Cooke coming up the hill to where we were working; Cooke had an axe in his hand; Harris asked me who was doing the work; I told him Zaccheus Lewis was doing it and the latter stepped forward, saying: “I am doing it, what of it?” Harris — “I’ll give you just a minute to tear the building down.” Lewis — “Is that all the time you’ll give? By what authority do you order me?” Harris — “This property belongs to me.” At the same time both Harris and Cooke [illegible] guns. Harris covered the old man and ordered Cooke to tear down the house. Young Lewis then came up and stood between Cooke and the boards. The old man started outside toward some blocks. Harris followed. Lewis put his hand on his coat. Harris ordered him to withdraw his hand. Lewis told him if he had any papers to show he owned the land to produce them. Harris told him to look at the records. Harris still covered the old man with a revolver, while Cooke inside the house was arguing with young Lewis. I went about 40 feet away and sat down on a log. Harris insisted that Cooke knock the building down, but young Lewis prevented it. Young Lewis told them there was a way to settle it in law. Harris said to Cooke “If he don’t get out of the way hit him over the head with a revolver.” I

then moved further away and a few minutes later started for an officer. Harris said to Cooke: “Come and guard the old man and I’ll knock the house down.” Harris went into the house. Hot words passed between Harris and Young Lewis. Harris hit him over the head with a revolver, saying you d— s— of a b—, take that. The blow knocked young Lewis down and the revolver fell from Harris’ hand. Lewis arose and about that time Harris regained his revolver and fired, missing him. Old man Lewis started with his revolver for Harris when young Lewis fell. As the old man started Cooke fired at him. Lewis then shot at Cooke and Cooke fell over. The old man started around the building, Cooke firing at him. As he came around the corner Harris fired at him. The old man then turned around to Cooke; Harris fired again. Bullets were close and I got behind a stump and saw no more of it. When Harris fired at ten feet from Lewis they were facing each other. The old man had his revolver before Cooke fired. Witness could not identify guns.

HENRY JOHNSON

Am 40 years old; am a carpenter; reside in East Wallace; have known Zaccheus Lewis two months; saw him alive last above the Y, where he was building a house; saw him afterwards dead; Harris fired the shot which killed him; saw him drop immediately after he fired; I was eating dinner in my shack nearby when I heard the noise; Harris was near a box, ten feet from the building; old man Lewis was at the other end of the box; Harris was covering him with a gun; both were talking; young Lewis and Cooke were inside; Cooke had a gun in his right hand and an ax in his left, the latter in position to knock off boards; young Lewis stood between Cooke and the boards; the former said “We will decide this by law.” Cooke said “We’ll settle it now.” This lasted probably 20 minutes. I went in my house and finished dinner; heard a shot; heard a second shot, this time it came from Cooke’s gun, aimed at old man Lewis; the latter then shot at Cooke and Cooke fell; Harris came out and shot at old man Lewis; at the same time Cooke was on his knees and shot at old man Lewis; Harris shot

again at old man Lewis; Cooke again, also; then Harris again, facing Lewis, when the latter fell.

CHARLES S. LEWIS

Am 32 years old; am a sawyer and engineer; live in Wallace; the deceased, Zaccheus Lewis, was my father; last saw him alive about the Y; he was building a small house there; I saw him there later, dead; he had difficulty with J.M. Harris and another party over the ground where the house was being built; I was going to dinner shortly after 1, when I met Harris and Cooke; I saw them go to the building; went back to see what they wanted; when I got to the house Harris had a gun leveled on my father; the other man had an ax and started to tear down the building; I got between him and the building and told him there was law to govern such work. He hesitated, then Harris said, "Go ahead; if he gets in your way hit him." Cooke then went to the other end of the house and began to strike; I again got in his way. Harris finally said to Cooke "Come and take care of the old man and I'll tear it down." He came and we exchanged some words; I don't know whether he hit or shot me, but he damaged my face as you see; the next I saw was my father hanging to the northwest corner of the building; he supported himself with his left hand for a moment and then fell; I went to him and turned him over on his back; he was gasping; didn't answer when I spoke to him; I knew he was dead and left him; I heard no shots after I saw my father falling; there were two shots just at the time I was struck; I can't say positive how many shots were fired; there were two I know of; they were fired at about the same time I was struck; I must have been unconscious for a time, although I have not realized it until I heard the testimony before this jury.

JOSEPH STOUTENBERG

Am 32 years old; am a laborer; live near Wallace; was not acquainted with Zaccheus Lewis; saw him but once. I was down the Union Pacific road yesterday; saw a crowd of men about ten rods to the left of me, east of the Y, and heard loud talking; know neither personally. (Here witness described Harris and Zaccheus Lewis on

the outside of building and Cooke inside, and a moment later their change of position, and still later the appearance of young Lewis on the scene.) Young Lewis told Harris to lay down his gun and he would fight him. After a few words Harris struck young Lewis with a revolver and the latter fell. Then shooting began; don't know who shot first. As soon as the shooting commenced, Cooke fell. I didn't see the old man shoot; didn't see any gun in young Lewis' possession; after Cooke fell he got up and began firing; saw young Lewis and Harris rush to the old man after he fell and Harris picked up the latter's revolver. At no time during the firing were the men more than two rods apart. I could not tell who fired the shot which caused Cooke to fall. I can't say whether Cooke fell before or after the shot. There were two shots about the same time. There were six or seven shots in all.

