VAN SANT LEADS FOR COMMANDER

Ex-Governor Likely to Head Grand Army at Session of Next Year.

ST. LOUIS FOR LOCATION

Veterans Place Pleasure Before Business and See Sights of Mormon Capital-Balloons and Rockets on Peaks.

SALT LAKE CITY. Aug. 10.—Samuel R. Van Sant, commander-in-chief, and Atlantic City the meeting place in 1810, is the way the forecast reads tonight in the contest for the leadership and for the 6th encampment of the Grand Army of the Republic. Nevertheless, the friends of Judge Killiam A. Keicham and the advocates of St. Lenis are standing bravely to their guns and will not concede defeat until the last ballot on Thursday.

The convention seekers and the personal friends of candidates worked hard today, but the thousands of old soldiers here attending the annual encampment. day, but the mousands of our sounds here attending the annual encampment had more important matters to attend to. "If annuaement interferes with your business," is the motto of the veterans, and they are livery of the control of the veterans, and they are livery or the control of the veterans. motion of the venerals, and they are ing up to it. The encampment is, first of all, a holiday, and the visitors do not allow their dignity as warriors to spoil their spinshing in the lake, their rambles and historic scenes, their post card signal service to absent friends, or their investigations of the Mormon faith.

Study Mormonism at Home.

Salt Lake's unique position as the Salt Lake's unique position as the Mecca of a peculiar religion is remembered by all classes of visitors, but it is doubtful if any have taken more interest in Mormon theology and Mormon political sconomy than these grizzled fighters of the Civil War. The veteran who can secure an aged father in Israel as its guide and instructor is in his element and is the envy of his comrades. Thousands of veterans and the Army nurses were entertained free of charge were entertained free of charge

purses were entertained free of charge by the management of the Saltair pavilion at the lakeside this afternoon. Other thousands put in the day seeing the

eights of the city. Colorado claims the largest delegation at this encomponent. The rollcall shows at this encomponent. The rollcall shows see persons from the Centennial State. So far her claim has not been disputed. Special trains continue to pour their human cargoes into the depots and the incoming veterans are instantly awallowed. in the throngs that came before.

Welcome at Tabernacle.

Association of Union ex-Prisoner The Association of Union ex-Francisco of War held its business seesion, National Commander Harry White of Pennsylvania presiding, this afternoon. Executive councils of the Woman's Relief Corps and other auxiliary bodies also devoted a part of the day to routine business.

Under the vast dome to the Army, the Sons and Daughters of Veterans, the Woman's Re-lief Corps, and the rest were welcomed to llef Corps, and the rest were welcomed to Utah by Governor William Spry and to Salt Lake City by Mayor John S. Brans-ford tonight. The visitors' approclation of the welcome was volved by Com-manuler-in-Chief Henry M. Nevius. From the same pulpit the heads of the various affiliated organizations greeted the mem-pers whom they have served for the last

Mountains Pictured in Fire.

Campfires were held at the Assembly all and the Armory and when these oke up every eye was turned toward using Peak, the mountain rising 1200 et at the northern edge of the nity. flags at the first settlement of Utah. siele flags at the first settlement of van-from this eminence the heavens were bemburded with a gorgrous cruption of flame. Fiery balleons mounted the dark-ened sky and volleys of rockets pen-ciled the firmament with lines of living light. It is a spectacle that could be presented nowhere save in the mountains and the memory of it will linger while the memory of the 6d rational encamp-ment of the G. A. R. endures.

There is a triple contest for the Na-tional presidency of the Woman's Relief Corps, with Mrs. Jenule I. Berry, of lows. Mrs. Belle Harris, of Kansaa, and

Corps, with Mrs. Jenule I. Berry, o. Iowa; Mrs. Belle Harris, of Kansas, and Mrs. Mellesa Caylor, of Indians, us the candidates. The greatest confidence is shown by the supporters of Mrs. Berry.

YOUNGER VETERANS GATHER

Men of Cuban and Philippine Campaigns to Unite.

