

SENTENCED TO DIE ON THE GALLOWES

M'CLURE MUST PAY PENALTY OF HIS CRIMES

Murderer of Two Men Remains Cool and Collected as the Court Pronounces Words Which Condemn Him

"It is the judgment of this court that you be conveyed to San Quentin and there delivered into the custody of the warden to be hanged by the neck until you are dead, and may God have mercy on your soul."

After having been reprieved from sentence for the third time, John McClure, the murderer of two men, yesterday heard Judge Smith in the superior court pronounce the words which condemned him to an ignominious death on the gallows.

A vast throng of interested spectators crowded the court room, and a deathlike silence hung over the room as Judge Smith pronounced the murderer's doom.

Deputy District Attorney McComas filed counter affidavits to those filed by Attorney McLaughlin, who contended that the prosecution was in error in referring to the death of Tsodcoff, his client having been tried on the charge of having killed Jerry O'Shea.

The argument advanced by Attorney McLaughlin was combatted by the district attorney, and a number of decisions handed down by the supreme court were cited to substantiate the point taken by the prosecution.

New Trial Denied

Among the cases on this point which were cited by Deputy District Attorney McComas as touching the point raised by the defendant's attorney, was the case of the People against Joseph J. Ebanke, who was tried for the murder of Harriet Stiles and her father at San Diego in 1895.

The motion for a new trial was overruled and Judge Smith directed the defendant to stand up.

"Have you any legal reason why judgment should not be passed upon you?" asked Judge Smith.

In a cool and collected manner and with considerable resolution the murderer answered "No."

Judge Smith then pronounced the death sentence upon the convicted man, and followed by a morbid crowd, McClure was led back to his cell in the county jail.

Attorney McLaughlin immediately served notice of an appeal, but unless Judge Smith signs what is technically known as the "certificate of reasonable doubt," McClure will be taken to San Quentin to await the final act of the law which will launch him into eternity.

Story of the Crime

The crime for which McClure was sentenced to death was particularly revolting in its nature, as it showed an utter disregard of human life.

The murderer is 61 years of age and a native of Ireland, but the past forty years of his life have been spent in prospecting and mining, in which he appears to have failed to make a "strike."

Misfortune in his business affairs induced McClure to leave his rough home on the desert, and he was first seen in Los Angeles in the early part of last December, when he drove to the Exchange stables, on San Pedro street, and there disposed of his horse and rig for \$35.

In disposing of his team McClure decided to retain possession of a 25-cent halter, and he left the stable, saying that he would return in a few minutes for that article.

On the following day McClure returned for the halter and encountered H. Tsodcoff, who, after having been discharged by Judge Wilbur in the superior court on the charge of insanity, purchased a half interest in the stables. Tsodcoff insisted that the halter was included in the bill of sale, whereupon McClure left the stables in an angry mood. He is said to have returned several times after that, but he was unable to receive any satisfaction.

Looked for Trouble

Once again, early on the morning of December 12, McClure started for the stable to recover his halter, and he is said to have remarked to a friend that he would get it or there would be trouble.

As he entered the stable he met Tsodcoff and again demanded the halter. It is said Tsodcoff refused his request, whereupon the enraged man pulled out a revolver and fired two shots at Tsodcoff, who attempted to escape when he realized the danger. It was too late, however, for Tsodcoff fell dead as he reached the street outside.

The bloodthirsty miner then took deliberate aim at Jerry O'Shea and fired two shots with telling effect. Not being satisfied with his crime, McClure ran to the prostrate form of the young hostler and stabbed him six times with a bowie knife. To this crime there was an eyewitness. A man named McAfee, hearing cries of distress, arrived upon the scene of the bloody tragedy.

Record of Hangings
Since 1880 only six men have been sentenced to death in the superior courts of Los Angeles county, two of

The Squirrels have traveled 14.3 miles since Tuesday last. How many miles will they travel in ninety days? Read Herald ad. in today's paper, then send in your guess.

SLAYER OF TWO MEN SENTENCED TO DEATH



whom subsequently succeeded in escaping the gallows.

Wong Bin, a Chinaman, was convicted of the murder of a fellow countryman in October, 1901, and he was sentenced to pay the penalty of his crime on the gallows, but the supreme court ordered a retrial, on the ground of alleged irregularities in securing the jury.