JOHN BLACK

Am 21 years old, a teamster, and live in East Wallace; saw a difficulty east of the Y Wednesday afternoon; heard loud talking and stopped to see; saw Harris holding a gun on old man Lewis, the latter at the time leaning against a box; the box was about three rods from the house; I saw Mr. Lewis, Mr. Harris, and two carpenters; I went opposite the house and saw inside Cooke and young Lewis; Cooke was trying to knock the house down, while young Lewis was trying to prevent. I heard young Lewis say: "If you hit the building you must hit me first." Cooke wanted me to come up there. I told him I wanted nothing to do with it. Harris then went in the building Cooke came out. I heard young Lewis dare Harris to lay down his gun; said he would whip him; Harris then struck him; shooting then began. There were two shots about the same time. I first saw smoke from old man Lewis' gun, when Cooke fell. While he was down Lewis fired another shot at him, Cooke firing also while he was down. At this time I couldn't see Harris. Later Harris came running around the corner of the building. He shot and old man Lewis ran into the building to where Harris stood. Harris turned around and it looked as if he was going into the building, and stopped. Then there was a shot

fired; can't say who fired it. I saw young Lewis throw up his hands. The shooting had then ceased and I came down town. I know of but two shots at old man Lewis, one from Harris. Lewis was standing rather sidewise to Harris. The other shot was from Cooke's gun, the men facing each other. When Cooke fell and I saw smoke from Lewis' gun the men were probably 20 feet apart. Two shots were fired about the same time. I judged the other shot was Cooke's. After these two shots there was shooting from inside the house. I can't say at whom the shooting in the house was directed. When the shooting in the house was going on, old man Lewis was standing at the corner and in front of the house. Don't know who shot from the inside. Can't say whether young Lewis had a gun.

DR. JOHN SABIN

Am 45 years old, a physician and surgeon, and live at Mullan; was not acquainted with the deceased in life; held a post mortem over his body Thursday; found a fatal wound entering the left side or back about six inches from the spine, ranging upward to the right and forward, making an exit at the right armpit, cutting through both lungs and severing the pulmonary artery, from which hemorrhage sufficient to cause death in a few moments resulted; the point of entrance was at the eighth intercostal space. Another wound was at the top of the breast bone, at the bottom of the neck, ranging downward and to the right, breaking the second and third ribs, and from there trace of the ball was lost. The last named ball did not enter the cavity of the body and was not fatal. Another wound was upon the right hip, just above the edge of the hip bone, ranging downward and forward one and one-half inches, where the ball lodged against the hip bone. Another wound was in front of the left knee, the ball lodging in the head of the tibia or shin bone. But one wound may be considered fatal, and that would cause death immediately. The other wounds would not be immediately fatal, but might be so as a result of inflammation. The fatal shot would have caused death within five minutes. After receiving this fatal shot it was

possible for the victim to move around until hemorrhage weakened him.

EDWARD K. OXLEY

I live in Wallace; Wednesday I found a bullet lying in the floor of the house where the shooting of Lewis occurred; it was about the center of the building; it was about 38 caliber, I think; was almost perfect, but showed marks of having been fired.

CHARLES W. O'NEIL

I live in Wallace. Today in company with W.R. Stokes, I went to the uncompleted building above mentioned. The structure is boarded up on the east and west sides, but not on the north and south sides, except in the northwest corner there is, I think, one board on the north end of the building. Possibly on the northeast corner there is a board on the north side. In the edge of this board, which is on the north side at the northwest corner and two or three feet from the floor, there is a bullet hole, and perhaps two or three inches from the edge of the board where the bullet entered there is a little gouged out place on the south surface of the board, looking as though the bullet which entered in the edge of the board had there been cut out with a knife. On the floor below the gouged out place are little fragments of wood, looking as if they had been made by the use of a knife. I do not know whether the bullet is yet in the board.

THE VERDICT

of the jury was to the effect that Zaccheus Lewis came to his death from gunshot wounds inflicted by J.M. Harris and O.J. Cooke. Two of the jury presented a minority report to the effect that the fatal wound was inflicted by either Cooke or Harris.

The preliminary examination is now in progress before Judge Angel. C.W. O'Neil appears for the state and W.W. Woods and A.E. Mayhew for Cooke and Harris. But one witness, C.S. Lewis, has been examined.

THE DIFFICULTY FROM THE FIRST

How it occurred and how Cooke got in it

During the noon hour Harris was walking up the railroad track and noticed that a house was being built on ground he claimed. He went back a short distance and met O.J. Cooke, with whom he is interested in other ground. When requested, Cooke, without hesitation, agreed to go with him. Evidently Lewis had made arrangements to hastily put up the house and occupy it, for possession is considered a strong point. The remainder of the story is told in the evidence.

THE MEN

Who they are and something of their history
Zaccheus Lewis, the deceased, was not very well known and had not been here long. A gentleman from the Palouse country states that he knew him for a number of years and that while in that country he was never engaged in any serious difficulty. Others say he was a man who was often in trouble. Beyond being noisy when under the influence of liquor there seems nothing against him while he lived in Wallace. He was over 50 years of age, a rather small man, of healthy appearance.

C.S. Lewis, his son, had been here longer than his father. So far as we know, his reputation is good.

O.J. Cooke has been here since the fire. He is one of the firm of Cooke & Powers, who have built a dozen brick and frame houses in the town. He is a good architect, sober and industrious, and prior to this has been in no difficulty in the town. His wound is in the right arm, but is not serious.

J.M. Harris has been in Wallace four years. For nearly two years he has been in the real estate business. True, he has been in several difficulties, but this is the first to result seriously. He is a young man who gives evidence of being well brought up. Since the fire he has done a good business.