PITTSBURG, Aug. 10.—The arrival of Lientenant-General S. R. M. Young, rethed, acting as personal representative of President Tatt, marked the opening of the convention of the Veterans of Foreign Service and the Army of the Philippines here today. More than a thousand deleare already in camp.

Prominent among the arriving visitors was Edward K Lane, of Missoula, Mont., former trooper in Rossevelt's Rough Biders, Lane was color Sergeant of his troop when the famous band charged San Juan bell.

The first joint hustness scanion of the two conventions will be held tomorrow. Both organizations are National and a movement is on foot to amaignmate them.

It is also planned to organize a Woman's

WHITE REMAINS COMMANDER

Ex-Prisoners of War Again Honor Indiana Man With Office.

SALT LAKE CITY, Aug. 10 .- Harry White, of Indiana, was re-elected com-mander at the thirty-seventh conven-tion of the National Association of ex-Priseners of War today. No one clss was mentioned for the honor.

Three bills to be introduced in Congress were indersed by the convention. the provides for a pension for ex-prisoners of war, epusi to \$2 m day for each day of imprisonment; another prowides a government railway from Andersonville, Ga., to Prison Park and the National Cemetery, a distance of one and one-half miles, and the third for the creation of a National military on the site of the battle of Peach

MAYOR REMAINS AT HOME

Vancouver's Executive Afraid of Sharp Dealing if He Leaves.

VANCOUVER, Wash., Aug. 16.-(Spe-

terday for Seattle to participate in the exercises of Vancouver day today at the Fair, and in explanation of his failure to go to Seattle he today issued the follow-

ing proclamation:

"To the Citizens of Vancouver: A good many of our citizens will wonder why I did not go to Seattle for Vancouver day. I will state that if I did the contracts which I have refused to sign for certain streets would probably be signed when I returned. There were some people so anxious about my going that it aroused my curiosity, and I concluded not to participate, and I delegated Mr. Beeves, of the publicity committee, to respond to President Chilberg for me, ropresenting Vancouver. J. P. KIGGINS, Mayor."

The contracts referred to by the Mayor Vancouver. J. P. KIGGINS, Mayor."

The contracts referred to by the Mayor provide for about \$0.00 worth of street improvements. The ordinances providing for these improvements were signed by

for these improvements were signed by Mayor Kiggins, without any protest. The City Council, by a unanimous vote, approved the contracts and authorized the Mayor to sign them, the city charter providing that the Mayor shall sign all contracts, but the Mayor refused, saying that the prices were too high and would work a hardship on the property-owners. Mandamus proceedings were brought by the contractors to compel the Mayor to sign the contracts, and the hearing in the case was set by the court for September 1. case was set by the court for September I.

It was given out that the Mayor would sign the contracts if he was shown that the prices were not too high, but when at a meeting of the City Council Councilman McCarty rose and said he was pre-pared to show that the Mayor's conten-tion about the prices was wrong, the Mayor refused to listen or to have the matter discussed at all.

EXPECTS STORMY SESSION

(Continued From First Page.) cial session. The committee arrived here tonight, bringing with it witnesses it was unable to examine in Seattle today. This committee will report to the House besion expires, and will likely ask to be continued.

Recall Law Asked For.

As the result of disclosures by the Aller and Halsey committees and by Police Commissioner Tuerke in Spokane, a con-Commissioner Tuerke in Spokane, a con-stitutional amendment is suggested here tonight, providing for the submission of a recall statute that may be applied to any state or judicial officer. Governor Hay will aubmit a measure to

the special session, but it will not be sent in before Thursday.

In this or some other message the Governor will probably take up the income tax amendment, the certification of which was received by the Governor today from

Secretary of State Philander C. Knox. It is predicted by Representative Edge, of Spokane, that Washington will be the first state in the union to ratify the

What Hay Will Recommend. Governor Hay will recommend in his message the pastage of a bill granting King County an additional Superior Judge; an additional appropriation of \$1000 for the Adjutant-General's printing account; an additional appropriation for the cruising of state capital lands; a bill authorizing the highway commission to have a fifth atta for a rock-crushing plant. ouy a fifth site for a rock-crushing plant, to be operated by convicts, and an amend-ment to the criminal code relative to country saloon licenses.

