

The Madras Pioneer

MADRAS, CROOK COUNTY, OREGON, THURSDAY, OCTOBER 25, 1906.

NO. 10

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MURDER FIRST DEGREE

IS VERDICT IN THE SHEPHERD CASE

Defense Made Effort To Establish Insanity Plea—John Dell Found Guilty of Manslaughter.

Fred Shepherd, the slayer of Ben Zell, was placed on trial for his crime in the circuit court last Monday, George Barnes, of Prineville defending him. The prosecution made out a strong case of deliberate and premeditated murder, the evidence of the defendant's witnesses being confined to an effort to show the insanity of the defendant. The case went to the jury on Tuesday evening, and after deliberating only a comparatively short time, the jury returned a verdict of murder in the first degree.

The penalty for murder in the first degree in this state is hanging, and unless Shepherd should appeal his case and succeed in securing a reversal, he will be hanged at Salem, all capital punishments in this state taking place at the state penitentiary.

LARGE CRIMINAL DOCKET

The present session of circuit court for this county, in session at Prineville with Judge Frazer of Portland occupying the bench in the absence of Judge Bradshaw, has had a large criminal docket to deal with, and the grist of convictions ground out was unusually large. The most important criminal cases heard were the two murder cases, one against John Dell, charged with the murder of William Pugh at Prineville, and Fred Shepherd, charged with the murder of Ben Zell. An account of the result in the trial of the latter

case is given elsewhere in these columns.

The case against Dell was tried earlier in the term and a verdict of manslaughter was returned, Dell has been sentenced to serve a term of one year in the penitentiary and to pay a fine of one dollar. While working for one of the Prineville saloons last Spring, Dell threw the man named William Pugh out of the saloon, and in doing so broke his neck, from which he died immediately. It was charged that Dell took Pugh by his heels while he was on the pavement, and by rough handling broke his neck and killed him. Pugh was described as an inoffensive kind of an old man, although he was intoxicated at the time of his death.

Other criminal cases of importance tried at the present session of the circuit court were horse stealing cases against two men named Hogg and Adams. They were both found guilty and Judge Frazer sentenced them to seven years each in the state penitentiary.

PLEADS INSANITY

Slayer of Ben Zell Pleads Not Guilty When Arraigned in Court.

Fred Shepherd was formally arraigned Monday afternoon for the murder of Ben F. Zell, Prosecuting Attorney Menefee not calling a grand jury.

When Judge Frazer asked him what he was going to plead, Shepherd stammered out:

"Guilty to some extent."

"Eh! what's that?" queried his honor. Then to the court—

"Who appears for this man?"

Whereupon George W. Barnes arose, assumed that responsibility, at the same time interposing a plea of insanity and not guilty. He also made a good argument for a change of venue to Wasco county on grounds of prejudice. The court considered the matter and finally denied the petition, giving the defendant until next Monday to get his witnesses and stand trial. If the insanity plea holds, Shepherd's testimony is worthless and his statement of affairs leading up to the shooting may not be taken.—Review.

MUST ORDER THROUGH US

Several weeks ago we gave notice that Campbell's Soil Culture Manual could be had by subscribers to the Pioneer, by sending 30 cents to Mr. Campbell direct. Since then we have had notice from Mr. Campbell that the price he made us was to publishers only, and that parties desiring the manual would have to send their money through us, his price to the public being 50 cents. He will, however, fill all orders, amounting to some thirty odd, which have heretofore been sent direct to him through this misunderstanding. In the future, parties desiring the manual may remit to us and we will send their orders in. We make no profit on the book, and we are only willing to handle the orders because we believe that the manual will be of inestimable value to those who are engaging in farming in this region.

A beautiful glassware set, including water and dessert sets, as well as butter dish, creamer, etc., at the extremely low price of \$4.50. McTaggart & Bye.

FARMERS BUY A DRILL

WILL DRILL DEEP ON AGENCY PLAINS

J. Strain and John Tims Purchase New Outfit To Continue Work of Prospecting for Water.

A new drilling outfit has been purchased by J. Strain and John Tims, who expect to use it in helping to solve the troublesome water question of this locality as soon as the machine can be gotten out from Shaniko, to which place it was shipped. The machine arrived at Shaniko last Friday, and the owners expect to have it set up and ready to begin drilling within about two weeks time. It is a "Star" drill, bought direct from the factory, and has a capacity of 1000 feet in depth.

The new drill will be set up on the Strain ranch as soon as it is brought out, and a thorough test will be made of the possibility of getting water by drilling on Agency Plains. Some time ago Mr. Strain had a hole drilled to a depth of about 110 feet by Frank Loveland, but at that depth the attempt to find water was abandoned temporarily. Mr. Strain later decided to buy a drill of his own, and he and Mr. Tims ordered one from the factory. Drilling will now be continued at the same spot, and while Mr. Strain will not say to what depth he will drill if necessary in "prospecting" for water he remarks very significantly that the drill has a capacity of 1000 feet. It is believed however, that water will be found much nearer the surface than that, many of the most sanguine believing that it will not be necessary to drill more than 250 feet in all.

Mr. Tims, who with Mr. Strain owns the new machine, is a practical driller, having devoted a good portion of his life to that work. He is said to be very sanguine as to the results of the attempt to be made to get water on Agency Plains, and there are many in this locality who hope that his expectations in that respect may be realized. The lack of water for household purposes has been the greatest handicap the Agency Plains country has, and a solution of that problem will make it one of the most favored agricultural sections in the state.

HAS ORDERED STEAM WOOD SAW

Frank Loveland has ordered a steam wood saw, and within ten days or two weeks will be ready to saw the winter's supply of fire-wood in Madras. There is plenty of cord wood in the country, but it has been difficult to secure any wood sawed ready for use, or to get the cord wood sawed at any price. Mr. Loveland's steam saw will solve the difficulty and probably prevent the wood famine in Madras which seemed imminent. His charges will be small, and the cost of the wood ready for the stove will be very much less than it has been heretofore.

Lost, Strayed or Stolen.—\$10 Reward.

One gray mare about 9 years old, branded CN on right side. \$10 reward and expenses of delivery paid for return to Morrow & Keenan's ranch. Frank Lyons, Haycreek, Oregon.

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