

MCARTHY WILL NOT HANG.

SENTENCE REDUCED TO LIFE IMPRISONMENT.

Governor Budd's Action Based on the Recommendation of the Examining Doctors.

In January, 1895, Dennis McCarthy shot and killed George Fox on a ranch in Sonoma County. He was convicted and sentenced to be hanged, but on October 11, 1897, Governor Budd granted a reprieve for six months pending an examination by Drs. Hatch, Osborn and Gardner into the mental condition of the convicted man.

The report of the physicians has been handed in, and in accordance with their recommendations the Governor yesterday commuted McCarthy's sentence from death to life imprisonment. The physician's report on which the commutation was based is as follows:

MCARTHY A DEGENERATE. "To His Excellency James H. Budd, Governor: Sir: Your commission appointed to inquire into the mental status of Dennis McCarthy, confined at the State Prison at San Quentin under sentence of death for the murder of George Fox, has been received. I have the honor to leave to make final report as follows:

"First—Several visits have been made by the members of the commission to the aforesaid prisoner, and his condition has been minutely and carefully investigated and compared, but being far from satisfied with the testimony offered us, and the evidence submitted by the prisoner's condition, not being to our minds conclusive, we joined in a request to your excellency on October 4, 1897, for a further reprieve of six months, in order to give us additional time to study his condition. This reprieve your excellency granted, and it has permitted us to reach in our deliberations not only a conclusive judgment, but with such unanimity and sense of satisfaction that we sincerely trust our findings will consequently make clearer and easier your own decision in dealing with the issues of life and death to this man.

"Second—We exclude from our findings the question of insanity in any and all of its ordinary acceptations. In so far as that condition of mind is concerned, we believe him to be legally sane. We also exclude from our findings the question of irresponsibility from epilepsy, as being not proven by facts thus far ascertained by us, nor based upon testimony free from suspicion. We admit the unreliability of the testimony offered us along this line, and while realizing that our investigations have been unsatisfactory in this particular, we nevertheless give due weight to all relevant matters relating thereto. Thus, while we exclude the subject from our conclusions, we do not deny the possibility of an epileptic taint as a morbidness existing to account for or to complicate the condition in which we find this man.

"Third—McCarthy is a degenerate, whether from epileptic or inherited influences matters not, and regarding which it may be idle to speculate. He shows the most unmistakable stigmata of degeneration in his mental and moral. We have freely conversed with him regarding his crime, its relation toward peace and good order in the community, the rights of all concerned in this tragedy and the consequences which follow. In all these interviews he exhibited marked mental weakness and lack of sensitive appreciation of his situation, except possibly, when roused to give more or less incoherent expression to his manifestly erroneous conceptions of his own personal rights and privileges. These last he believes were trampled upon, and that in some ill defined way by both his employer and his fellow-workman preceding the tragedy. His intelligence is of an exceedingly low order, his moral nature is also so low and in many phases perverted, and his mentality so dull and so lacking in mental definition as to be on a par with that of many imbeciles. He is neither bright nor materially different in this respect from other incompetents already under State care.

"Fourth—We believe, and here declare it to be our belief that the crime committed by this man was the act of a degenerate, in whom the legal responsibility therefore does not exist, and while we concur that he is a subject fully warranting your excellency's clemency, we also agree and here declare with particularity that he has, because of his aforesaid degeneration and its vicious tendencies, to say nothing of its lamentable consequences, forfeited to society his right to liberty. We believe him to be a man whom a humane common sense should allow to live, but apart from the world under conditions of appropriate seclusion, care and treatment. We say this in equal justice to outraged society, as well as to the protective rights of a degenerate fellow-being.

"We further believe, and declare that the degree of degeneracy, the extent of which allows us to make this appeal in McCarthy's behalf, is such as will not warrant, and should not therefore influence the issuance of a pardon in the future. The class of people of which this man is a type should be prevented from exploiting their criminal proclivities.

"In conclusion, we beg to say to your excellency that we believe the law will be properly vindicated, and the rights of society subserved, if a commutation of Dennis McCarthy's sentence from execution to that of imprisonment for life, without hope of future pardon, is granted, and for such a conditional commutation we respectfully join our petition.

W. H. HATCH, M. D.; A. M. GARDNER, M. D.; ANTIM EDGAR OSBORN, M. D.

In commencing McCarthy's sentence from death to life imprisonment, Governor Budd says: "I cannot attach to this order the condition that no further executive clemency be granted the petitioner, but I take this action in the hope and confidence that future Governors of this State will recognize the motives which influence me thereto, and that the advice of Drs. Hatch, Gardner and Osborn—that Dennis McCarthy shall hereafter be liberated—will be followed and respected."