SIMPLY MEANNESS AND MALICE

The following dispatch appears in the *Spokane Spokesman* on Thursday:

“WALLACE, Idaho, January 21 — {Special} — In a quarrel over jumping a lot tonight old man Lewis was killed. O.J. Cooke of Spokane was shot in the cheek. The shooting is said to have been done by John M. Harris, brother of William S. Harris, the butcher, now of Puget sound.

“About one mile from Wallace toward Mullan is a strip of land that is scarcely worth claiming. No one could have use for it except as a place for a cabin. Its fair market value would not exceed \$5.

“Old man Lewis, who is feeble with age, went out from Wallace some time ago and with the help of his son, a slight built young man, began the erection of a cabin, after putting up a location notice. Harris also claimed the worthless patch of ground. Both armed to the teeth, Cooke and he went out to the lot today to drive old man Lewis off the land.

“He was working on his cabin in his shirtsleeves. He was ordered to leave the lot instant. His coat was lying across a sawhorse a few feet away. He started to get the coat, a second later he fell dead with four bullets in his body.

“The young man picked up a gun at this juncture and shot Cooke in the arm. A return shot quickly disabled him.

“The town is greatly excited tonight over what is considered the cold-blooded murder of old man Lewis. Threats of lynching were heard, and if someone is hanging on high tomorrow morning there will be no surprise.

“Harris is a strongly built man and Cooke will weigh 175 pounds. Harris has shown a disposition to shine as a gun fighter, and has often displayed his weapon on slight provocation. Cooke simply accompanied him to the Lewis cabin as a friend. Cooke is a member of the firm of Cooke & Powers, of Spokane.”

The *Spokesman* would do well to part company with its Wallace correspondent, provided that paper itself has a halfway decent regard for the truth. A glance at the evidence on the first page of *The Miner* will show the reader that there is no truth in the above dispatch. It is not only false, but bears marks of malice in every line.

The Miner has reason to believe that dispatch was sent, partly by telegraph and partly by mail, within an hour and a half after the shooting took place, by a man who was on the ground a few minutes after the difficulty occurred and knew the main facts, for everybody in the neighborhood knew them. Malice prompted it, nothing else.

There was not the slightest indication of a mob. In this respect the dispatch places the entire community in a false light.

The case is now under investigation and *The Miner* is perfectly willing to leave it to the courts. It is perfectly proper, though, to correct any such prejudicial report as that above.

THE DANGER OF IT

It is a dangerous practise to carry firearms. When a man knows he is liable to be drawn into a dispute which it is possible to settle without the slightest danger to his life he should avoid having a gun about him. Any one of the four men connected with Wednesday's fight could he have foreseen the result, would have played no part in it. Certainly Zacheus Lewis, had he know it would cost him his life, would not have gone near the ground in question; neither would his son. If Cooke and Harris had known positively that a man must be killed, that they must perform the act, and that all the expense and trouble incident to criminal trial with the possibility of punishment must be undergone in order to secure possession of the ground, they would never have asserted any claim. None of the parties knew this, but the fact remains that everyone was prepared for it, with his gun in the most convenient place for use. If the truth were told no doubt either side thought the other would yield before the use of a gun was necessary. We can not believe that either side contemplated murder from the beginning. The quarrel and excitement easily led up to it. It is a wrong way to settle any dispute.

Wallace Free Press, 24 Jan 1891:
AN AWFUL TRAGEDY

It is caused by some land trouble

J.M. HARRIS AND O.J. COOKE CHARGED WITH THE KILLING

Complete testimony before the coroner's jury –
Divided verdict of the jury – Harris and Cooke
under arrest

Between 1 and 2 o'clock last Wednesday afternoon the report of a tragedy on the [illegible] shooting grounds on the east side of the mouth of Canyon Creek caused intense excitement in Wallace on account of the well known standing of the persons involved. Undersheriff Waite immediately proceeded to the scene of the bloody encounter about a quarter of a mile east of Wallace. He was followed by hundreds of citizens. Mr. Waite when he came near the scene met John M. Harris and arrested him and brought him to town to Justice Angel's office, accompanied by Charles Lewis, son of Zacheus Lewis, the man who was shot and killed, young Lewis having a vicious cut on the left side of his face, as if a bullet had furrowed through the cheek, blood trickling down the neck. Mr. Waite deposited three revolvers with Justice Angel. While the arrest of Harris was going on, O.J. Cooke had come down town and proceeded to Dr. Sims' office. Cooke had a bullet in his right arm, which entered near the wrist and lodged near the elbow, where Dr. Sims cut it out. Dr. Sims then went to the scene of the shooting, where he found Zacheus Lewis lying dead, with four bullet holes in his body. He ordered the body to be brought to Worstell's undertaking rooms on West Bank Street and then proceeded to hold an inquest.

THE CORONER'S JURY

Coroner Sims summoned a jury Wednesday afternoon at 3 o'clock to hold an inquest over the body of Zach Lewis. The following were impaneled: John Callahan, W.T. Townsend, Pete Holohan, Charles Hussey, M.M. Sweet, W.R. Shields, L. Simpson, Geo. W. Tucker, W.A. Carr. Mr. Tucker was appointed foreman. The Coroner requested the jury to accompany him to Worstell's undertaking establishment to view the body. Four bullet wounds were found. One below

the neck on the right breast; one between the sixth and seventh ribs in the back, in direct line of the heart; one in right hip in back in line of right kidney; and one just below the left knee. The bullet cut out from under the arm weighed 146 grains and was not marred; the one cut out from the knee weighed 198 grains and was flattened, having imbedded itself in the bone, from which it was extracted with difficulty. The two wounds in the back and the two in front indicated that the men must have done the shooting, one from behind, the other from in front.