The recent regular session appropriated

The recent regular session appropriated \$129,000 for rock-crushing plants and four sites, but the state has obtained the four sites without the expenditure of any of the fund. Authority is now desired to accept a fifth site.

The proposed amendment to the primal code is to remedy an alleged defect relating to the lack of requirement that salcons shall be licensed in country districts.

By repealing a general statute it is feared that the criminal code permits such saloens to be so conducted. The Governor may also recommend the enact-ment of an amendment to the criminal code penaltsing the issuance of checks code penalizing the issuance of checks against banks in which there are no funds

to meet the checks. Schively Saying Nothing.

What move J. H. Schively, the Insurance Commissioner, now facing impeach ment charge, will make is a matter of speculation. His failure to attempt to se cure depositions relative to acts commit ted while Deputy Insurance Commissioner ted while Deputy Insurance Commissioner has led to the helief that he has some coup in view. Tonight both he and his attorney, George C. Israel, refused to dis-cuss their plans. "By 5 o'clock tomorrow we shall have

the Governor so busy he will not have time to think of anything else," said At-torney Israel tonight. Both Schively and his attorney accuse the Governor of being one of the prime movers in the bringing ont charges. Mr. Israel de clined to make any predictions as to how long the trial will last, but said that the motions to strike the impeachment counts relative to act committed prior to Schively's becoming a state officer and the general demurrer would probably be argued at length."

Political Rumblings Heard.

The political situation in the south The political situation in the south-west, due to the death of Congressman P. W. Cushman and the necessity of electing a successor, is also borught to the front. One of the prominent candi-dates, Edward C. Finch, of Aberdeen, accompanied by Mayor Ed Benn, of Aberdeen, and J. R. O'Donnell, of Elma, is here looking after his interests. The direct reference is a successful.

The direct primary law excludes from the operation thereof the choice of can-didates to fill vacancies in special elec-tions and there is discussion here as to whether the Legislature should amend the law in this particular or permit the candidates to be selected by the conven-tion method. Mr. Finch said tonight candidates to be selected by the conven-tion method. Mr. Finch said tonight that he and his supporters had not yet made up their minds as to which form of selecting the nomines they will fa-vor. Governor Hay will call a confer-ence of Southwest Washington political leaders to discuss the situation, and will probably follow the conference with a message dealing with the subject.

message dealing with the subject.
Scattle promoters of the Duwamish waterway project are here, headed by Charles J. Chamberlain and James F. McElroy. The Duwamish bill passed the Senate in the recent special session and a strong effort will now be made to get the bill through the House. Governor Hay is not disposed to make any exceptions on this subject. The recommendations on this subject. The bill does not call for a state appropria-tion, but provides a method of con-structing the waterway at the expense of property benefited.

About one-fourth of the members of the Legislature are here tonight.

WENATCHEE BRIDGE REFUSED

State Will Not Accept "Dynamite-

Drilled" Concrete Piers. OLYMPIA, Wash., Aug. 10.-The State Olympia, Wash, Ang. 10.—The State Highway Board has refused to recommend the purchase of the Wenatchee bridge. Their report to that effect is in the hands of the Governor, who declines to make it public until he has had opportunity to read it carefully. Members of the Board refuse to talk world in Governor gives out the facts. intil the Governor gives out the facts The Board found that in constructing the bridge the workmen neglected to sink steel bolts in the wet concrete before the piers set.

before the piers set.

Later attempts were made to drill into the concrete to piace the bolts and, that operation proving slow, dynamite was used. The result was the piers were crucked for many feet. The bolts

BY MRS. PARKER

She Recalls Statements He Made About Sutton Forgotten by Him.

