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BUCK TO EXPIATE CANFIELD MURDER

JUDGE SMITH IMPOSES THE DEATH SENTENCE

Within Ten Days Slayer Will Be Sent to San Quentin—Attorney Is Done With His Client

"It is the order of this court that you, Morris Buck, be taken by the sheriff of this county to states prison at San Quentin within the next ten days, there to be given in charge of the warden of that prison; that within a period of time not less than sixty nor more than ninety days you are to be hanged by the neck until you are dead."

With features convulsed with emotion and voice choking with grief, Judge B. N. Smith of department one of the superior court yesterday read the death sentence to Morris Buck, convicted of the murder of Mrs. Cloe Canfield.

But the condemned man seemed to take little interest in the proceedings and stood before the court with eyes fixed on the floor and hands hanging limply at his side.

As Buck was ordered to stand up and receive sentence, Deputy Sheriff Harrington and Longfellow closed in behind in order to support him if he collapsed. But such action was far from the condemned man's mind. He arose slowly from his chair at the order of the court and shuffled forward to the space pointed out to him. There he stood with a sleepy little smile playing over his features and his face flushed a delicate pink, looking like some child just awakened from slumber.

"Mr. Buck," said the court, "you have been accused by the district attorney of the crime of murder, that on the twenty-seventh day of January you did wilfully, feloniously, maliciously and with malice aforethought kill and murder Cloe Canfield, a human being."

"You have been given a fair and impartial trial and have had a splendid defense. You entreat a plea of not guilty, but the jury returned a verdict of guilty of murder in the first degree, making no recommendation."

To Be Hanged
"Therefore there is no other action left this court but to sentence you to be hanged."

The death sentence was then read and Deputy Sheriff Harrington marched Buck to Judge Smith's chambers. Then, while a crowd of 500 morbidly curious spectators thronged the upper corridor of the court awaiting Buck's appearance, the condemned man was taken down a private stairway and to his cell in the county jail. He was again placed in the death cell and the watch will be kept over him until he is taken north in ten days.

There will be no appeal taken in the Buck case, and yesterday when motions for new trial and arrest of judgment were entered by the defense and overruled the last legal action was taken and now Buck will go to his

death without a fight in the higher courts. Attorney Warner yesterday made the following statement:
"Since the hour that I was appointed to defend this man I have done everything in my power to see that he should have a fair trial. If I had had more time to secure evidence of his family history and produce that evidence in court the result might have been different."

Sisters Were Deaf
"Immediately after I was appointed I wrote to his sisters to give me that history. I have never heard one word from them. I did the best I could with what information I had, and I do not believe there is one human being in Los Angeles county who thinks I have been neglectful, careless, or exercised any lack of diligence. I have given this defendant the best ability I possessed. I regret as much as anybody the result."

"I am firmly of the opinion that the man is irresponsible now and was irresponsible at the time he killed Mrs. Canfield. He never at any time since my first visit to him at the jail has ever suggested one sentence to me. He seems to be absolutely incapable of suggestion. And notwithstanding the statements of reputable physicians that he talked freely to them, I have never yet been able to get a statement from him, except an answer in monosyllables in reply to my inquiries."

"A jury from the body of this county was impaneled and I never tried a case before a more intelligent jury as a whole. They listened with rapt attention to the evidence and to the arguments, and as far as I am concerned, I endeavored to cover the ground thoroughly in the argument and do not believe I could do any better if I were to do it over again."

"The jury was out less than two hours, during which time they had their dinner, and unanimously found this man responsible for his act; for that was the only question in the case. As to the fact of the killing, there was no question."

The Jury
"His responsibility for it was the only question. They have decided that he was responsible. I have prepared a motion for a new trial and argued that motion before his honor, Judge Smith, and I want to say now that in the active practice of law for twenty years I have never appeared before a more fearless, conscientious and upright judge. He has denied the motion for a new trial."

