

Yamhill County Reporter

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NO. 8.

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EXECUTION AT DALLAS.

W. G. Magers, the convicted murderer of Andrew Raymond Sink, expiated his crime on the gallows at Dallas according to program last Friday. He died protesting his innocence. An extra edition issued by the Polk County Observer gives the following account of the execution and history of the crime:

At 10 o'clock Sheriff VanOrsdel went into his cell and read the death warrant. The doomed man displayed considerable temper, and proceeded to demolish every loose article of furniture in his cell. In a frenzy of rage, he broke his table into kindling wood. He soon grew calmer, however, and when he was led out of his cell, he displayed but a slight amount of agitation. Just at 10:14 he was led upon the gallows, Sheriff VanOrsdel and Eld. Riggs leading the way. Magers was supported by Deputy Sheriff J. T. Ford and W. E. Williams, of Airle. The death watch brought up the rear. He walked upon the trap without aid, and stood looking down at the crowd below. He was neatly attired in a suit of black, with white collar and black tie, and wore tan shoes. Further than a quiver of the chin the doomed man displayed but little agitation. Prayer was offered by Elder Riggs, and Sheriff VanOrsdel then asked Magers if he had anything to say. He replied with a voice quivering with emotion: "Gentlemen, you are looking upon an innocent man; I pray that those who testified against me will be forgiven, and that I will meet them in Heaven. I forgive those who have done me wrong." When he had ceased speaking, Sheriff VanOrsdel pinioned his arms and legs, and stepping to the lever, sprung the trap. The body shot downward as straight as an arrow, and the drop broke his neck instantly. He made three attempted respirations within one-half minute, and one feeble expiration within one and one-half minutes. The pulse for the first minute was 74; next 3 minutes from 80 to 93; fifth minute, 48; and increased to 135. After hanging 12 minutes, he was pronounced dead by the physicians, Dr. R. E. L. Steiner, of Dallas, and O. D. Butler, of Independence. The body was cut down and turned over to his brother-in-law, Manning. The remains were buried in the old Dallas cemetery.

Magers was born in Marion county, and was about 26 years of age. A few days ago he made a profession of Christianity, and was baptized by Elder Barton Riggs, pastor of the Christian church, a large tank having been taken into the jail for that purpose. His mother and a younger brother visited him early in the week, and she urged him to tell the truth concerning all he knew about the crime. He protested his innocence to her, and told her he had nothing to confess. The parting between the mother and son was a most piteous scene. He asked that his last be sent home, as he would have no further use for it. The execution was witnessed by about 200 persons, while several hundred men stood just outside the enclosure. The execution this morning rings down the curtain on one of the most noted and expensive murder trials in the history of Oregon.

About the 20th day of September, 1899, some boys who were on the Willamette river in a skiff discovered the body of a man floating in the river, a short distance below the steel bridge at Salem, and near the Polk county side. The matter was at once reported to the coroner of Marion county; but the body being on the Polk county side of the river, Coroner L. N. Woods of Polk county was notified. He immediately repaired to the scene, and after examining a jury, proceeded to hold an examination. It was found that the deceased had apparently been struck on the forehead with some blunt instrument, the common carotid artery had been cut, and there was also a wound in the mouth. The hands were tied together with a rope and a window weight tied to them; the legs were also tied and a similar weight attached to them. The jury returned a verdict that deceased had come to his death at the hands of some person unknown to the jury, and the body was then taken to the morgue at Salem to await identification.