APRIL WEATHER. Its Chief Characteristics During The Last Twenty Years.

The following data, covering a period of twenty years, have been compiled from the Weather Bureau records in this city by Observer James A. Barwick.

Temperature—Mean or normal temperature, 58 degrees. The warmest month was that of 1897, with an average of 63 degrees. The coldest month was that of 1896, with an average of 53 degrees. The highest temperature was 89 degrees on the 25th, 1888. The lowest temperature was 36 degrees on the 17th, 1892, and the 15th, 1898. Average date on which first "killing" frost occurred in autumn, November 15th. Average date on which last "killing" frost occurred in spring, February 10th.

FROSTS AND LACK OF RAIN.

THESE CONDITIONS HAVE DONE MUCH INJURY.

Some Improvement to Grain Crops in San Joaquin Valley and South.

Following is the climate and crop service report of the United States Weather Bureau, California Section, for the week ended March 28, 1898:

The following summary of the climate and crop conditions is based upon reports received from nine Weather Bureau Stations, fifty-two telegraphic reports received through the courtesy of the Southern Pacific Company, and many reports scattered throughout the State. Telegraphic summaries are also received from the observers at Los Angeles and Eureka, based upon reports received by them from correspondents in their districts.

The week was very unfavorable despite the rain of the 26th. Injurious frosts and low temperatures did further harm to orchards already badly damaged. Throughout the State the average temperature was from five to nine degrees lower than the normal for this period. On the 23d, 26th and 27th the minimum temperatures were near or below freezing over almost all of the State, except in the upper San Joaquin Valley, and the immediate coast.

The rain of Friday and Friday night improved feed in Southern California, the upper San Joaquin Valley and in the coast region south of San Francisco. Grain prospects were also improved, especially in the upper San Joaquin Valley, but in many portions it was already beyond recovery. In many portions of the Sacramento Valley the grain was injured by the north winds and frosts, the ground becoming very dry. Generally speaking the outlook for grain is poor.

Throughout almost the entire State, frost is reported to have caused great injury to deciduous fruit. Apricots and almonds have been killed in many sections and early blossoming peaches seriously injured. Prunes were probably not far enough advanced to receive much injury. Walnuts and blossoming oranges were hurt to some extent in portions of Southern California.

The average conditions for the week ended March 28, 1898, were: Temperature—Mean 58 degrees. Red Bluff 49, Sacramento 48, San Francisco 49, Fresno 48, Independence 41, San Luis Obispo 50, Los Angeles 53, San Diego 52.

Rainfall—Eureka 9.20, Red Bluff 0.00, Sacramento 0.04, San Francisco 0.00, Fresno 0.20, Independence 0.00, San Luis Obispo 0.59, Los Angeles 0.24, San Diego 0.28 inches.

SACRAMENTO VALLEY. Sacramento County—Unfavorable reports from every inquiry relative to fruit prospects. North winds and frosts daily. Asparagus yield from this section will be about half a crop on account of lack of moisture.

Butte County—Strong northwest winds; outlook for fruit poor; grain fields holding their own; Feather River only two inches above the lowest stage last summer; orchardists irrigating.

Yuba County—Frosts of early part of week affected the grain, but no permanent injury; almonds and apricots gone; a few peaches on the top branches, but lower branches seriously hurt.

Glenn County—Cold north winds and heavy frosts; growing grain falling fast; some fruit plowing on account of ground being too dry.

Yolo County—Heavy north wind, followed by heavy frosts; almonds, apricots and peaches badly damaged; uplands better; ground dry; rain needed.

Colusa County—Frost has bitten the grass some and retards growth; grain in foothills is of good color, and with rain will make good crop; dry soil.

Solano County—Frosts damaged the fruit; cherries badly hurt; ground drying out fast; irrigation necessary to insure future healthy crop.

Placer County—Heavy north winds; ground too dry to plow; grain needs rain; fruit nearly all killed.

SAN JOAQUIN VALLEY. San Joaquin County—Some rain and fruit prospects; rain helped grain greatly; ground drying out fast.

Merced County—Best soaking rain of the season on Friday, which will keep grain growing for some time; with a few more such showers grain may yet make some kind of a crop.

Los Angeles—Bassett—Heavy rain, one-fourth of walnuts killed by frosts, Duarte—Cloudy and cold, with rain Friday; orange shipments continue.

