A LEGAL END

Wm. G. Magers Hanged in Dallas Vesterday Morning.

DIED PROTESTING "HIS INNOCENCE

The Execution Passed Off Without a Hitel -Murderer of Raymond Sink Explates His Crime.

DALLAS, Or., Feb. 2.-At 10:18 this forenoon, William G. Magers, twice convicted of the murder of Raymond Sink, expiated his crime by having inflicted upon him the death penalty, by hanging, in the jail yard, in this city, and 17 minutes later life was pronounced extinct, the dead body was cut down, placed in a casket, and terned over to the relatives of the deceased for burial. The preparations for the execution of Magers were completed several days ago, and when the hour arrived for the final act in the tragedy, which has disturbed Marion, Polk and Sherman counties for the past eighteen months, there was no hitch in the proceedings.

Magers spent the early part of the night writing letters, and retired shortly after midnight. He slept soundly until half past four this morning, and then got up and resumed his writing. Breakfast was brought to him at 7 o'clock, and he are a hearty meal.

Shortly before the execution the jury was called into the jail and polled.

brother-in-law, Eugene Manning, were with him and a short time before the execution, when they bade him goodbye and retired.

At 10:08 o'clock, Sheriff J. G. Van Orsdei 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 had prepared, at great pains, a statement to be given the press after the execution should have taken place. This statement, which is popularly believed to have been a confession of the crime, he tore up and burned, securing the necessary light from his candle. He held, grasped in his hands, a tableleg, and with this he threatened the officers, but he soon grew calmer, and when he was led out of his cell, he displayed but a slight amount of agita-

Just at 10:14 he was led upon the gallows, Sheriff Van Orsdel and Elder Riggs leading the way. Magers was supported by Deputy Sheriff J. T. Ford and W. E. Williams, of Airlie. The death watch brought up the rear. He walked upon the trap without aid and stood looking down at the crowd below. Heawas neatly attired in a suit of black, with white collar

and black t... 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. replied in 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 pintoned his arms and legs, adjusted the black cap and noose, and stepping to the lever, sprung the The body shot downward as straight as an arrow, and the drop

broke his neck instantly. He made three attempted respirations witin one-half a minute, and one feeble expiration within one and onehalf minutes. The pulse for the first minute was 74; next three minutes from 80 to 90; fifth minute, 48; and increased to 135. After hanging 12 minutes, he was pronounced dead by the physicians, Drs. R. E. L. Steiner, of Dallas, and O. D. Butler, of Independence. At the end of 17 minutes the body was cut down and turned over to his brother-in-law. Manning. The re-mains were buried in the old Dallas

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 pur-

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 p-otested his innocence to her, and told her he had nothing to confess. The parting between the mother and son was a most pitiable scene. He asked that his hat be sent home, as he would

have no further use for, i'. Not a hitch occurred in the whole proceeding, everything passing off as smoothly as possible.

The execution was witnessed by about 200 persons, while several hun-dred men stood just outside the enclos-

The execution this morning rings down the curtain on one of the most noted and expensive murder trials in the history of Oregon.

. . . . NOTED MURDER CASE.

A Brief Recital of the Circumstances Connected with the Killing of Andrew Raymond Sink.

About the 20th of September, 1898,

some boys who were on the Willamette river in a skiff discovered the body of a man floating in the river a short bars and a fence were reached. At distance below the steel bridge at Sa-The matter was at once reported to the disturbance that the rig seemed to have coroner of Marion county; but the been turned and driven back to 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 empaneling a jury, proceded 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 tires on the buggy driven by them 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 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, 1893, 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 pad reputation generally.

the Depot hotel, in Portland, in comand the other his niece. He was arrested and brought to Polk county, and on 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 o Dallas and placed in jail. At the December term of circuit court, he was indicted for murder in the first degree, His brother from Portland and his and the case came on for trial. Much difficulty was experienced in securing a jury, owing to the widespread notoriety the crime had attained. After exhausting the regular panel, and examining about 100 special venirevien, a jury was obtained, consisting of the following persons: A. W. Teats, foreman; Wm. Riddle, H. S. Butz, D. W. Lewis, E. C. Keyt Jr., T. W. Brunk, M. L. Dorris, Ezra Conner, Holt Mc-Daniel, Wm. Kraber, Wm. Muscott, Wilson Ayres.