SAID UTLEY HATED SUTTON

Adams Pantomimes Shooting and Discredits Doctors-Admits He Is Regarded as Murderer of Sutton.

ANNAPOLIS, Aug. 10 .- Mrs. Rose Sutton Parker, whose testimony has been looked forward to as of surpassing interest in the investigation of the death of her brother, James N. Sutton, Jr., took the stand today. She demonstrated that her memory of her interview with Lieutenant Adams shortly after her brother's death was bette than was Lieutenant Adams' recollec tion on the same points. In his testimony as to what was said during this six hours' interview the words "I do not remember" frequently recurred. Parker was positive regarding what was said and done

Denied Chance to Tell All.

It was notable from her testimon that whether Adams and Sutton were friends, Adams and Mrs. Parker parted most amicably after a little dinner party. Mr. Birney, counsel for Lieutenant Adams, did not press Mrs. Parker to any extent on cross-examination. This feature was a distinct disappointment, and Mrs. Parker expressed herself afterwards as having been most keenly disappointed. She said she would have been able to say a great many things to Mr. Birney that her own counsel could not bring out on direct examination

Adams Pantomimes Shooting.

Colonel Doyen, commandant of ma rines; Lieutenant Willing and Lieuten ant Adams again took the stand. Adams was mercilessly grilled by Mr. Davis, counsel for Mrs. Sutton. He was which the court sits and pantomime the firing of the fatal shot. In his demonstration he used an unloaded service revolver, and as he illustrated it the bullet must have entered Sutton's head at a different point and from a different direction from that indicated by Surgeons Cook and Pickrell. As Adams simed the weapon, the ball would in all probability have come out of Sutton's forehead from the back of his head. Surgeon Cook testified that the co of the bullet was downward and backward. Adams was plainly irritated by Mr. Davis' questioning.

Kennedy's Veracity Sustained.

Sergeant-Major Hurlburt testified that Private Kennedy, whose testimony at the present inquiry contradicted that of some of the marine officers involved in the case, had a good record. He did not know Kennedy's reputation for truthfulness, but he would believe any statement he might make under oath. To Mr. Birney the witness said he un derstood that the men generally thought Kennedy "bugs, more or less." Lieutenant Willing said the cart-ridges taken from Lieutenant Sutton's revolvers were taken spart by order of the board of inquest in order to decide from which revolver, the service weapon or his own, the bullet that

killed Lieutenant Sutton was fired Had No Thought of Suicide.

Mrs. Sutton, mother of Lieut. Sutton, her counsel. Mr. Davis, identified two letters written by Lieutenant Sutton, one to her and one to her brother. They were chatty, intimate and hopeful. Mrs. Sutton was mailed the day before Lieutenant Sutton was shot. Mrs. Setton also identified a bill of lading as having been written by her son. Mr. Davis offered it as evidence, showing that Lieutenant Sutton had no thought of suicide, but looked forward with pleasure to going around the world on the great crube of the United States battleship fleet in 1997. It was admitted by the court.

Charles H. Bussell, a laundryman of this city, was called as a witness and said that on October 1, 1997, he received from Lieutenant Adams a shirt, collar and cuffs, bloodstained, one cuff having been saturated and the right side of the shirt Mrs. Sutton was mailed the day before

saturated and the right side of the shirt bosom having a great deal of blood upon it. Russell was not cross-examined.

Mrs. Parker's Investigation.

Mrs. Parker's Investigation.

Mrs. Rose Sutton Parker testified that she started for Annapolis on the day following her brother's death, previously making preliminary arrangements for his burial at Arlington, D. C., for as a suicide he could not be huried in the cametery of the family in Portland, Or., they being members of the Roman Catholic Church. She was advised by Colonel Doyen, Commandant of Marines, not to look at her brother's body on account of the condition of the head, which, she said, showed a number of wounds of various showed a number of wounds of various sorts. She told of receiving at the har-racks clothing and other effects of her brother's, and of sending them bome to Portland. Mrs. Parker told of interviews in her room at Carvel Hall with several of the young Lieutenants. She asked that Adams see her alone, beasked that adams see her alone, because the Lieutenant seemed ill at easy when she met him, and because she be lieved he had information which he would probably not give her in the presence of others.