Los Angeles—Light rain Friday did little good as it was followed by wind; hay and grain will be very light; deciduous fruit not hurt. Paimdale—Heavy rain; frost every night; almonds all ruined and most of apricots. Pomona—Light rain Friday; deciduous fruit hurt by frost.

Ventura County—No further damage by frost; unirrigated lands and stock ranges suffering for rain.

Orange County—Light showers, with cold winds; crops suffering for rain. San Bernardino County—Light rain helped grain, but more is needed or not even hay will be made; fruit damaged.

Riverside County—Frosts damaged deciduous fruit and also touched orange blossoms in exposed places; Friday's rain made prospects for hay better; grain crop will be light.

San Diego County—Light rain and feed growing slowly; fruit apparently uninjured. Los Angeles Summary—Frequent heavy frosts injured fruit blossoms; almonds, apricots, peaches and nectarines killed in localities, other sections report buds badly damaged, but extent not yet known; rain temporarily beneficial.

Eureka Summary—Little damage reported from frosts; confined to cherry and peach trees; grain and pasture conditions uniformly favorable, although retarded somewhat by frost and north winds.

W. H. HAMMON, Section Director, San Francisco, Cal. FISHERMEN'S LICENSE BLANKS. They Were Not Printed at the State Printing Office.

By some means the State Fish Commissioners have secured blank licenses for fishermen and have forwarded the same to Controller Colgan, who has attached his signature to them and forwarded them to headquarters for distribution.

In speaking of the matter yesterday, Controller Colgan said he did not know for what purpose the Commissioners procured the blanks, nor did he ask any questions. He had merely informed them that unless the license blanks were forthcoming in printed form there would be no licenses issued from his office, and they came along all right, not far enough advanced to receive much injury. Walnuts and blossoming oranges were hurt to some extent in portions of Southern California.

ALLEGED MISSING MAN. He is Said to Have Disappeared From a Train. A man named Emilio has reported to Sheriff Conroy of Placer County that his brother, Henry Emilio, disappeared from a westbound passenger train on Saturday between Truckee and Blue Canyon, and that he could not be found.

Search has been made for the alleged missing man, but nobody has been found who had seen him. The stranger's statement is the only thing Sheriff Conroy has heard in regard to the matter.

Notaries Public. Governor Budd yesterday appointed Notaries Public as follows: J. B. Sanford, Ukiah; J. G. Mason, Menlo Park; Isaac L. Lewis, Cloverdale; J. D. Wood, San Diego; Alfred Baltzell, Redding; F. E. Dunlap, Stockton; S. C. St. John, Fresno; George B. Harden, Maxwell; E. R. America, Fullerton; George Harlan and G. P. Adams, Los Angeles; P. H. Heydenreich, Pasadena; Jeanine Butts, Santa Rosa, and Albert D. Smith, Sacramento.

Settled Out of Court. The differences between Drs. G. C. Simmons and J. H. Parkinson, growing out of the publication of the "Occidental Medical Times," have been adjusted and the suit for an accounting dismissed. Dr. Simmons' interest in the publication has been purchased.

Zombro (2:11), the greatest trotter in America, is at Agricultural Park, and stands at \$30, Address Geo. T. Beckers.

"The El Dorado," the best 5c cigar made. For sale at The El Dorado, 226 J Street. Try McMorris's 50c uncolored Japan tea; E. B. tea, 60c; G. P. tea, 75c; P. F. Japan tea, 40c; 531 M street.

Electrical lamps at Scott's, 303 J. Try McMorris's 35c tea, 531 M.

Those Dreadful Sores

They Continued to Spread in Spite of Treatment but Now They are Healed—A Wonderful Work. "For many years I have been a great sufferer with various sores on one of my limbs. My right limb became dreadfully swollen. When I stood up I could feel the blood rushing down the veins of this limb. One day I accidentally hit my foot against some object and a sore broke out which continued to spread and was exceedingly painful. I concluded I needed a blood purifier and I began taking Hood's Sarsaparilla. In a short time these dreadful sores which had caused me so much suffering, began to heal. I kept on faithfully with Hood's Sarsaparilla, and in a short time my limb was completely healed and the sores gave me no more pain. I cannot be too thankful for the wonderful work Hood's Sarsaparilla has done for me." MRS. A. E. GIBSON, Hartland, Vermont.

Hood's Sarsaparilla is the best—in fact the One True Blood Purifier. Hood's Pills cure all liver troubles. WATERS—At Napu, Cal., the beloved wife of Ed. Waters (mother of Mamie, Josie, Lena and Eddie Waters, Jr.) died at 10 o'clock Wednesday morning at 49 o'clock. Funeral private. PUNCH—In this city March 29th, Mrs. Susan Ping, mother of Mrs. Kate Hart, a native of Indiana, aged 75 years, 11 months and 15 days.