"I presented a motion in arrest of judgment and he overruled that and sentenced the man to death. I believe after careful consideration that I have done all in the law and in good conscience I am required to do. I have done what I feel to be my full duty to the court, to the state and to the defendant, as well as to the citizens of this community."

"The jury and the court have decided that it was justice that this man should hang for his awful crime and have declared upon their solemn oaths and official position that he is responsible for it."

Attorney Is Done
"I do not feel that I ought to do anything to thwart justice and further feel that I have done my full duty. If a wrong has been done in this case, or will be done by the hanging of Morris Buck, I am not responsible for it. I still believe the man is insane, but I do not feel that I am called upon to do anything further in the premises for nothing. Neither do I feel that I should put this county or state to any expense in the matter of an appeal. I have not received one penny from any human being, nor have I expended one penny in this man's defense, and I shall do

nothing further in the case unless I am paid for it."

When the Buck case was called early yesterday morning Buck shuffled into the room, paying but little heed to those around him. He walked to a chair and seated himself mechanically.

A motion for a new trial was then made and Attorney Warner, representing Buck, started to argue.

"We have prolonged this agony long enough," said the court. "You will get your authorities and can have one hour to argue."

Hundreds in Hallways
While the court was awaiting Attorney Warner's return with authorities, the doors of the court room were locked, so that when Warner returned fifteen minutes later there were about four hundred men, women and children fighting like mad in the hallways to get into the court room. Three deputy sheriffs guarded the doors, and as the argument was about to start the deputies opened the doors to let the crowd in.

Like a flash the officers were swept aside by the mad rush of the morbidly curious who dashed in to obtain good points of view. The court room doors were wrecked and the glass broken while the spectators filled every inch of available space and crowded in to the railing.

Attorney Warner's motion for a new trial was based on alleged misconduct of the attorneys for the prosecution when they called Buck harsh names in argument before the jury.

Liberal authorities were cited and the defense closed. The prosecution answered in a few words with other authorities and Judge Smith interrupted the proceedings.

"It did not matter whether this man was a tramp or not or whether the attorney said he was a tramp," said Judge Smith. "The only question before the jury was as to whether he was sane or insane when he did the killing, and any reference to Buck as a tramp would not have affected that issue."

"Buck, through Attorney Warner, has received one of the ablest defenses ever given a man in this court, but the jury seemed to all be of one mind in the case. I will overrule the motion for a new trial."

Attorney Warner then filed a motion for arrest of judgment on the same grounds, and this motion was overruled and Buck sentenced.

BURGLAR LIVES LIKE A PRINCE

Breaks into Hotel Closed for the Winter and Has Jolly Time for a Month

Special to The Herald.
GENEVA, March 24.—During a round of inspection the proprietor of a hotel situated on the Grimsel pass was astonished to see smoke issuing from one of the chimneys of the hotel, which he had carefully looked up and left for the winter months.

He unlocked a door, entered, and, attracted by the sounds of a piano, went into one of the best bed-sitting rooms. There he found a young man, decked out in his clothes, playing and singing. The stove was lighted, and on the tables were bottles of his best champagne and delicacies. The piano and a large bookcase had also been dragged into the room.

"For the last month," said the youthful burglar, on seeing the proprietor, "I have been thoroughly enjoying myself. I never had such a good time in my life. I do not mind going to prison now, and I hope you will forgive me."

The jovial burglar put on a coat and hat, took a last glass of champagne and followed the proprietor to the police station in the valley.

MONROVIA HAS ANIMAL FREAKS

HALF CAT, HALF RABBIT IS THE LATEST

Fox Terrier With Many Characteristics of His Half Brother, the Coyote, Also Attracts Attention

Monrovia apparently holds the championship for wonders, for among its animal denizens are to be found a cat which is half rabbit; a fox terrier which looks like a coyote and has a good many characteristics of one, and a macaw which is treated as a pet and lives free in the open air.

The cat, which at present is owned by C. F. Marshall, has a head and forefeet like any feline, but its tail is only an inch long and its hind feet are bent like those of a rabbit.

