

COURTS TAKE UP SUTTON PROBE

Failing Before Jury, Will Appeal to Congressional Aid, Declares Mrs. Sutton.

DESIRES NAME CLEARED

Relatives of Dead Lieutenant Persistent in Effort to Prove Young Officer Did Not Take His Own Life.

OREGONIAN NEWS BUREAU, Washington, Sept. 19.—If a Maryland grand jury can be induced to return the necessary indictments, the James N. Sutton case, already famous as a result of two Naval inquiries, will be dragged through the criminal courts of that state, because Mrs. Sutton and her counsel believe and maintain that an impartial jury, after hearing all the evidence which they hope to produce, will be convinced "beyond all reasonable doubt" that young Sutton did not shoot himself, but was shot in cold blood by one of the Marine officers with whom he quarreled on the fatal night in October, 1907.

Should this move fail to result in conviction, Congress will be asked to make a sweeping investigation into the circumstances attending the killing of Lieutenant Sutton, and in the event of a finding in favor of the dead officer, to mete out such punishment as Congress, in its authority, can inflict. This case is to be pressed until someone is legally held responsible for Sutton's death, or until the courts or Congress, after hearing all the evidence, put a quietus on the matter in some form which no man can foresee.

Difficult Task Ahead.

The difficulties which beset Mrs. Sutton and her attorneys in their effort to ferret out and punish those whom they believe to be guilty are numerous. They have little to offer in the way of direct evidence. They have no eye-witnesses to the shooting—witnesses who were close enough to distinguish and identify the various participants in the fight. They must depend largely upon circumstantial evidence, and this must be arrayed against the direct evidence of Marine officers who were with Sutton when the fatal shot was fired.

Those officers have given their testimony; they all agree that Sutton pulled the trigger and sent the bullet crashing into his own brain. They are the only living persons who know what happened; they will stand before the courts as accused, and it is not reasonable to presume that at a subsequent hearing they will testify far differently from what they did at Annapolis. They will testify, of course, for the truth, but upon their own shoulders. And they occupy the ground of advantage, inasmuch as they are the only competent eye-witnesses.

Public Not Satisfied.

The finding of the Annapolis court of inquiry is notoriously unsatisfactory. The public mind is unwilling, in view of the evidence, to believe that Sutton deliberately and intentionally shot himself. The finding of the Naval court, however, did not clear Sutton entirely of the charge. Had the court, as it might have done without injury to anyone, removed the stigma of suicide from the name of Sutton, and returned a verdict of accidental shooting, it is doubtful whether the case would have been carried further.

When the second Annapolis court convened, Mrs. Sutton declared that it was not her purpose or her desire to accuse any of the young Marine officers of directly killing her son. She wanted, she said, to clear his good name, remove the suspicion of suicide, and have consecrated ground in which her boy was buried. Could she have gained that much, she declared at the time, she would have been content. But the court denied her what she wanted. Now Mrs. Sutton is determined to press the charge of murder.

Testimony Only Circumstantial.

She herself is satisfied that "Jimmie" Sutton did not shoot himself; the Catholic Church is also satisfied on that score, and the body of her boy now lies in consecrated ground in Arlington Cemetery. Her first object is very largely attained, though to this day the stigma of suicide has not officially been removed.

The evidence to be produced by Mrs. Sutton at the trial of the accused Marine officers, if there is to be a trial, will be largely that produced at Annapolis. In addition, however, there will be considerable expert testimony growing out of the discoveries made when the body of Lieutenant Sutton was examined and examined. This expert testimony will all center around the wound made by the bullet which penetrated Sutton's brain.

Nature of Wound Important.

Backing up this theory, they will further insist that the absence of burns or powder marks on the scalp bears out their contention that the shot could not have been fired by Sutton. Had Sutton shot himself, or had he held the revolver at the time the shot was fired, they maintain, first, that the hole would have been ragged, that the skull would have been splintered and shattered, and that the ball, instead of lodging in the brain, would have passed entirely through the head and carried away a part of the skull surrounding the point of exit. Secondly, they will maintain that had the shot been fired at a distance of only a few inches, there necessarily would have been indications of burn and of powder.