After being several days in the morgue, the body was finally identified by a young man by the name of Niece, of Sherman county, as that of Andrew Raymond Sink, a wealthy rancher from near Moro, Oregon. Meanwhile, the officers had been diligently searching for some clue which would throw light on the foul crime, and upon investigation, found that Sink had last been seen alive on the evening of September 13, 1899, in company with one W. G. Magers, of near Silverton. Magers had recently been discharged from the penitentiary, having been sentenced to that institution from Polk county on a charge of burglary, and bore a bad reputation generally. Magers was located in a few days at the Depot hotel, in Portland, in company with two young women, one of whom he represented to be his wife and the other his niece. He was arrested and brought to Polk county, and upon a preliminary hearing at Independence, was held for murder in the first degree to await the action of the grand jury. He was at once brought to Dallas and placed in jail. At the December term of circuit court he was indicted for murder in the first degree, and the case came on for trial. Much difficulty was experienced in securing a jury, owing to the wide-spread notoriety the crime had attained. After exhausting the regular panel, and examining about 100 special veniremen, a jury was obtained. The trial lasted several days, and the jury, after 12 hours deliberation, returned a verdict of "guilty" as charged in the indictment. Judge Burnett pronounced the death sentence upon the prisoner, but an appeal being taken to the supreme court on questions of law arising during the trial, that body after due consideration granted him a new trial. He was again tried at the May term of circuit

court, 1899. The evidence brought out at this trial did not differ materially from that of the first trial, and the jury, after being out about an hour, returned a verdict of guilty of murder in the first degree. The sentence of death was again pronounced upon him. An appeal was again taken to the supreme court, but the motion for a new trial was denied, and he was re-sentenced at the December, 1899, term to be hanged February 2, 1900. The evidence produced at the trial was wholly circumstantial, and in substance was about as follows:

In the spring of 1898, Magers went to Sherman county, and worked for Sink, who was a well-to-do stockman living near Moro. After leaving Sink's place, Magers came to the home of his brother-in-law, E. Manning, near Gervais, and during hop-picking time induced Sink to come to the valley, holding out the idea to him that the purchase of a livery stable in Gervais would prove to be a paying investment. Sink made some attempt to buy the stable, and on one or two occasions said to various persons he was going to shake \$2100 at the proprietor for the property, giving the impression that he had considerable money on his person. On the day of the murder, Sink was intending to start home, and he and Magers hired a team and buggy and drove to Salem, arriving there about 10 o'clock in the morning and leaving the team at Keeler's stable near the end of the Salem bridge. They ate dinner at Strong's restaurant, between 11 and 12 o'clock, and shortly afterward went to Captain Downs' lodging house, near the bridge, and at once to bed. Between six and seven o'clock in the evening they returned to the stable, where the team had been left, and ordered the team hitched up. They then drove away, saying that they were going for a drive and that they would soon be back. This was the last time that Sink was seen alive and positively identified. Shortly after they left the stable, a young man named Sparr was loading wood on the Lincoln road north of Salem, on the Polk county side of the river, and while there a team answering the description of the team driven by Sink and Magers passed him on the road, and while not positively identifying them as being the parties he saw in the buggy, he felt morally certain they were the same parties. He saw the body of Sink at the morgue, and at that time remarked to a friend that he felt sure it was that of one of the parties he saw in the buggy. He afterwards saw Magers in the court room, and believed him to be one of the men who drove past him on the evening in question. The evidence went to show that on that evening a buggy had driven down the road toward Lincoln, and had turned into a lane leading to the residence of E. E. Harritt, then turned around and came out of the lane and continued on north to where a road turns off in the direction of the river and leads off into a lonely stretch of waste land, covered with brush and cut up by sloughs. The buggy continued on down toward the river until some bars and a fence were reached. At this point a dog belonging to a man camped near the bars made so much disturbance that the rig seemed to have been turned and driven back to the main road, then turned south toward Salem, and into Harritt's lane again. The buggy passed through the gate, presumably for the purpose of getting the heavy iron window weights attached to the gate, and was then driven out to the main road once more in the direction of Salem. Here, near the lane, the tracks were lost. The shoes worn by the horses driven by Magers and Sink were compared with the tracks in the Harritt lane, and corresponded exactly. The tires on the buggy driven by them were almost new, and made a clear cut track which corresponded with those in the lane. About 10 o'clock that same night, Magers drove into the Fashion stables, in Salem, and saying that he would be back in a few minutes, left the team and went away. He was gone about half an hour, and then returned to the stables and drove off. He arrived at the home of his brother-in-law, near Gervais, about one o'clock in the morning, and went to a tent at the hop yard, where a couple of girls and a young man were waiting for him. He remained at the tent a short time, and then went to the house and retired. Before leaving for Salem the morning before, he had told one of the girls he might go with them to Portland the next day, but that he didn't know for certain; when he returned to the tent that morning he said he would go. The next day, in company with the girls, and other hop pickers, he went to Portland and stopped with them at the Depot hotel. He remained with the two girls at the hotel for a week or more, and was arrested there by the officers. At the time of his arrest, he was trying to induce one of the girls to go east with him. Magers was taken to the police headquarters in Portland, and when questioned about the crime, told a number of conflicting and impossible stories. At the first trial he claimed that after driving out of Keeler's stable they met one of Sink's old friends, whose name he could not remember, and that Sink and the friend drove away together, while he remained in Salem. He testified that later in the evening he found the team standing hitched near the river. While in Portland, Magers and his female companions had proceeded to "take in the sights," but how much money he had spent could not be learned. When arrested, he had quite a sum of money in his possession, which on the trial proved to be a considerably greater amount than he had earned since his discharge from the penitentiary. After his arrest, an inspection of the buggy disclosed blood on the floor and back curtain, and upon a careful examination by experts it was pronounced to be blood precisely the same as human blood, and the floor of the buggy also bore the appearance of having been scrubbed. On the evening of the murder and shortly after Magers and Sink had left Captain Downs' lodging house, Magers returned to the house and carried away Sink's grip. The grip