When you see it running across a field you couldn't distinguish it from a rabbit on account of the way it hops, but the neighbors can all testify that at night it fully lives up to the reputation of a cat. Its fur is white with a few black spots, and it eats just as any other cat, although it seems to have a special fondness for grass. The rabbit-cat is a half-blood Manx, from which it gets its stubby tail, but there seems to be no blood in it which should warrant the form of its hind legs. The Manx cat came originally from the Isle of Man.

Many a tourist has called: "Bunny, Bunny," after the retreating form of this freak of nature and has emitted a gasp of astonishment when the animal turned around and uttered a plaintive "meow."

The dog-coyote is a forlorn creature and no amount of feeding can cover its bones. It seems to follow the coyote in this characteristic. If it feels playful it will bark and play like any other dog, but at other times it sneaks around and will run at the slightest noise as its wild brother, the coyote, does. In form, the only thing that distinguishes it from other fox terriers is its head. The nose is long and pointed and its small eyes shift from side to side.

If the fur was brown the resemblance would be perfect.

The last of these wonders is a macaw owned by Mr. and Mrs. J. H. McClymonds. Although these birds are sometimes kept in captivity in zoos and menageries, this is the first instance on record where one has been raised as a pet.

The owner captured the bird on the Isthmus of Tehuantepec, the home of thousands of macaws. In their native state and usually in captivity they are very fierce and untameable, but Walker, as the bird is known, seems to have memory and the ability to become attached to a person.

At one time when Mr. McClymonds returned from an absence of seven months, Walker cried and flapped his wings and wouldn't be quiet until his master spoke to him.

In Tehuantepec the birds build their nests in high trees and are hard to catch. They are reputed to reach the extreme age of 300 years, so if that be true, Walker still has 292 years to live.

He belongs to the parrot family and probably through that connection gets his desire to talk, although his favorite noise is a long-drawn-out cry.

Like any spoiled child Walker will not show off when he has company, but if he is alone he will keep up an incessant jabber. He will eat almost anything but particularly enjoys oranges if they are peeled for him. He has an orange tree all to himself, and although he stays in it a good deal of the time he leaves the fruit severely alone.

Walker is a beautiful bird with a tall over three feet long and his plumage has all the colors of the rainbow in it. When he first arrived in California he was lonesome and dispirited until his master bought some chickens.

That seemed to completely fill all the bird's needs of companionship and now he takes his meals with that feathered tribe.

In running the bird has to balance himself on his beak because of the weight of his tail. Walker evidently didn't approve of the presence of The Herald reporter, for when his mistress put him on the ground at the close of the interview, the reporter had to make an ignominious retreat.

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EXAMINE BRAIN ON CHARGES OF ARSON

PROSECUTION INTRODUCES AN ALLEGED CONFESSION

Efforts to Have Self-Confessed Pyromaniac Sent to an Asylum Will Be Renewed on Behalf of the Prisoner

James Brain, who, according to his own confession, set a number of fires in this city since the first of the year, was brought into the police court yesterday morning for his preliminary examination on a charge of arson.

The boy, who is considered rational by the police and said to be insane by the examining physicians, seemed to take little interest in the proceedings. The case was called in Justice Rose's court and the prosecution introduced a confession that Brain is said to have made to some of the detectives.

Owing to the short court session on Saturdays the examination was continued until tomorrow morning, when evidence will be introduced tending to show Brain's connection with a number of incendiary fires that startled the city a few weeks ago.

Wallace W. Wideman, himself under

a cloud and out on bail, charged with attempts to bribe a witness, appeared for Brain. He attempted to make the witnesses admit that they considered the defendant insane and raised numerous objections to the methods used by the prosecution.

According to counsel, this examination is not a bar to an insanity examination before Judge Gibbs in the superior court, and Brain may be committed to an asylum at any time before his trial in the superior court on a charge of arson.

Those who have been following the case closely assert that Brain should be sent to an asylum rather than a penal institution, and they predict that such will be the outcome of the case.

INCORPORATIONS

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