The interview lasted six hours. She said she asked Adams to tell her every thing about her brother's death and no spare her feelings, and that Adams told her of Lieutenant Sutton's unpopularity. Reading from the record of Lieutenant Adams' testimony, questions which the Adams testimony, questions which the latter had declared he could not answer, as he did not remember, Mrs. Parker de-clared Adams had told her of the incilents of the fight that followed the auto-mobile trip to "the dump."

Adams' Story of Killing.

She said Adams told her her brother went for weapons, having declared he would kill Adams. Utley and Osterman, and then described the final encounter. Mrs. Parker said Adams told her he would not swear her brother committed saicide; that he knew that if Sutton had lived, his own life would have been in danger; "that Sutton would get me." Adams, she said, stated that Lieutenant Utley hated Sutton, and had declared chall.—Afraid to leave the city lest the street improvement contracts which he bridge tastened to them. While he bridge tastened to them. While engineers say the work may last for years and that the bridge sustained a person on ought to "take it out of him." Years and that the bridge sustained a person of Vancouver, did not join the hosts of boosters who left yes—refuse to endores the purchase. money, not to pay it, as Sutton owed amount of \$500,000-

him nothing. After the interview Adams, she said, accepted her invitation to dine. Adams had told her that every one in Annapolis believed he had killed Sutton. She disclaimed to him such bellef. Mrs. Parker told Adams, she said, that all she wanted was to prove her brother was not a suicide, as, were he that, his mother would, by her faith, be compelled to believe her son's soul lost. She told Adams if she could do this the case would be dropped.

Mrs. Sutton's "Vision" Regarded as Sign of Weak Case.

WASHINGTON, Aug. 16.-In a signed statement today, Attorney Birney, repre enting the defendants in the Sutton casays the admissions of Mrs. Sutton on the tand that she is without evidence to sustain the charges excepting what she rain the charges excepting what she obtained in a preternatural vision, dispels all suspicion that Satton's death was caused by brother officers. The trial, he says, established beyond cavil that none of the officers charged was intoxicated, that the party left the hotel on friendly terms and that an altercation and fighting were commenced by Sutton, that Sutton was fairly beaten in a fist fight, first with Adams and then with Osterman; that Sutton threatened murder, armed himself and resisted arrest, attacked the himself and resisted arrest, attacked the officers, wounding Adams and would have killed Roelker but for a defective cartridge; that the testimony of three surgeons and the coroner showed no signs of the ill-treatment charged by Mrs. Sutton, and that the undisputed testimony of al witnesses showed Satton shot himself witnesses showed Satton shot himself with evident suicidal intent. Attorney Davis, for Mrs. Sutton, also made a statement regarding the case in which the court in producing Mrs. Sutton's letters is soverely criticized. Clerk Harry M. Schwartz, to whom the letters were writ-ten, refuses to explain how they got into

ten, refuses to explain how they got into hands of the authorities.

The unusual proceeding of legal counsel on both sides of a case in presenting arguments to the public through the newspapers while the case is being heard in court occurred today when Attorney arthur Birney, representing Lieutenant Robert Adams, and senting Lieutenant Robert Adams, and Attorney H. E. Davis, counsel for Mrs. James Sutton, both discussed in statements to the press the case now before a naval court at Annapolis. Attorney Birney contended that Mrs. Sutton falled to produce any evidence when placed on the stand to substantiate ner charges.

"The admission of Mrs. Sutton while on the witness stand that she is, and

on the witness stand that she is, and always has been, without any evidence of sustain her charges and that they originated in a prenatural vision, should dispet the least lingering suspicion in the public mind that Lieuteniant Sutton's death was caused by his vivoluer officers, or that blame for it hould attach to them." said Mr. Bir-

Attorney Davis, in his statement re carding the introduction yesterday of etters written by Mrs. Sutton, declared that 'neither Mrs. Sutton's counsel nor, so, far as has been learned, any listener outside of those committed in advance to a support of the finding of the inquest, could see the least bearing either the letters themselves of cross-examination on them upon the question at Issue."