The trial lasted several days, and the jury, after twelve hours' deliberation, returned a verdict of "guilty as charged in the indictment." Judge 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 the circuit court, 1899, with the following named citizens in the jury-box: Mitchell, James Olmstead, D. R. Hubbard, P. Bartholomew, E.R. Kimes, Jackson Baker, Tracy McTimmonds,

. Lorence. 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. An appeal was again taken to the supreme court, but the motion for a new trial was denied, and he was resentenced 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 per-

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 to o'clock in the morning and leaving the team at Keeler's stable near the end of the Salem bridge.

They are dinner at Strong's restaurant, between II and 12 o'clock, and shortly afterward went to Captain Downs' lodging house, near the bridge, and at once went to bed. Between 6 and 7 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 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 the time 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 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

distance below the steel bridge at Sathis point a dog belonging to a man lem, and near the Polk county side. camped near the bars made so much presumably for the purpose of gerning the heavy iron weights attached to the gate, and was then driven out once more and in the direction of Saless. 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 were almost new, and made a clearcut 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 I 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 Magers was located in a few days at to Portland and stopped with them at the Depot hotel. He remained with pany with two young women, one of the two girls at the hotel for a week whom he represented to be his wife, 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 stables 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 quite a sum of money in his possession which on the trial proved to be a considerably greater sum 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 D. G. Henry, foreman; C. D. Purvine, house, Magers returned to the house Harry Coad, Alex. Burkhalter, James and carried away Sink's grip. The grip money is turned into the school fund and the lap robe that was in the buggy have never been found.

Both trials were long and tedious, about 100 witnesses being examined The foregoing is substantially the testimony brought out in the trials, leaving out details. The prosecution was skillfully conducted by District Attorney S. L. Hayden and his deputy, J. Sibley, assisted by United States District Attorney John H. Hall, and J. H. Townsend. Magers was ably de-lended by W. H. Holmes, asissted by J. J. Daly. These well-known attorneys made a faithful fight in behalf of the prisoner, exhausting every means known to the law in their efforts to save him from the gallows.

FORMER EXECUTIONS.

The first legal execution in Polk county took place in June, 1852, when Wm. Everman was hanged for the murder of C. C. Hooker, whom he shot from ambush. Smith Gilliam, then sheriff of Polk county, and now warden of the Walla Wala penitentiary, was the executioner.

In November of the same year, Adam Wimple was hanged on the same gallows, for the crime of murder, committed upon his wife. She iff Frank Nichols was the executioner.

One Moss was the third man to be hanged in Polk county by due process of law, having been convicted of the murder of George Harper. He was executed in 1860 by James Holman, sheriff.

The fourth legal hanging was conducted in 1888, when William Landreth was executed for murdering his daughter, with whom he had been on terms of criminal intimacy. His was the foulest deed in the criminal annals of Oregon. Landreth was convicted. and was hanged by Sheriff Ira Smith. This was the first execution in the county, held in private, the first three having been conducted in full view of the public.

FORMER SHERIFFS.