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Makes the food more delicious and wholesome

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and the lap robe that was in the buggy have never been found.

The McMinnville Fence Works

Was established just three years ago, beginning with picket-wire fence machinery and gradually extending the business to include fencing and fencing material, wire and wire goods for all purposes. At that time steel and steel products were at bed-rock prices—below the cost of production—and probably will not be so low for many years to come, yet with the low prices of wire, wire fences were then higher in price in McMinnville than at the present time.

The McMinnville Fence Works manufactures picket wire fencing, and with fourteen years' experience, still holds the opinion that it is the best fence a man can build, when properly made and set.

Of late years fence of all wire has been cheapened and improved until it has come within reach for ordinary farm use. To meet the demand for a good all-wire fence the McMinnville Fence Works has secured the agency of what is undoubtedly the best of all wire fences, the world famous AMERICAN FIELD FENCE, guaranteed absolutely satisfactory by the manufacturers themselves. The company is the largest steel and wire manufacturing concern in the world, and the wire for this fence is drawn especially for it; all HARD WIRE, but not too hard—just right for fencing purposes—and ample provision is made under their own patents for contraction and expansion by heat and cold. It is a heavy fence, and the weight of metal is so placed to meet the strain and wear of an effective and lasting fence. A fatal defect in most fences is the use of light wire. They say "no strain comes on them, they are only put in to hold the fence in shape." When they are gone, what will be the result? No little wires in the AMERICAN—No. 12 is the smallest.

Don't like the American? How's the Shiner Spring Steel, the Ellwood Diamond and DeKalb Cable wire fences? The McMinnville Fence Works is agent for all of them, and Ellwood Jr., Waukeganite barb wires and M. M. S. poultry nettings. Dealer in fencing lumber, cedar, oak and steel posts, wood, iron and wire gates and fences, electrical wires and supplies, iron and steel and copper and brass wires, wire cloth for all purposes, wire rope, bale ties, wire work, bird cages, household and office wire articles, etc.

The largest retail exclusively fence and wire establishment in the Northwest. The wire sign WIRE made of wire.

Everybody invited to visit the McMinnville Fence Works.

Teachers' Examinations.

Notice is hereby given that the county superintendent of Yamhill county will hold the regular examination of applicants for state papers at McMinnville, February 14, 15, 16 and 17th as follows: Commencing Wednesday, February 14th, at 9 o'clock and continuing until Saturday, February 17th, at 4 p. m. Wednesday—penmanship, history, spelling, algebra, reading and school law; Thursday—written arithmetic, theory of teaching, grammar, book-keeping, physics, civil government; Friday—physiology, geography, mental arithmetic, composition and physical geography; Saturday—botany, plane geometry, general history, English literature and psychology.

E. V. LITTLEFIELD, Co. Supt.

Columbus School Notes.