JEREMIAH SEXTON SWORN

I am 48 years of age. Am a laborer. Live in Wallace. Knew Zach Lewis for about three weeks. Last saw him alive near Y between 1 and 2 o'clock Wednesday afternoon. He was putting up a sort of frame house. Couldn't say if it was on his own property. Was employed by the young man. Next saw him at the corner of the building dead. He was shot. Couldn't say whether Harris or the other fellow shot him; one was behind him, the other in front of him; Harris was behind his back shooting. Cooke was in front of deceased; Cooke fell. I think Harris shot first from the corner of the house. Deceased was standing outside of the house by a big box. Harris was inside of building. He was higher than deceased. Could see both men. Saw both men when firing commenced. The men were facing each other. Lewis pulled the gun out when Harris knocked down this man (pointing to Charles Lewis). Both had guns. Harris had his gun out for half an hour pointed at deceased when they were talking over the matter. Lewis said there was a way of settling the difficulty by law. Lewis was standing with his hand on the chest. Harris had a gun pointed at him and said, "If you make a move I'll drop you." Lewis had no gun then. Harris had his gun out pointed at Lewis. Am positive that Harris fired the first shot. After Harris shot, Lewis shot and then Cooke shot at Lewis too. Cooke was standing down with his back toward the railroad track. His back was toward the track at Mullan. Saw Cooke fall. Cooke then got up and commenced to shoot at Lewis. I then ran over the

embankment and came to town to get Mr. Waite. Couldn't say which one shot Lewis — Harris or Cooke. Don't know who killed Lewis. Saw Cooke and Harris shoot at him. Didn't see Lewis fall. When I left I saw Lewis running around the house. Cooke was shooting. Charles Lewis didn't shoot. He had nothing to shoot with. Didn't shoot while I was there. I know that Lewis came to his death by a gunshot wound. I say, I don't know which one killed Lewis. I know someone of them did.

To juryman — I was back of Cooke when he was shooting at Lewis. Cooke was facing Lewis and Harris was behind Lewis. This was not when the first shot was fired. Three or four shots had been fired. (Witness there showed the position of the men by illustration. Cooke facing Lewis and Harris behind Lewis.) Charles Lewis was in the building with Harris. Harris knocked young Lewis down when his father got the gun out of his coat pocket. Harris then fired at Lewis. Then Cooke commenced to fire at Lewis. Lewis turned around and shot at Cooke, Harris shooting at Lewis also from behind.

The witness could not write and made his mark.

TILTON CURTIS SWORN

Am a carpenter. Live in Wallace. Age 38. Know Zach Lewis. Last saw Lewis alive on Wednesday between 1 and 2 o'clock. Up the creek, near the Y, on north side of track going to Mullan. He was putting up a little house or shack. Next time I saw him he was a corpse, lying alongside of the building, the house he was erecting. Sexton, myself, and old man Lewis had returned from dinner. Then young man Lewis went to dinner. I saw two men coming up the hill. They were Harris and Cooke. Cooke had an ax in his hand. Harris walked up to me and said, "Who is doing this work here?" I pointed to the old gentleman and old man Lewis stepped forward. When the old man came forward he said: "Well, I am doing this work, what of it?" Harris said: "I'll give you just a minute to tear this building down." The old man said: "Is that all the time you give me?" The

old man asked Harris what authority he had in wanting him to tear it down. Harris said: "This property belongs to me," reached down in his pocket, drew out a gun and Cooke did the same. Harris covered old man Lewis with the gun and ordered Cooke to tear the building down. About this time young Lewis appeared upon the scene. As Cooke proceeded to knock the building down, young Lewis got between the building and Cooke. The old man about this time proceeded out to a box standing near the building. Harris followed old man Lewis to the box and as the old man put his hand on a coat lying there, Harris covered him with a revolver and told him to withdraw his hand. Lewis told Harris that if he had any papers to show that the land belonged to him he would get off. Harris told him to go and look at the records. They stood there. Harris having the old man covered with a revolver, arguing the point, while Cooke covered young Lewis with a revolver and they were arguing the point. I went over [illegible] a log about [illegible] feet away to get outside of the bullets, if there was going to be any shooting. Harris kept on telling Cooke to knock the boards off the building, but young Lewis kept in front of him. Young Lewis told them to settle the dispute by law and not come there with guns to drive them off as he would not be driven off that way. Harris told Cooke if young Lewis did not get out of the way to hit him over the head with the revolver and get him out of the way. I then went down to the railroad track where three or four men were standing. Was there a couple of minutes and told the men I was going to get my coat and go down town to get an officer. I started up the bank and heard Harris tell Cooke to come and guard the old man and he would go and knock the house down. I got up the bank and saw Harris near young Lewis. Harris was going to knock a board off when young Lewis got in his way. Just then Harris said: "You damn son of a — , take that," and Harris hit him over the head with a revolver. Young Lewis fell down and the revolver dropped out of Harris' hand. As Harris picked up his revolver young Lewis rose to his feet and Harris fired at him. Cooke had the old man out at the box. When Harris shot the old man reached under this coat on the box and got

his revolver. The old man started over to where Harris was, when Cooke fired at old man Lewis. Lewis returned the fire at Cooke and Cooke fell over. The old man started around the building. Cooke got up and fired at old man Lewis. Young Lewis had no revolver. As the old man came around the corner of the building Harris fired at him. I saw the old man turn around, Cooke was behind him and Harris in front. Harris, when Lewis turned around, fired again. Saw Harris fire at old man Lewis when he was about ten feet way. I then ran down the hill to get out of the range of the bullets. I think it was Harris who fired the shot which killed Lewis.