This expert testimony will be met by equally positive expert testimony on the other side.

Aside from providing an opening for the use of expert testimony, and giving the experts something to work on, the recent autopsy on the remains of Lieutenant Sutton apparently did nothing to strengthen the case of Mrs. Sutton. Without this examination, however, there would have remained doubt as to the nature of the hole in Sutton's head, and the appearance of the scalp in the vicinity of the opening. The facts gleaned at the examination were positive, and to Mrs. Sutton's counsel, assuring. They cleared up all doubt on at least one disputed point. But beyond this feature the disclosures were not favorable to the contention of the mother.

Bruises Found on Head Only.

It is true that ugly bruises were found on Lieutenant Sutton's forehead and chin and upon the top of his head, but it was previously established that he had been beaten and bruised by his assailants, or those whom he assailed, according to the version accepted. Moreover, the bruises were found in spots where they were expected. The ugliest, a large, oval blotch over his right eye, shows unmistakable evidence that he had been hit either by a tightly clenched fist, or by some large blunt instrument.

It was not such a bruise as would be made by the butt-end of a revolver; it was too large for that; it was not such a bruise as would result from a blow with a stick; it was too broad for that. It must, readily have been the result of a terrific fist blow, or it might have been made when Sutton was thrown to the ground. What produced that dark, ugly bruise will never be positively established. Likewise, a smaller bruise on the left side of the chin evidences a hard struggle. Many would believe that the bruise on the forehead was kicked in the head with a flat-foot shoe as he lay prostrate on the ground. They would have been produced had he been struck across the top of the head with a revolver, or the barrel of a revolver. If thrown upon his head, they may have been produced by glancing contact with the ground.

But in manner in which those, like the other bruises were caused, probably will never be cleared up. It is readily perceived that even the principals to that memorable fight could not recall the number or character of blows exchanged. So the bruises, numerous as they were, merely bear mute testimony as to the severity of the onslaught made upon Sutton prior to his death. It is hardly reasonable to assume that any of these bruises were inflicted after the shot was fired.

Important Link Missing.

An important link in the evidence bearing on the charge of murder is missing. When the first autopsy was performed at Annapolis on the body of Lieutenant Sutton, shortly after his death, the brain was removed, and with it the bullet that was found imbedded in the brain. Both brain and bullet had disappeared—they were destroyed after that examination. Not so, however, with the other theories advanced by Mrs. Sutton. In the exhaustive examination that lasted the better part of three hours, every part of Sutton's body was examined with exceptional care. A broken bone discovered. That disclosure set at rest the contention of Mrs. Sutton that her boy's arm was broken in the fight. If a jury trial should result in conviction, Congress, of its own volition, might deem it advisable to look into conditions in the Marine Corps, but it would not then pursue the accused officers. On the other hand, if the jury trial should result in acquittal, Congress might feel loath to go behind the jury findings.

TEACHERS GO TO SCHOOL

Institute Will Be Held at The Dalles October 5 to 8.

THE DALLES, Or., Sept. 19.—(Special.)—The program for the annual County Teachers' Institute, which will be held at the high school building in The Dalles October 5-8, inclusive, has just been completed by County School Superintendent Justus T. Neff, and will be ready for distribution to the first of next week.

Teachers from Sherman, Hood River and Wasco counties will be in attendance, and as the institute will be held during fair weeks, every instructor of the public schools of the three counties is expected to be present. Some of the educators of the Northwest who have signified their willingness to serve as instructors are J. H. Ackerman, Superintendent of Public Instruction; H. C. Sampson, principal of the State Normal School, Cheney, Wash.; H. M. Crooks, president of the Oregon Agricultural College, and Catherine Montgomery, primary supervisor of the State Normal School, Bellingham, Wash.

COOK RESTRAINS HIMSELF

(Continued From First Page.)