NEW ACCOUNT OF SHOOTING

Marine at Boston Says Sutton Killed Escaping Arrest.

BOSTON, Aug. 10.—In an interview in the Boston Post attributed to Sergeant Arthur Todd, of the United States Marine Corps, and made public today, it is stated that if he should be called in the investhat if he should be called in the inves-tigation in the death of Lieutenant James N. Sutton, his testimony will be exactly opposite to that given by Sutton's fellow-officers. Todd, who has been on range at Wakefield, left early today for Annapolis. lescribing the shooting, Sergeant Todd

"I was corporal of the guard on the night Sutton was shot and from the place where I was stationed I saw a light figure about 250 feet away.

"I saw Lieutenants Adams and Oster-man and recognized them. They were near me. The man who was in shirt-sleeves started to run and I heard a voice cry. Stop running. You're under arrest." The man ran on and once more I heard the same voice cry out loudy. Stop run. the same voice cry out loudly, 'Stop run-ning or I'll shoot.'
"The man paid.

"The man paid no attention and ran on and the next moment I saw a flash and heard a revolver report. There were three

other shote, and the man was was raining dropped.

"I ran over to him and bent over him. It was Lieutenant Sutton. I saw a hole in the man's forehead, where there was a ragged entrance and a hole back of the left ear where the build came out clean.

"Lieutenant Roelker came into the guardroom, where I then was, a short time before the shooting. He was with a private named Richardson and they had a drink together. At the time of the shooting he was not anywhere near.

"The next morning enlisted men found a revolver on the ballfield which was not

a revolver on the ballfield which was not the regular service weapon, but a 22-cal-

Todd said at one time in conversation he had the bullet himself that killed n, but later stated that some one else had taken it. He refused to state finally whether he knew where the bullet was or not. He said:

"Just after the shooting when I returned to the guardroom Roelker came in all out of breath and excited. He said: 'My God, Archie, I think I'e been shot!'
"I laughed at him at first, but he was so enroest about it that I felt in his left-

hand outside pocket just over his heart. There was a drill regulation book there and a bullet had become mushroomed in "Roelker was much excited when I

Roelker was much excited wheat a pulled out the book and showed him the bullet and the way in which his life had been saved. He stripped down to the skin and there was a reddish tinge just over the heart, showing just where the bullet yould have gone had the book not inter-"Roelker and I talked the matter over and we agreed that he must have run into the fire of the bullets, one of which had

killed Sutton. There were four shots that I heard in all and one of them, I am con-vinced, struck Roelker. "I have wondered more than once why

I have not been called to go before the Court of Inquiry and tell what I know."

WEDDED TWICE IN HEAVEN

Insane Man Has Peculiar Delusions About Personal Condition.

SAN RAPAEL, Cal., Aug. 16 .- Raving SAN RAFAEL. Cal., Aug. 10.—Raving of a spiritual maintage contracted in heaven, which he believes unites him to two prominent society girls of San Francisco, John P. Gallagher, a graduate of the University of Callfornia, was committed to the State Asylum for the Insane at Agnews today.

A few weeks ago, it is said, Gallagher applied from amplication in St. Helena

escaped from a sanitarium in St. Helena.

FERRIS TO SUE RAILROAD Man Acquitted of Dynamiting Train

Wants Heavy Damages. acquitted recently of the charge of dynamiting a train on May 1. 1908, brought suit today against the Northern Pacific Railway. Archie Reynolds and James Reynolds to recover damages to the

ESCAPE GALLOWS

DEFENSE IS NOW CONFIDENT Supreme Court Affirms Sentence on Murderer of Ralph Fisher.