The sheriff's jury which attended the hanging today, was composed of

cut up by sloughs. The buggy con-tinued on down the river until some county, the first nine men named havcounty, the first nine men named having each served the county as sheriff in the past: David Cosper, L. M. Hall, J. J. Williams, I. M. Butler, Hardy Holman, W. L. Wells, Ira Smith, John Groves, H. B. Plummer, ex-sheriffs, and S. C. Denny, Wm. Ridgeway and I. M. Simpson. S. T. Burch, another ex-sheriff, was asked to serve, but begged excused for personal photograph gallery and were photographed on a group. Two other expenitentiary, and County Treasurer B. was not thought of sufficiently early, or these two gentlemen would have been invited to be present and, no doubt, would have appeared. The

(The Statesman is indebted to the

All who witnessed the executron of W. G. Magers, in the jail yard at Dal las yesterday morning-there were over 200 spectators present-expressed themof Hon. J. G. Van Orsdel, the Polk county sheriff. Mr. Van Orsdel made a smooth job of it, and it was owing to his careful super ion of all the details that the unpleasant duty was performed without a hitch-Mr. Van-Orsdel, who is serving his first term as sheriff of Polk county, has made an excellent record for faithful and consciencious work in his office, and on account of the Magers case these duties were far more arduous than those usually falling to the Polk county sheriff. With many obstacles in his path, and many unpleasant phases of the work, he has succeeded in making a most enviable record, and it was freely predicted on the streets of Dallas, yesterday, by republicans, democrats and "our democratic populists alike that sheriff" could not be beaten, and, that how much money he had spent could he would be rewarded for his faithful not be learned. When arrested, he had work with a renewal of his tenure in office.

ANTIPODES MEET.

(Exchange.) One of the oddest meetings ever held assembled in Indianapolis, Ind., the other day, on the joint can of the Anti-Saloon League, and the State Liquor Dealers' Association, in the Meridian street M. E. church. purpose of the meeting was to devise means to compel persons who are selling liquor under the government license of \$25, to take out city and state licenses. In Indiana the liquor license and it was snown that hundreds bersons were selling without having

taken out these licenses. Dr. Callen, secretary of the saloon keepers, league, made the principal ad-dress, and E. F. Ritter, the most prominent prohibitionist in the state, presided. Between the two some plans were agred upon which will probably bring the license dodgers to time.

DELUSION.

"A man sometimes thinks he's having his own way when he is really doing what his wife planned for him."

Twas a jolly old pedagogue, long ago, Tall and slender, and sallow and dry; His form was bent and his gait was

His long thin hair was white as snow eve. And he sang every night as he went to

bed. be dead."

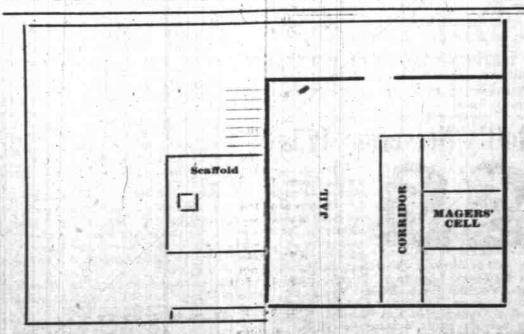
Said the jolly old pedagogue long ago. -George Arnold. Who, for the poor renown of being smart.

-Young, "Love of Fame. It Will Surprise You-Try It.

for catarrh and is worth its weight in gold. Ely's Cream Balm does all that is claimed for it-B. W. Sperry, Hartford, Conn.

sneezing. Sold by druggists at 50 cts. or mailed by Ely Brothers, 56 Warren St., New York.

Remember the farmers' congress.



(The above is a plat of the Polk county jail, with the stockade surwaste land, covered with brush and rounding it. The upstairs plan of the jail is shown.)

reasons. Following the execution the ex-sheriffs, accompanied by Sheriff J. G. VanOrsdel, proceeded to the local sheriffs of the county are living-War-den Smith Gilliam, of the Walla Walla F. Nichols, of Prineville. The matter terms of service in the sheriff's office of the men photographed today, cover a period of over 40 years. Ex-Sheriff Ira Smith and Sheriff J. G. VanOrs-lel

county. Polk County Observer, of Dallas, for the above information. That paper, after issuing its regular weekly edition yesterday morning, prepared and issued a neat extra at 2 p. m., giving an account of the execution, the crime,

are the only two of the number who

have conducted executions in the

A SMOOTH JOB.