To juryman — Old man Lewis had his face to Harris when Harris shot and was only ten feet away. (Witness then illustrated the position of the parties.) Guns were shown witness, but he could not positively identify any of them.

HENRY JOHNSON SWORN

Age 40. Am a carpenter. Live on the narrow gauge Y. Knew Lewis about two months. Know how he came to his death. He was shot. There were several shots fired. Harris fired the shot that killed him. Heard a noise. I stepped out of my cabin and saw Harris at the east end of the box, about eight or ten feet from the building and old man Lewis on the northwest corner of the box. Harris had the old man covered with the revolver. They were talking. Saw Charley Lewis and Cooke in the northwest corner of the building. Cooke had a revolver in his right hand and an ax in his left. He held the ax up, as if to knock off the planks. Charley stood between the ax and the boards. Charley said: "We'll have this thing decided by law. We'll not take this building down now." Cooke said: "We'll settle it now." I stayed out about 20 minutes, while they were saying they would settle it by law. I went into the house and finished my dinner. I just got up, put on my hat, when I heard a shot fired. Stepped around the corner and saw a shot fired by Cooke towards old man Lewis. Saw the smoke. Old man Lewis was going towards building. Shortly after that old man Lewis shot at Cooke and Cooke fell. Harris came out of the building going toward the box

and shot at old man Lewis. By this time Cooke was on his knees and shoot at old man Lewis. Then Harris shot again at Lewis. Cooke got up by this time and shot again at Lewis. Harris shot again at the northwest corner of the building where Lewis was at the time and fell, just as he was turning around. As near as I can make out five shots were fired.

CHARLES S. LEWIS SWORN

Age 32. Am a sawyer and engineer. Live in Wallace. Knew Zach Lewis. He was my farther. Last saw him alive near the Y. Was putting up a small house. Next saw him dead at the same place. I do not know how he came to his death. He had a little difficulty there over the ground that he was building the house on. The trouble was with J.M. Harris. There was another person with him, but Harris claimed the ground. As I was going to dinner I met Harris and Cooke. They were on up the hill. I turned back to see what they were after. When I got there Harris had his gun leveled on my father. The other man had an ax and started to tear down the building. I got between him and the building and told him to hold on; that there was a law for such work. He hesitated. Harris said: "Go ahead; if he gets in your way, hit him." My being in the way he started to the other end of the building and struck one blow. I got in the way again and he changed to the other side of the building. I still kept in his way, when Harris told him to come and tend to my father and he would tear it down. He came over and we exchanged words. He then hit me or did something. Anyway my face was sore. Then the shooting was going on. The next I saw was my father hanging on the corner of the building. He hung on the corner with his left hand and swung around. I went to him and turned him over onto his back. I saw his eyes were set and he was gasping. I rolled him over on his side and left him.

To juryman — The first I knew after I was struck I saw my father at the corner of the building. There were two shots fired about the time I was struck.

By Judge Mayhew — Are you positive that two shots were fired before you were hit or about the time you were struck?

Witness — Am positive.

By O'Neill — Did you hear shots before you were struck or about the time you were struck?

Witness — About the time I was struck.

By O'Neil — How many shots were fired?

Witness — Five that I know of.

By O'Neil — What effect did the blow have on you?

Witness — Stunned me.

To juryman — Do not know whether the two shots were all that were fired. From what I heard the other witnesses say considerable time must have elapsed from the time I was struck until I saw my father at the corner of the building.

Adjourned until 9:30 Thursday morning.

The jury met at 10 o'clock Thursday.

JOSEPH STOUTENBERG SWORN

Age 32. Am a laborer. Have no particular home. Live close by Wallace. Did not know deceased. Saw him once. Saw a difficulty yesterday. Coming down U.P. road about 1:30. Saw crowd of men standing about ten rods off on side of hill, where a house was being built. Heard some one talking pretty loud. Saw one man holding a revolver on another. Didn't know any of the men. The man who was holding a pistol was a well-dressed man, small stature. Would not say exactly; think he had a mustache. The man who he was holding a pistol on was an old man, with chin whiskers. The old man was leaning on a box — looked like a box. Saw two other men. One had an ax. He was middling large, well-dressed. The man who was near the old man went to the house. The larger man in the house came outdoors. He had a pistol in his hand. Didn't see the pistol until this time. Then another man, not very well-dressed, come down from behind the house. He commenced talking to the man who covered the old man. I have since learned the names of the men, but can't remember then now. Cooke, I think, is the large man's name. The son told the well-dressed young man to lay down his gun and he would fight him. They exchanged a

few more words when the well-dressed young man struck the son alongside of the head with a revolver. Knocked him down. They commenced shooting then. Couldn't say who shot first. Think there were three men shooting. Didn't see the old man have a revolver until after the shooting commenced. The largest man fell when shooting commenced. Didn't see a revolver in the hands of son. The man who fell first, the largest man, got up and shot again. Then I saw the son and the man who knocked him down rush to the old man and the well-dressed young man took the old man's revolver. Was standing on the U.P. track at the time. The men stood within rods of each other. Could not tell who fired the first shot. Think the tall, well-dressed man fired before he fell, or about the time. Couldn't say how many shots were fired. Six or seven. Heard son say: "Whip me; big Injun me." He said this before the well-dressed young man struck him with the pistol.