NO GROUND FOR NEW TRIAL

Defense Loses on Every Point and Accused of Calling Judge and Juror as Witnesses for Ulterior Purpose.

SALEM, Or., Aug. 10.-(Special.)-"We have thus examined every contention of counsel, and can find no reason why a new trial should be granted in this case We are not unmindful of the terrible consequences of this decision to the defendant, but they are only such as the application of law to his own conduct has In these words the Supreme Court to

in these words the Supreme Court to-day concludes an opinion affirming the lower court in the case of the State vs. James Finch and dooming the defend-ant to death. There is believed to be not one chance in a thousand of Finch's securing an appeal to the United Stat execution by the Supreme Court or reprieve by the Governor can prolong his life beyond 60 days, although the defendant is expected to apply for a re hearing, which may delay matters i

theri time. The opinion is written by Justice Mc Bride and goes into every contention made by Finch's lawyers. Some of th grounds urged as the basis for a rever-sal of the lower court are declared "far-cical" and "frivolous,"

No Undue Haste in Trial.

The opinion takes up the assignments of error as stated in the reply brief of defendant's counsel. The first is that the court erred in compelling defendant to go on trial within eight days of the commission of the crime. The court finds that, while defendant's attorneys were not formally retained until defendant was indicted, they were present at the Commission of the crime takes to be conducted. Coroner's inquest and their conduct of the case showed their familiarity with t from the start.

It from the start.

The question of granting a continuance on the ground of the absence of material witnesses is taken up, and it is shown that all witnesses were present except two. Mrs. Finch and W. C. Piggott, that Mrs. Finch's testimony was taken by deand that Piggott, had he be position and that region, and he same present, would have testified to the same state of facts as that brought out in the testimony of the defendant and Mrs Finch. It is admitted that Piggott's testimony would have been relevant, but testimony would have been relevant, but the affidavit requesting a continuance did not contain facts sufficient to enable the court so to determine at that time. "The granting or refusing of a motion for a continuance is a matter in the discretion of the trial court and will not be disturbed on appeal except for an abuse of that discretion," declares the opinion

Jury Not Prejudiced. Owing to the fact that none of the artoons or alleged inflammatory arti-les of Portland newspapers were at-ached to any of the affidavits in the axe, it was impossible, in the opinion of the court, for either the trial court of the appellate court to pass intelligently on the question of whether such arti-cles and cartoons were of such a naturces and carrooms were of a same as to influence the public mind against the accused. It is pointed out, however, that no exception is taken to any ruling of the court in regard to the acceptance or rejection of any juror, indicating that both sides were satisfied with the panel. Regarding the alleged error of the trial court in permitting the introduction of testimony regarding the disbarment pro-ceedings against Finch, the Appellat Court holds that the disbarment proceed ings were the motive of the killing and

that motive may always be shown in prosecutions for murder.

The court holds that there was no erro in permitting the introduction of photographic plates of Fisher's office. They were offered to enable the witnesses to gain a better idea of the general situa-tion of the office furniture, etc.

The introduction of a photograph of Fisher, taken when in health and strength, is held not to have been an er-

or, as it was done merely for the pur

Sought to Put Error in Record. As to the cross-examination by the prosecution of Edward H. Martin, who sestified to Finch's condition after being received at the City Jul. the Appellate Court holds that "acts or conversations with third parties tending to show active interest and partisanship on the part of a witness in favor of the party for whom he is called are always admissible as to the weight and credibility of his tes-

Regarding the claim of error based of the fact that Presiding Judge Bronaugh and one of the jurors were called to the stand, the opinion declares: "Both the juror and the Judge were called by the defendant and upon such inconsequential matters as to leave the impression that counsel in their zeal for their client were seaking to get an error into the revertible." seeking to get an error into the recor-with a view to taking advantage of i afterwards. Criminals would find an easy method of evading justice if the law wer o farcically technical that the trial could o farcically becomes the brought to a standstill and a new trial but already by the simple expedient of calling a juror as a witness." The court ing a juror as a witness." The court then cites the law to show that just such

contingencies are provided for.