Mr. Grissen was a visitor last Friday morning.

The boys are having lots of fun on those rings.

Reviews for the fifth month come again next week.

Considerable sickness is reported in our building.

The pupils have been invited to attend the exercises at the Baptist church next Monday evening.

There has been no literary society organized in our building, so far as we have heard.

"I think I would go crazy with pain were it not for Chamberlain's Pain Balm," writes Mr. W. H. Stapleton, Hermine, Pa. "I have been afflicted with rheumatism for several years and have tried remedies without number, but Pain Balm is the best medicine I have got hold of." One application relieves the pain. For sale by Horworth & Co., druggists.

NEWBERG.

Last week Mrs. J. C. Nelson spent some days in Portland.

Mrs. Bennie Wiley is stopping with her brother, W. V. Wiley, of Hillsboro. Mrs. H. R. Morris visited her parents, J. D. Carter and wife, in McMinnville last week.

After a three months' visit with her sister, Mrs. Frank Hobson of Idaho, Miss Mable David has returned to her home near town.

Dr. Woody, a prominent Baptist minister of Portland, preached to a large congregation on Sunday evening at the Baptist church in Newberg.

Chaplain Gilbert of the Second Oregon volunteers spoke to a limited number at the M. E. church on Friday last. The talk was vastly interesting, and those who remained away missed a treat. On Saturday Druggist C. E. Smith was arrested on a charge of illegally dispensing liquor. The outcome of the trial, which is set for Wednesday, the 7th, is eagerly looked for.

NORTH YAMHILL.

Walter Pruden of Lafayette was in our city on Sunday.

The little child of Mr. J. T. Patterson is reported as being seriously ill.

Miss Edna Bunn is visiting her sister Dora, who is at the hospital in Portland.

W. C. Miller of McMinnville was in our city Monday, looking after the hop business.

Ed. Crandall, our painter, left Monday for Sumpter, where he goes looking for work.

Lola Perkins has been very sick for the last week, but at the present time she seems to be a little better.

Thos. Laughlin and wife are in Forest Grove at the bedside of their mother, Mrs. John Laughlin, who is very low.

Mr. Curtis Jones and Miss Nora Burton were married at the M. E. church Sunday evening at 8:30, by Rev. Leach, Miss Grace Fox being the bridesmaid, and Mr. F. L. Trullinger the best man. There was an immense crowd at the church to witness the ceremony.

WHITESON.

Wesley Morrison, the livery man of Dallas, was in town Sunday.

R. W. Phillips attended the hanging of Magers at Dallas last Friday.

The oyster supper given by the C. E. last Saturday was a decided success.

Uncle Dick Phillips and wife made a rushing visit to Salem the last of last week.

There will be regular service in the Presbyterian church Sunday, conducted by Rev. Scott.

J. Pratt of McCoy is visiting in town. He will leave Thursday for an extended visit with relatives in Idaho.

C. D. Morgan has rented his farm to R. C. Smith. He and his wife started Tuesday for California.

Artisan lodge meets every Wednesday. The membership is increasing rapidly, and a decided interest is being taken.

Miss Edith Percival returned Saturday from McMinnville, where she has been assisting Mr. Hembree in the book store.

Mr. Cane and wife of Nebraska, who are on a tour of the northwest, spent the latter part of last week with W. G. Robbins and family.

Rev. Scott will give a stereopticon entertainment and lecture in the church Saturday evening. A book will be given to the most even tempered person present.

By the united effort of the Christian Endeavor society, of which Miss Jean Waddell is president, a number of improvements are going on in the church. A new rostrum has been added and soon we can boast of a new carpet.

For Better Roads.

Jas. Reid, road supervisor of District No. 24, whose territory embraces the McMinnville-Dayton road, was in the city on Wednesday, filing his report with the county court. Mr. Reid believes that the way to have good roads is to build them. Accordingly, he levied three assessments on the taxpayers of his district, which, with the \$211 donation made by the business men of McMinnville, furnished 290 cubic yards of road. The supervisor desires to express his thanks to the business men who so liberally and cheerfully contributed to the fund for improving the highway.

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