JOHN BLACK SWORN

Age 21. Am a teamster. Stop at the Y. Saw a difficulty on the bench. Heard some loud talk and stopped to see what it was. Saw Harris have a gun on old Lewis. Lewis was leaning up against a box. The box was standing in front on side of house. Think about three rods off. Saw two carpenters out in the yard. I went on down there in front of the house opposite the lot and saw Cooke and young Lewis in the house. One of the carpenters came down on the track where I was. Cooke was trying to knock the building down, when young Lewis would get in his way. Heard young Lewis say if he hit the building he would have to hit him before he did it. Cooke wanted me to come up there. I told him I didn't want anything to do with it. Then Harris walked into the house and Cooke came out. Young Lewis dared Harris to lay down his gun and he would whip him; then Harris hit young Lewis. Suppose with his gun. Couldn't see him after he struck the blow. Firing then commenced. Two shots were fired about the same time. First saw smoke from old man Lewis' gun. (Answer to question — From Lewis' gun? Think I did.) Cooke fell. Another shot was fired at him by Lewis. Cooke fired a shot while he was

down. Couldn't see Harris or any of them while the shooting was going on between Cooke and Lewis. Then Harris came running around the corner of the building. He shot and old man Lewis ran around into the building, to the corner of the building where Harris was. Harris looked as if he was going into the building. When he turned around there was a shot fired. Couldn't tell who fired the shot. Then I saw young Lewis throw up his hands. This was the first I saw of him since Harris struck him. One of the carpenters started down town and I went with him. The shooting had stopped. As near as I can tell only three shots. Am sure of two shots were fired at old man Lewis, one by Harris and one by Cooke. When Harris shot, Lewis was standing kind of sideways. When Cooke fired Lewis was standing kind of behind the building, facing Cooke. At the time Cooke fell I saw smoke from Lewis' pistol. They were probably three or four yards, or the length of this room apart. There were two shots fired about the same time. I think Cooke fired one. Couldn't see any firing in the house. Some shooting. It was after these two shots, as near as I can judge.

By O'Neil — Do you know at whom the shooting in the house was directed? Answer — Couldn't say.

Question — When the shooting in the house was going on, were old man Lewis and Harris in sight of each other. A. — Don't know.

Q. — When shooting in the house was going on where was old man Lewis? A. — He was rather in front of house, or one corner of it.

Q. — Had he then left the position in which he stood by the box or did he still stand in the same place?

A. — Didn't remember whether the old man had changed his place or not. Rather think he did. They were running about.

To juryman — Was standing about 150 feet from the house. Couldn't say whether young Lewis had a gun or not.

The Coroner announced that he had summoned Dr. Sabin to assist him in making the

post mortem. The inquest, he said, was adjourned until quarter of 8 o'clock. Any of the jurymen who desired to witness the post mortem could attend. It was not compulsory for any of them to do so.

DR. SABIN SWORN

Am 45 years old. Am a physician and surgeon. Reside at Mullan. Held post mortem on body of Zacheus Lewis. I found one fatal wound entering the side or back about six inches from the spine, ranging upward to the right and forward, making an exit at the right armpit, coming through both lungs and severing the pulmonary arteries from which hemorrhage enough occurred to cause death in a very few moments. This bullet entered at the eight intercostal space. I found another wound at the top of the breast bone and the bottom of the neck ranging downward and to the right, breaking the second and third ribs; from these all track of the ball was lost. This bullet did not enter any cavity and was not a fatal wound. I found another wound above the right hip, just above the edge of the hip bone, ranging downward and forward about an inch and a half and was found lodged against the right hip bone. There was another wound in front of the left knee, the ball lodging in the head of the shin bone. Only one wound was fatal and that was immediately so. The others might possibly have been as a result of inflammation. The fatal wound would cause death in five minutes.

ED R. ONLEY SWORN

Live in Wallace. Have a bullet. Found it lying upon the floor of the house where the shooting occurred. Found it in center of the building. Have not got the bullet now. Some one got it last night. It was a 38-calibre bullet. The bullet was almost perfect.

C.W. O'NEIL SWORN

Reside in Wallace. Visited building where tragedy occurred today with W.R. Stokes. The structure is boarded up on the east and west sides. Is not boarded on the north or south sides, except that in the northwest corner there is, I think, one board on the north end of the building.

Possibly on the northeast corner there is also one board on the north end of the building, but of this I am not sure. In the edge of this board which is on the north side of the house at the northwest corner, and about two or three feet from the floor, there is a bullet hole and, perhaps, two or three inches from the edge of the board where the bullet entered, there is a little gouged out place on the south surface of the board, looking as though the bullet which entered at the edge of the board had then been cut out with a knife. On the floor below the gouged out place were little fragments of wood looking as if they had been made by the use of a knife on this gouged out place. Whether or not the bullet is still in the board I don't know.

WALLACE, IDAHO, JAN. 22, 1891

We, the jurors, summoned as a Coroner's jury to investigate into the cause of the death of Zacheus Lewis after viewing the body, examining witnesses and hearing their testimony, find that he came to his death from gunshot wounds inflicted by O.J. Cooke and J.M. Harris near the mouth of Canyon creek, about one-quarter of a mile east of Wallace, Shoshone County, Idaho, January 21, 891, between the hours of 1 and 2 o'clock p.m.

Geo. W. Tucker, Foreman

W.T. Townsend

Charles Hussey

W.A. Carr

John Callahan

L. Simpson

Wm. R. Shields

We, the minority of the jury agree that Zacheus Lewis came to his death on date and place as above by the hands of either O.J. Cooke or J.M. Harris

M.M. Sweet

P.J. Holohan

J.M. Harris has been a real estate dealer in Wallace. He located what is known as the Harris Addition. He is a young man of fair intelligence.