Stars and Stripes to the Pole. It is at once congratulatory. I then believed, as I do now, that his work over a new route far east of my line of travel was a new conquest of great importance, and of course that his observations at the Pole would supplement my work with valuable details. There is room enough and honor enough for two American flags at the Pole.

MOTHER AND SISTER OF DEAD LIEUTENANT, WHO PLAN NEW CAMPAIGN TO CLEAR HIS MEMORY.



MRS. ROSE SUTTON PARKER AND MRS. JAMES N. SUTTON.

NEW SPECTER RISES

Statute of Limitations Not Run on Perjury Charge.

BAY CITY BOODLERS SAD

With Hope of Release From Unpleasant Results of Graft Filling Them With Joy, New Cause of Anxiety Is Suddenly Sprung.

SAN FRANCISCO, Sept. 19.—(Special.)—The boodle supervisors who thought the statute of limitations had run against all their offenses were brought up with a round turn when the affidavit of November 2, 1906, declaring their innocence of wrongdoing, was sprung on them. The signing of this affidavit was perjury for which they may be prosecuted until their three-year limit is reached.

All of the boodle supervisors with the exception of Thomas Loneragan, who is dead, and W. W. Sanderson, who is suffering from tuberculosis, and is at a health resort, scintillate in San Francisco or the vicinity, and many intend to continue to live here even if there is a proclamation of emancipation, and in spite of the fact that "Big Jim" Gallagher will take up his abode in England, "far from the madding crowd."

J. J. Furey, who has at all times since he was caught been "good," is now the proprietor of a saloon on McAllister street, and discussed today in a gloomy manner the appearance of the perjury specter while the fire from the beautiful diamond on his shirt front glinted riotously.

"Tom Loneragan is the only lucky one in the crowd, and he was the one who brought on most of the trouble by trying to become a boss himself in the 'rink deal,'" said Furey, reminiscently. "He doesn't have to worry about the statute of limitations. Of course everybody has all right on the other charges, but now here comes that old affidavit and no one knows what will happen."

It's been 3-1 to be forced to go on the stand and tell a lot of things a fellow would rather keep in his boots, but it is premature to talk of the statute of limitations. We have to think of that affidavit yet."

CHICAGO, Sept. 19.—(Special.)—"Away with this talk about America tottering like Rome into her grave. America is not old, nor is she decrepit. She is barely across the threshold of youth. The Pilgrim spirit that built houses, schools and meeting-houses in old New England still lives, and today it dares and does in the Far West, the new United States."

This spoke Rev. A. Eugene Bartlett today in a sermon in the Church of the Redeemer, speaking from his observations on his recent Western tour. Continuing, he said, in part:

"The tireless courage and indomitable energy of youth is present in the Far West, and it is a National asset that the whole country may share. This country cannot be rightly judged by the New England standard of culture and conservatism, nor by the standard of the Middle West. The Far West must be considered as well."

"Our country has room for 300,000,000. When we have finished our great irrigation projects we can take care of the surplus of population from all the cities of the world."

"It is the Far West that is teaching the whole country to save its National resources. She is aware of the value of water and the worth of trees. The love of home is very strong in the Far West."

The 6000 miles of travel and the two months of study of conditions in the Far West have removed the blur from my eyes and the doubts from my heart. America is headed right. When the weaving is finished there will be no North, no South, no East, no West."

POLICE PROBE HIS DEATH

Walla Walla Chinaman Perishes in Flames of House.

WALLA WALLA, Wash., Sept. 19.—(Special.)—Fire, which destroyed a portion of the Chinese quarter this morning, resulted in the death of Lee

CHANG, an occupant of one of the burned buildings. The Celestial is said to have been dragged with opium, and the local authorities are investigating suspicious circumstances in connection with the death. When the body was rescued from the flames it was noticed that it was rigid, though the fact may be accounted for, owing to the intense heat from the flames. The circumstance is regarded as of moment, and an inquest is being made.