Remains will be sent to Colusa this morning at 10 o'clock. MESSARS—In this city March 27th, Rachel Jane, beloved wife of John H. Hays, died at 10 o'clock at the residence of Upton, Cal., William E. Water, C. and Daniel P. Messars; native of Ohio, aged 33 years, 10 months and 8 days. Friends and acquaintances are respectfully invited to attend the funeral to-day (Wednesday) at 2:30 o'clock from her late residence, corner of Fourth and O streets, Interment City Cemetery.

SOUTHERN CALIFORNIA. Santa Barbara County—Heavy rain followed by drying winds.

WOMAN'S BEST FRIEND. Jeanette Hill's Female Compound. PURELY VEGETABLE, HARMLESS AND UNEQUALLED FOR STOPPING PAIN OR SOOTHING AND QUIETING NERVOUS AND HYSTERICAL CONDITIONS. REG-ULAR PRICE, \$1 00. WE SELL 75c BOTTLE. MANUF'D BY JEANETTE HILL MEDICINE CO., MEMPHIS, TENN. "C. C. C." PRESCRIPTION PHARMACY, TENTH AND K STS., Sacramento.

SPRING LINE OF CARPETS. just received. Better values than ever. See our 65c Brussels, some beautiful parlor patterns. CHAS. M. CAMPBELL, 411-413 K street, Furniture and Carpets.

LADIES' FASHIONABLE TAILOR. Suits made to order, including material, \$35 up. Ladies' own material, made up, \$10. All orders executed on the premises. Fit, style and workmanship guaranteed. Latest Paris, London and New York Styles. J. H. REYNOLDS, 712 J St., up stairs.

BRADLEY FERTILIZERS ARE CHEAPEST BECAUSE the results are larger than any other fertilizer manufactured. Its use doubles the yield, increases the size, deepens the color and strengthens the flavor. WOOD, CURTIS & CO., Agents. GIRLS WHO USE "WELL BRED, SOON WED." ARE QUICKLY MARRIED. Try it in Your Next House Cleaning.

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TESLA COAL. deserves to be tried. Bright clean lumps, perfectly free from dirt, delivered at your door in sacks and full weight every time. Hundreds of ladies in Sacramento already say it is good stove coal, giving intense heat, splendid for all ordinary purposes. It is \$6 50 a ton. M. N. WINANS, Agent. OFFICE—701 K St.; telephone—Sunset, White 98; Capital, 68. YARD—Twenty-third and R Sts.; telephone—Sunset, red 24; Capital, 70, 216 1/2.

LADIES' NEW 1898 KNOX SAILORS. NONE GENUINE WITHOUT THIS TRADE MARK. PRICE, 55c ONLY AT Van Alstine's, 607 J.

DR. EARLY'S SPRING TONIC. Warmly recommended by many in this community who have used it a season after season. It imparts a healthful tone to the system, wonderfully enriching the blood and removing all eruptions of the skin. It is an old, reliable, well established and purely vegetable spring medicine. Sold at McMorris's RELIABLE PRESCRIPTION PHARMACY, SIXTH AND K.

DR. GUNN'S LIVER PILLS. ONE FOR A DOSE. Remove Bile, Prevent Biliousness, Purify the Blood, Cure Headache and Dizziness. A movement of the bowels each day is necessary for health. They neither irritate nor injure. To examine, you will find sample free, or full box for \$2.00. Write to Dr. GUNN, 505 SANNO CO. Phila. Pa.

CANNED PEAS. at a price that makes them an everyday food. They are good. 4 CANS FOR 25 CENTS. KILGORE & TRACY, CASH GROCERS, Northeast Corner Eighth and J Sts.

WHIST, WHIST, WHIST! Whist Prizes, Whist Score Cards, Whist Literature, Pencils, Tassels. Playing Cards of all grades from the ordinary to the highest priced. Duplicate Whist Trays, etc. SEE OUR WINDOWS... H. S. CROCKER COMPANY, 208-210 J STREET.

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GRUHLER'S THE POPULAR. In the favorite resort for a cool glass of California's finest and strongest wine, Jacob Gruhler, Proprietor, 1011 J Street.

GAMBRINUS' 620 K Street, MICHIGAN. Finest and strongest wine, HALL and CIGARS. Steam and Lager as it should be. A good Lunch always to be found.

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