O.J. Cooke recently came from Spokane. He is a member of the firm Cooke & Powers, architects

and builders. It is not known whether he had any interest with Harris in the land on which the tragedy occurred.

The deceased, Zacheus Lewis, was no saint. He was known as a brave man and had a reputation as an Indian fighter, as he was a pioneer in the mountains. He is said to have been a brother of Mrs. Truax, wife of the President of the W & IRR. He was one of the pioneers of this camp.

The land over which the trouble occurred has been claimed by Harris for several years. He had fenced it, but had built no house upon it and had not lived upon it. This, Lewis and his son alleged, made it locatable for actual residence, and they accordingly proceeded to erect a small frame house when they were stopped by Harris and Cooke.

The preliminary examination of Harris and Cooke commenced before Justice Angel yesterday. It will occupy several days.

DEATH FROM GAS

Two miners at the Custer overcome by foul air

The coroner's jury finds that no blame could be attached to the mine management

On Monday afternoon the bodies of John Tackett and Jake Gordon were brought down from the Custer mine at the head of Nine Mile ...

The funeral took place on Wednesday afternoon, the bodies being laid to rest at Evergreen Cemetery. Rev. Mr. Gunn officiating. About the time the procession started from Worstell's undertaking rooms the Episcopal Church bell sent out its solemn toll. Just as the mourners reached the foot of the knoll on which the cemetery is located Zach Lewis was shot dead on the bench opposite. The pistol shots could be plainly seen.

Wallace Free Press, 31 Jan 1891:

THE KILLING OF LEWIS

Harris and Cooke held to appear before the Grand Jury

The preliminary examination of John M. Harris and O.J. Cooke for the killing of Zacheus Lewis on Wednesday, Jan. 21, began before Justice Angel last Friday and ended last Tuesday. Chas.

W. O'Neil as District Attorney appeared for the State and Major W.W. Woods and Alex E. Mayhew for the prisoners. The summing up of the evidence revealed the fact that the District Attorney did not think he was justified in holding the prisoners on a graver charge than manslaughter. He did not think any malice, or malignant and malicious purpose had been shown in the killing. He recognized the fact that Harris had a claim to the ground on which the shooting occurred; that he had cleared and fenced it, and was in possession; that he had a right to go on there and eject a trespasser, even by force, but not to kill him. While there was violent conflict in the testimony as to who fired the first shot, it was clearly proven that Harris began the conflict by striking young Lewis across the face with a revolver. While this act was no doubt provoked by the interference (sic) and aggravating language of young Lewis, his father had a legal right to rush to his son's aid even with a pistol. He did not think from the testimony that Cooke and Harris had gone there for the purpose of killing anyone, but the row having been started it was a question as to who was to be killed. He thought the prisoners should be bound over to appear before the Grand Jury, and that the bail should be fixed at a sufficient sum to compel their attendance.

The defense set up the plea of justifiable homicide. Counsel claimed that Harris had a right to go on the ground to drive the Lewises off, by main force if necessary, as they were trespassers. The process of law to secure ejectment in such cases was too slow. Lewis could have gone to the records to find out that Harris claimed that ground. The Lewises had jumped the ground and had gone there armed, to hold it at all hazards. The old man had placed a pistol handy for almost instant use and the young man had a pistol in his pocket. Was this the act of good citizenship? There was testimony that old man Lewis fired the first shot at Cooke, and it was he who began the deadly conflict. Harris and Cooke only drew their weapons when the deceased made a movement to get his gun. If Harris and Cooke wanted to kill him they could have done it then, but they only

covered him with their weapons to prevent him from getting his revolver, knowing full well that their safety depended upon that. It seemed to the counsel from the testimony that Harris and Cooke were compelled to shoot the deceased down to protect their own persons and were justified in doing so.

Justice Angel took the case under advisement for several hours and then held Harris and Cooke to appear before the Grand Jury, fixing their bail at \$1,500 each, which was promptly furnished.

Coeur d'Alene Miner, 31 Jan 1891:

FIFTEEN HUNDRED DOLLARS BAIL

Preliminary examination of O.J. Cooke and J.M. Harris

The preliminary examination of J.M. Harris and O.J. Cooke was finished Tuesday, very little evidence beyond that elicited at coroner's inquest and published in last week's *Miner* was brought ought by cross-questioning. Only the witnesses for the prosecution were examined. The evidence of those was conflicting on many important points. For instance, some testified that Harris fired the first shot, another that Cooke shot first, and another that Zaccheus Lewis fired first. The district attorney offered no objection to a reasonable bail for defendants. Judge Angel took the matter under advisement for several hours. Defendants' bail was fixed at \$1,500 each. It was readily furnished. The cases will be investigated by the grand jury next month.

Coeur d'Alene Miner, 7 Feb 1891:

LEWIS' REPUTATION IN POST FALLS

The following is taken from the Post Falls Post: "Old Zach Lewis, who will be remembered by many old-timers in this section, was recently shot at Wallace while building a shack on another man's claim, named Harris. Harris ordered Lewis off and, it is alleged, fired the first shot. Lewis was shot five times and killed. Old Zach has decorated many a jail and was a general all-round tough, always ready for a scrap and on the shoot. It was said by those who knew him, and concurred in by Zach himself, that he would peg out with his boots on and he has done it. Frank Swartz, who died a few months ago, used to be

on fighting terms with Zach and many a tussle they have had. Joe Brophrey, who was in from Hayden Lake the other day, says that Zach once took a sweep shot at him and had it not been for the heavy load of red eye which Zach carried, Joe would have been waiting for him across the river."