Bin was thankful for his new lease of life, and he voluntarily pleaded guilty and was sentenced to life imprisonment in the penitentiary.

John Henry Frederick Auschlag was sentenced to die on the gallows for having murdered Charles R. Hitchcock and his wife, but while awaiting his removal to the death chamber, he committed suicide in the county jail.

Those executed were as follows: E. V. Methever, killed Miss Dorothy McKee, July 25, 1899, hanged May 10, 1901; John F. Barthelman, killed his wife November 3, 1896, hanged May 12, 1898; John Craig, killed his wife, father-in-law and mother-in-law, hanged June 12, 1896. John McClure, killed Tsodcoff and O'Shea, December 12, 1904, awaiting execution.

MOSCOW POLICE DISCOVER PLOT

ARSENAL OF REVOLUTIONISTS UNEARTHED

Headquarters of the Organization, Acting in Conjunction With Party in London, Said to Have Been Found

ST. PETERSBURG, March 18.—The secret police in Moscow have discovered an organization acting in conjunction with the revolutionary party in London, and 300 persons already have been arrested. The police found in a store infernal machines and explosives and weapons, together with printing presses and revolutionary documents. Among the latter were letters to the central committee and correspondence relating to the assassination of Grand Duke Sergius.

Demonstration Dispersed by Troops

LIBAU, March 18.—A crowd of 400 persons carrying red flags today made a demonstration at Dourban and endeavored to force agriculturists to quit work. The demonstrators were finally dispersed by two companies of infantry. Many persons were arrested.

OFFICERS SENTENCED

Court-martial Finds No Plot to Assassinate the Czar

ST. PETERSBURG, March 18.—The verdict of the court-martial which tried the officers and men of several batteries of artillery, from one of which a shell was fired during the blessing of the waters of the Neva on January 19, scattering missiles in the vicinity of the imperial pavilion, was announced today.

Capt. Davidoff and Sub-Lieut. Kurzeff of the Seventeenth battery, First regiment, artillery of the guard, were found guilty of neglect of duty and sentenced to be dismissed from the army and to imprisonment in a fortress—Davidoff to a year and a half and Kurzeff to a year and five months. Sub-Lieut. Roth, jr., was sentenced to imprisonment for a year and four months; Lieut. Roth, sr., to retention in quarters for three months, and two gunners to detention with disciplinary battalions for two years. Lieut. Col. Polozzeff and Gunner Patrikeff were acquitted.

The court found there was no connection on the part of any one of those on trial with a plot to assassinate the emperor.

An international league for the extermination of rats has been formed in Denmark. In Berlin the municipal authorities are offering a penny for every rat's tail delivered.

SECRETARY HAY SERIOUSLY ILL

STRICKEN WHILE BOARDING STEAMER FOR EUROPE

Steamer Starts on Her Way, and as She Passes Sandy Hook Signals That He is Better

NEW YORK, March 18.—Secretary of State John Hay was taken ill today as he was about to board the White Star liner Celtic for a voyage to the Mediterranean, and became so weak that he was taken on board the steamer in a wheel chair. That his condition was not regarded as alarming seemed apparent, however, as the steamer started on her voyage without delay.

Mr. Hay has been in ill health for some time, and the voyage on which he started today was planned to give him complete rest and an opportunity to recuperate. The secretary's plans include a stay of about six weeks in Southern Europe.

The secretary had come up from Washington yesterday, accompanied by Mrs. Hay, his daughter, Mrs. James W. Wadsworth, jr., Clarence Hay, his son, and Henry Adams, a personal friend. The whole party went to the steamer today, although only Mr. and Mrs. Hay and Mr. Adams were to sail.

At the White Star dock there are several short flights of stairs leading to the second floor, from which floor the boarding of the steamer is made. In going up these stairs Mr. Hay had to rest at each landing. Just as he reached the top he reeled back, but recovered himself and kept on. As he was about to start up the gangplank he was seen to turn deathly white and staggered, and would have fallen had not his friend supported him. The secretary was assisted to a heap of freight piled upon the deck near the gangplank, where he sat down, and waited until an invalid's chair was brought from the steamer. He was then wheeled aboard the steamer, and went at once to his apartments. It was within a few minutes of the steamer's sailing time when the secretary went on board, and it was believed that if his illness had been regarded as serious there would have been some delay while physicians were summoned or a change in plans made.