The court holds that the objection to
the grand jury is not well taken. Whether the constitutional amendment of June 1, 1908, was in force or not, "the right to impanel a grand jury existed."

Death Penalty Constitutional.

Death Penalty Constitutional.

The Supreme Court, answering the objection that defendant was not represented by competent counsel, says: "These attorneys were of his own choosing, and the record here shows that they defended him intelligently and zealously. * *
That they falled to secure his acquittal is not surprising, in view of the testimony disclosed in the record."

Several pages of the opinion are devoted to the contention that the infliction of the death penalty is contrary to the constitution is copied from the Indiana constitution, where opinions have held it to be not

tion, where opinions have held it to be not inconsistent with the theory of punish-ment for reformation. The same point is covered by an early opinion by the Ore-

Northwest People in East.

NEW YORK, Aug. 10.—(Special.)— Visitors from the Pacific Northwest registered at local hotels today are: From Ashland, Or.—A. A. Conger, Mrs. A. A. Conger, at the Bartholdi. From Tacoma—I. C. Dennis, at the

Nemo

Merchandise of Merit Only

Linnan-Wolfe & Co

Biliken Dolls

September Delineator on Sale

We Announce on Wednesday A SALE

We use the word "Sale" merely to draw distinction to this event from the steady tide of every-day business-at regular prices. These are not "sale" suits, but the closing out of garments reduced in furtherance of our rule that no goods be carried into another season. These linen suits are the choicest style of Summer season, now at the height of popularity. We could easily withhold the sale of these garments for three or four weeks, yet, and the price that we offer them today-close them out in one day.

Linen Suits, Regular \$15.00,

day we offer them at \$7.95

These linen suits come in white and natural shades. Coats cut 40 inches long, trimmed with large jet buttons. Skirts fashioned in the wide popular flare style. Not a suit in this asssortment sold for less than \$15.00. To-



Final Clean-Up CHILDREN'S COATS

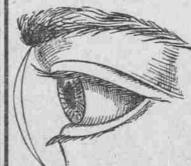
Here is a sale of Children's Box Coats, sizes from 2 to 6 years old, in many pretty styles, colored garments. These coats are, every one of them, brand new, well made and up to date. We have grouped them in four lots and marked them at prices that will save you more than half the price of the coat. These coats can be worn way into the Fall, and at the prices are the very best bargains ever offered in children's outer garments.

All coats up to \$2.00 98c All coats up to \$3.75 \$1.69 All coats up to \$5.00 . . . \$1.98 All coats up to \$8.50 \$2.98

A WASH GOODS CLEAN-UP, 5c

Final wind-up of our Summer business in wash goods. Our wash goods manager has taken stock and collected together all of his new Summer wash fabrics, printed batiste, Arnold's suiting, printed lawns, poplin nets and other fancy weaves. The value of these goods runs as high as 25 cents. We put the entire lot of about 3000 yards in a sale for Wednesday at 5c a yard.

Others Test the Eyes We Measure Them



Thompson has the most scientific ye - measuring instruments in the ptical field today. Eminent medi-Berlin and Vienna have declared his nstantaneous method of eye measprements to be the greatest discov ery made in optometry in the 20th entury.

DIFFICULT CASES SOLICITED. ONE CHARGE COVERS COST OF EXAMINATION, GLASSES, FRAMES

THOMPSON SIGHT EXPERT SECOND FLOOR CORBETT BLDG. FIFTH AND MORRISON.

If your rugs are dirty, DIRTY through and through, send them to a cleaner.

But if they are only dull from dust and soot settling on the surface, use Ivory Soap. It will make them look like

Directions: Make a stiff lather of Ivory Soap and warm water (half a cake of Ivory Soap will make a bucket of lather) and scrub rug, width by width. Wipe with a clean, damp sponge.

Ivory Soap 99 44 100 Per Cent. Pure.

Fine Line Best German Wavy Hair