Wallace Free Press, 21 Feb 1891:

Following persons bound over to appear before Grand Jury and not appearing their bonds were declared forfeited: O.J. Cooke ...

Following appeared before Grand Jury [Feb. 18]: John M. Harris ...

O.J. Cooke, who jumped the country, left Dan Steele, J.M. Harris, and Wm. Powers to put up \$1,500. The payment will devolve upon Messrs. Steele and Harris as Powers is reported to have gone away with Cooke.

Wallace Free Press, 28 Feb 1891:

THE GRAND JURY

This body sat in Murray for nearly two weeks and made its report on Thursday afternoon ... No indictment was found against John M. Harris and O.J. Cooke, the killing of Zach Lewis being considered justifiable.

It is doubtful if the county can collect anything from the bondsman of O.J. Cooke. The Grand Jury failed to return an indictment against him, and he is therefore a free man. However, it does not seem as if the bondsman were liable for his non-appearance.

Coeur d'Alene Miner, 28 Feb 1891:

Among the first cases to come before the grand jury were those of J.M. Harris and O.J. Cooke. No indictment was made in either case.

Wallace Free Press, 7 Mar 1891:

The Grand Jury dismissed the charges against John M. Harris and O.J. Cooke for the killing of Zach Lewis.

Wallace Free Press, 21 Mar 1891:

THE HOSPITAL SITE

The beautiful bench at the mouth of Canyon creek comprising about two acres was an

agreeable surprise to the miners. [Central Miners Union]

Wallace Free Press, 11 Apr 1891: More on hospital.

Coeur d'Alene Miner, 11 Jul 1891:
Legal notice dated 28 Mar 1891: G. Scott Anderson and Grant S. Potter vs. O.J. Cooke and J.J. Powers, claiming \$374.29 for building material sold.

Coeur d'Alene Miner, 10 Oct 1891:
City assessment roll lists: "Harris, John M.; Cook and Powers house, lot 3, block 22, \$650"

Salt Lake Tribune, 11 Oct 1892:
SUMMARY OF LOCAL EVENTS
C.L. Cook, mining engineer, falls down a shaft at Tintic and is killed.

Salt Lake Tribune, 12 Oct 1892:
THE DEATH OF O.J. COOK
The particulars of the death of O.J. Cook have been learned. He was at the bottom of the 152-foot shaft on the Monterey at Silver City, and wishing to come to the top he got into the bucket to be hoisted by the shim. When near the top the hook on the bucket broke and he fell to the bottom, a distance of 130 feet from where he started to fall.

The deceased was about 35 years of age and was born in Louisville, Ky. He was a contractor for buildings but on coming West several years ago he took to mining and became a mining engineer. He leaves a wife, but no children.

His body was brought this city yesterday. The funeral announcement will be made later.

Park (Utah) Record, 15 Oct 1892:
AROUND THE TERRITORY
O.J. Cook chief engineer of the Salt Lake City and county building was killed at Silver City Tintic district on Monday by falling down the shaft at the Monterey mine. The deceased was interested in that property and was making an examination of it at the time he was killed.

Salt Lake Tribune, 5 Nov 1892:
In Probate Court
Estate of Owen Cook; hearing on petition for letters of administration set for Nov. 17.

Salt Lake Tribune, 18 Nov 1892:
Estate of Owen Cook; Mattie E. Cook appointed administratrix on filing a bond to the sum of \$200.

Coeur d'Alene Miner, 25 Feb 1893:
J.M. Harris is noted by the *Salt Lake Tribune* among the arrivals in that city the first of the week.

Coeur d'Alene Miner, 4 Mar 1893:
J.M. Harris was in Denver this week, en route to St. Louis and the east. He was in Salt Lake recently, and while there learned of the death of O.J. Cooke, a contractor who put up several buildings here immediately after the fire. Cooke and Benedict, the latter at one time having charge of the sampling works here, were mining somewhere in the vicinity of Salt Lake. Cooke had been down a shaft and was coming to the surface in a bucket, when the rope broke and fell to the bottom and was killed. This occurred last October. Cooke was contracting in Salt Lake, and was said to have made money there.

history.utah.gov/apps/burials/execute/burialresultslong

COOKE, OWEN J.
Birth: 0/0/1883
Death: 10/9/1892
Burial: 10/9/1892
Place of Birth: ILLINOIS
Place of Death: SALT LAKE CITY, UTAH
Cause of Death: Not given
Grave Location: Salt Lake City Cemetery, REM2877

Spokane Spokesman Review, 19 Jan 1997:
Sleepy town, but past a riot
Move afoot to restore courthouse
By Ward Sanderson

... Johnny Harris was an early Wallace pioneer, sometime prior to 1890. The story's a little sketchy, but somehow he found trouble and allegedly shot a man.

During the trial, Harris jumped from a second-story window and escaped on a horse, never to be heard from again — until Silver Valley developer Harry Magnuson found him.

“He spent his life up in Sandon,” Magnuson recounts. On a trip to the tiny British Columbia town in the 1950s, Magnuson stopped at a hotel. And there, in his 80s, was Johnny Harris, Murray fugitive.

“The story that was told was that he always sat with his eye on the door and with firearms nearby,” Magnuson says. The brother of the man Harris allegedly shot always said he'd catch up with him.

Oddly, there is a John Harris buried in the local cemetery in Wallace, Idaho, and according to his grave marker, he was born in Canada.