No word came from Mr. Hay's apartments, however, and the Celtic left her dock promptly on schedule time. As she passed Sandy Hook the Celtic displayed a signal, saying that Secretary Hay was much better.

OVERWORK THE CAUSE

Physician Says Mr. Hay is Suffering From Nervous Exhaustion

WASHINGTON, March 18.—"Extreme exhaustion of the nerve centers brought on by overwork," is the cause assigned by the surgeon general of the navy, who is Secretary Hay's physician, for the secretary's collapse just before boarding the steamer at New York. The surgeon general had received no message from the family but from his knowledge of the secretary's illness he was confident the fainting spell was due to this cause.

"Secretary Hay is worn out from overwork," the surgeon general said, "and I have urged him to take this trip in the hope that the sea voyages and separation from official business will restore his strength. The country does not begin to know of the secretary has insisted on doing, despite several attacks of grip and bronchitis. As a result his nerve centers are well nigh exhausted. I am hopeful that two months of absolute rest will restore him to health and enable him to return to his official duties."

Santa Fe Denies Rebates

TOPEKA, Kas., March 18.—Santa Fe officials brand as malicious and untrue the report published in Chicago to the effect that Armour & Co. had received rebates from the Santa Fe on coal shipped to Kansas City from the Pittsburg and Frontenac district, amounting to more than \$250,000.

Cyclone in Oklahoma

OKLAHOMA CITY, O. T., March 18.—A special from Hobart states that a cyclone struck Porch, a small town near there, last night. One man, name not given, was killed; J. E. and Charles Jones fatally injured and sixteen others hurt. Sixteen houses were demolished. Details are lacking on account of inaccessibility.

Dreyfus Case Revision

PARIS, March 18.—The revision of the Dreyfus case is reaching its final stage. The appellate court has appointed Maitre Maurice Jaffard to draw its report. It is generally expected that the final decision will completely rehabilitate Dreyfus.

SOZODONT TOOTH POWDER

free from grit and acid. Prevents accumulation of tartar. Will not injure the enamel of the teeth. Ask your dentist.

SUES RICH MAN, ATTACHES AUTO

REPAIRER HAS CLAIM AGAINST GEORGE WHITTELL, JR.

Son of San Francisco Millionaire Has a Chapter of Unpleasant Experiences in Santa Barbara

SANTA BARBARA, March 18.—A writ of attachment has been served on George Whittell, jr., son of the San Francisco millionaire, for the sum of \$128.55, alleged to be due to the Harry Wood Machinery company for repairs on his Moore racing car, with which he intends to tour Mexico and Central America. The machine has been dismantled and a special body made for it which has been enameled white in the form of French racing cars.

When the bill for repairs was presented to Mr. Whittell he requested that it be sent to San Francisco for collection. The machine was taken to the freight depot in this city and loaded for shipment. The bill of lading was issued to Whittell for the shipment of the racer to Salinas. Wood discovered the fact and he levied an attachment on the machine, but owing to the hour, it was impossible to take any action in the matter. The machine was shipped away and the attachment has been put into the hands of the sheriff at Salinas, where it will be served when the machine arrives. Whittell will leave tomorrow for Salinas.

George Whittell, jr., has had several unpleasant experiences since his arrival in Santa Barbara.

He was sued by his stenographer for \$25,000 in San Francisco and the summons was served while he was at the opera house in this city.

Warrants were out for his arrest for fast driving, but his chauffeur pleaded guilty for him and paid \$25 fine.

He had the misfortune to smash an automobile belonging to Hill & Brentner of this city in a wild ride down State street.

Another of his automobiles was wrecked by a street car, for which he has sued the street car company.

Louisiana Club Results

NEW ORLEANS, March 18.—New Orleans Jockey club results:
First race, five furlongs—Simplicity won, Hannibal Bey second, Archold-ham third. Time, 1:01 1-5.
Second race, seven furlongs—Fair Calypso won, Jucora second, Mon Amour third. Time, 1:27 4-5.
Third race, mile and seventy yards—Royal Arms won, Dalesman second, Monograph third. Time, 1:46 1-5.
Fourth race, six furlongs—Escutchon won, Invincible second, Mayor Johnson third. Time, 1:13 1-5.
Fifth race, one mile—Misanthorpe won, Avoid second, Parisienne third. Time, 1:41 1-5.
Sixth race, five furlongs—J. W. O'Neil won, Rawhide second, Sadducee third. Time, 1:00 4-5.
Seventh race, mile and a sixteenth—Old Hal won, Ethel Mark second, Billy Wake third. Time, 1:49 2-5.