'Yes," answered the mild-eyed philosopher; "many a one thinks he's an autocrat when he is merely an automaton.-Washington Star.

But a wonderful twinkle shone in his

"Let us be happy down here below The living should live, though the dead

Would leave a sting within a brother's heart.

It is the medicine above all others

My son was afflicted with catarrh. He used Ely's Cream Balm and the disagreeable catarrh all left him-J. C. Olmstead, Arcola, Ill. The Balm does not irritate or cause

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for Infants and Children.

Castoria is a harmless substitute for Castor Oil, Paregoric, Drops and Soothing Syrups, It is Pleasant. It contains neither Opium, Morphine nor other Narcotic substance. It destroys Worms and aliays Feverishness. It cures Diarrhoca and Wind Colic. It relieves Teething Troubles and cures Constipation. It regulates the Stomach and Bowels, giving healthy and natural sleep. The Children's Panacea—The Mother's Friend.

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Fine Printing, Statesman Job Office. Self-laudation abounds among the unpolished; but nothing can stamp a man more sharply as ill-bred.-Charles

The Race of the Age!

What a race!

The train was just pulling out of Engle-wood, puffing and panting with its mighty efforts. As it slowly gained speed it came on a lot of tow headed children roosting on a fence, who shouted and waved as the cars came up, and then, as' if with a common impulse, every child leaped to the ground and began a race with the train. The race was of short duration. As the



machine left the panting little runners behind, a gray haired onlooker smiling sadly remarked: "Young America all over. Nothing too swift for them to race against." "Yes, you couldn't and a fitter exemplification of the familiar saying, 'The child is the father of the man' than in that group of children racing against the It's but a preliminary heat of the great race their parents are engaged in. As a physician I realize as perhaps you do not," he continued, "the erroneous change that fifty years have made in our national life. People point back to grandmothers and greatgrandmothers and say

LOOK AT THEM !

Compare them with the women of to-day! How straight they were and how strong, how hardy and how helpful they were, how heartily they ate and how heartily they laughed.

To-day, as men and women, millions of us do in earnest what those children did in play; we're keyed up to the straining point all the time, and the nerves won't stand the daily strains and drains without protest.' There is a ton of solid fact to reflect on,

suggested by the statement just quoted. What are we going to do? This is the age of steam, the age of electricity. We must keep up in THE GREAT RACE.

But how long can we keep up? No longer, relatively, than the children kept up their race with the train. What we need is more brawn, more blood and better blood. Strength of body depends on a pure and plentiful blood current, for science has never advanced a fact beyond the state-ment of Moses that "The Blood is The Life." But every generation of investiga-tion shows the statement to be true in a wider, deeper, and broader sense than was dreamed of in the past. Dr. Pierce's Golden Medical Discovery begins at the beginning with the blood. It cures practically a wide range of diseases because many forms of disease have their origin in It is a scientific compound the blood. based, not upon theory but upon the prac-tical, common sense proof that if you purify, enrich, and vitalize the blood you overcome disease in any organ. "Golden Medical Discovery" heals disease in just this way. It begins first of all to strengthen the body through the blood, and every ounce of new blood and pure blood counts against disease.

blood counts against disease.

"It was near the little town of Leroy, W. Va., and during the month of March, 1856, that a young man lay pale and motionless upon (what the neighbors called) his dying bed. Disease of the lungs, liver complaint, kidney trouble, and pleurisy were fast hastening him to the grave. The doctors had given him up to die. The neighbors said, 'he eannot live.' 'Oh, I would not care to die, he said, 'were it not for leaving my dear wife and little child, but I know that I must die.' A brother had presented him with three bottles of medicine, but he had no faith in 'patent medicines'; but, after the doctors had given him up to die and he had hanished every hope of recovery, he said to his wife. 'Dear wife, I am going to die, there can be no harm now in taking that medicine. I will begin its use at once! He did begin to use it and at first he grew worse, but soon there came a change. Slowly but surely he got better. To day that man is strong and healthy and he owes his life to that medicine. What was the medicine? It was Dr. Pierce's Golden Medical Discovery, and I, Luther Martin, am the cured man. Dr. Pierce, I thank you from the very depth of my heart, for rescuing me from the grave." The foregoing is from Luther Martin, Esq., a prominent citizen of Lubec, Wood Co., W. Va.

W.Vs.

M. L. Messer, Esq., of Garfield, Lamoille Co.,
Vt., writes: "I had been out of health for about
two years. Suffered with pain in head, nervousness, could not sleep, poor appetite, loss of
flesh: caused by overwork. Doctors did not
help me so I applied to you for advice, and described my case. You replied advising me to
use Dr. Pierce's Golden Medical Discovery and
'Pellets.' I did so and after using one bottle I
could sleep better and felt better. After using
six bottles of the 'Golden Medical Discovery'
and two vials of 'Pellets,' I find myself gaining
in flesh and I am almost entirely cured."

CANDY STORE WAYS.

Clerks Eat What They Want-Fondness for Candy of Men and Women.

There is an old story to the effect that it is a custom in candy stores to tell the new clerk to eat all the candy she wants; the result being that she is soon surfered and wants no more candy for a long time. The fact appears to be that, substantially, there s rule or custom in candy stores regarding the eating of candy by the salespeople. It is, of course, required that they shall not eat candy in the presence of customers; it might be posible that a new clerk who developed an inordinate fondness for candy would require a gentle hint; but clerks are not told when they begin to work that they may or may not eat candy; nothing is aid about that at all; and they do as they please about it, and eat what they want, governing themselves it is to be presumed by discretion and common sense.

It was also the common testimony that people do not get tired of candy by being always in the midst of it; and this seems to apply alike to those engaged in the manufacture of candy and the handling of it by wholesale, and to the clerks engaged in the constant actual handling of candy in the sale of it at retail. Those who are fond of candy, men as well as women. are not surfeited by the sight of it in quantities constantly surrounding them; if it is good candy they keep on liking it just the same, and enjoy cating what they want of it.

As to whether men or women like candy better there was some difference in the expressed opinion. places it was said that men and women liked candy equally well; it was said, for instance that in a little company of men and women eating candy, the menwould eat as much as the women. At one place where the opinion was expressed that men, take them altogether, do not like candy so well as women do. it was said that if a man was fond of candy he was likely to be very fond of it, so that he might eat a quantity of at a time. It was everywhere said that among children boys and girls are alike in their love for candy; but taking into account expressions of people outside the business as well as of those in it, the weight of opinion seemed to be that among grown persons there are more women with a sweet tooth than men; that is to say that men are not so fond of candy as women.

While the customers in the candy shops in the shipping districts of the city are almost exclusively women, there may be found in the city candy stores a very large proportion of whose many customers are men. These shops are found downtown in the region devoted to trade and finance and occupations in which men are more commonly engaged and iterested. These men, however, are buying mainly for home consumption, in city or suburbs; and in these later years there has been seen among the purchasers here an increasing percentage of women customers due to the increasing number of women employed in this part of the city.

WHEN THE DAY IS DONE. It is better to wear out than rust out.

Bishop Cumberland. Tomorrow let us do or die.-Campbell-Gertrude of Wyoming. Put his shoulder to the wheel.—Bur-

on ("Anatomy of Melancholy"). The best way to keep good acts in nemory is to refresh them with new,-Attributed to Cato Bacon.

Our grand business undoubtedly is not to see what lies dimly at a distance out to do what lies clearly at hand.-Carlyle

Of every noble action the intent is to give worth reward, vice punishment.