Cleveland's Sixty-Eighth Birthday

PRINCETON, N. J., March 18.—Former President Cleveland celebrated his sixty-eighth birthday quietly at his home, Westland, today, receiving informally his friends among the university faculty. Mr. Cleveland and a hunting party will leave on Monday for the south.

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ALL THREE FOR 50 CENTS ROUND TRIP
Via Salt Lake Route
Best Fishing—Bathing—Boating—Kodaking on the Coast. Trains leave Salt Lake Depot at 8:50 a. m., 12:45 a. m. and 1:40 p. m. Buy ticket to San Pedro. No extra charge for stopovers. Information 250 So. Spring Both phones 382.

THOUSANDS HAVE KIDNEY TROUBLE AND DON'T KNOW IT



To Prove what Swamp-Root, the Great Kidney Remedy, will do for YOU, Every Reader of "The Herald" May Have a Sample Bottle Sent Free by Mail.

Weak and unhealthy kidneys are responsible for more sickness and suffering than any other disease, therefore, when through neglect or other causes, kidney trouble is permitted to continue, fatal results are sure to follow.

Your other organs may need attention—but your kidneys most, because they do most and need attention first.

If you are sick or "feel badly" begin taking Dr. Kilmer's Swamp-Root, the great kidney, liver and bladder remedy, because as soon as your kidneys begin to get better they will help all the other organs to health. A trial will convince anyone.

The mild and immediate effect of Swamp-Root, the great kidney and bladder remedy, is soon realized. It stands the highest for its wonderful cures of the most distressing cases. Swamp-Root will set your whole system right, and the best proof of this is a trial.

DEAR SIR: I was in the Army, I had more or less kidney trouble, and within the past year it became so severe and complicated that I suffered everything and was much alarmed—my strength and power was fast leaving me. I saw an advertisement of Swamp-Root and wrote asking for advice. I began the use of the medicine and noted a decided improvement after taking Swamp-Root only a short time. I continued its use and am thankful to say that I am entirely cured and strong. In order to be very sure about this, I had a doctor examine some of my water today and he pronounced it all right and in splendid condition. I know that your Swamp-Root is purely vegetable and does not contain any harmful drugs. Thanking you for my complete recovery and recommending Swamp-Root to all sufferers I am, Very truly yours, I. C. RICHARDSON

Swamp-Root is not recommended for everything, but it promptly cures kidney, liver and bladder troubles, the symptoms of which are—obliged to pass your water frequently night and day, smarting or irritation in passing, brick dust or sediment in the urine, headache, backache, lame back, dizziness, poor digestion, sleeplessness, nervousness, heart disturbance due to bad kidney trouble, skin eruptions from bad blood, neuralgia, rheumatism, diabetes, bloating, irritability, wormout feeling, lack of ambition, loss of flesh, sallow complexion, or Bright's disease.

If your water, when allowed to remain undisturbed in a glass or bottle for twenty-four hours, forms a sediment or settling, or has a cloudy appearance, it is evidence that your kidneys and bladder need immediate attention.

Swamp-Root is pleasant to take and is for sale at drug stores the world over in bottles of two sizes and two prices—fifty cents and one dollar. Remember the name, Swamp-Root, and the address, Binghamton, N. Y., on every bottle.

EDITORIAL NOTE:—In order to prove the wonderful merits of Swamp-Root absolutely free by mail, the book contains many of the thousands upon thousands of testimonial letters received from men and women cured. The value and success of Swamp-Root are so well known that our readers are advised to send for a sample bottle. In sending your address to Dr. Kilmer & Co., Binghamton, N. Y., be sure to say you read this generous offer in the Los Angeles Sunday Herald. The genuineness of this offer is guaranteed.

I CURED MY RUPTURE

I Will Show You How to Cure Yours FREE.

I was helpless and bed-ridden for years from a double rupture. No truss could hold. Doctors said I would die if not operated on. I fooled them all and cured myself by a simple discovery. I will send the cure free by mail if you write for it. It cured me and has since cured thousands. It will cure you. Write to-day. Capt. W.A. Collings, Box 420, Watertown, N. Y.

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