Friends of the deceased Chinaman are of the opinion that he went to sleep while smoking opium, and declare that the fire was started in this manner. While making the run to the scene of the fire today, the engine in turning a corner skidded and crashed into an automobile, completely demolishing it. No one was injured, and though the horses were thrown from their feet and badly skinned, they were able to complete the dash.

PARTY ENDS WORK

Junket to Hawaiian Islands Leaves for Home.

HONOLULU, Sept. 19.—The party of United States Congressmen that has been touring the Hawaiian Islands left on the Pacific Mail liner Mongolia for San Francisco at 10 A. M. today. During their stay they made a thorough inspection of the needs of the archipelago, visiting the islands of Hawaii and Maui and the volcanic island, Kauai. They inspected the Hilo Breakwater and the Pearl Harbor naval sites, as well as many sugar plantations. The Congressmen were given an ovation as they boarded the ship for home this morning by thousands of Americans and natives lining the wharf.

Farewell Reception Given. At a farewell reception given the party last Thursday by Kalaniana'ole, 2000

guests were present. Ex-Queen Liliuokalani was in the receiving line, as were the Consul of various foreign countries. The Hawaiian royal jewels were on exhibition and excited much interest among the Americans. The Congressmen were profuse in their expressions of appreciation of the unique reception and of the warmth of their welcome by the people of the Islands.

In their tour of the Islands the lawmakers have been much impressed by the work of the public schools, which, they say, is molding the mixed population into a homogeneous citizenship.

Islands Need Roads. Congressman Albert F. Dawson, of Iowa, in an interview given out here, says the greatest need of the Islands is improved transportation facilities, better roads, more railroads and a safe harbor in each island of the group.

He added that he was amazed at the housing conditions among the laborers on some of the sugar plantations and said no laborer living in such conditions could be contented.

Senator Dillingham, of Vermont, who, with William R. Wheeler, Assistant Secretary of Commerce and Labor, has been investigating immigration conditions here, also returned to the mainland today on the steamer Mongolia.

Mill Manager Denies Report. SOUTH BEND, Wash., Sept. 19.—(Special.)—Henry B. Settem, manager of the Simpson mill at Knappton, denies the published report that the mill had closed because, through the unexpected death of the wife of Captain A. M. Simpson, his sons had acquired by her will a title to the Knappton mill and that there was a dispute over the mill between Captain Simpson and his sons. The story emanated from Astoria where Captain Simpson has no interests or representative and Mr. Settem says there is absolutely no truth in the report.

W. M. LADD, President. T. B. WILCOX, Vice-President.

E. COOKINGHAM, Vice-President. M. M. JOHNSON, Secretary.

S. P. LOCKWOOD, Vice-Pres. and General Manager. Home Office, Lumber Exchange Bldg., Portland, Or.

Sewing Machines are an imperative necessity when one is planning Fall sewing and new Winter gowns. It's just as easy to have the best one made as to have an inferior make. We are sole Portland agents for the famous STANDARD line and sell them on such easy weekly payments that it's extravagant not to own one if you've much sewing to do. Join our sewing machine club and buy one at \$5.00 down and \$1 Week

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Today---Our Informal Fall Display and Sale of Autumn Styles Are Now On

Showing the Best Productions of European and American Fashion Centers IN ALL THAT PERTAINS TO Women's Correct Attire

- Evening Gowns, Afternoon Costumes, Tailored Suits, Opera Coats and Capes, Imported Jewelry, Imported Veilings, Articles De Paris, Dress Accessories, Evening Hats, Tailored and Street Hats, Imported French Hats, American Millinery

GORGEOUS NEW APPAREL

The beautiful garments on exhibition and sale today were selected for the more discriminating trade of Portland by our own representative, who, with unlimited capital at her disposal, and the needs and taste of our own discerning clientele in mind, searched the style centers of the Old World in quest of all that was best in women's outer wear and the small things that go to make up a complete toilette. Represented in our showing today are such world-famous modistes as

Bernard Paquin Devert Drecoll Callot Seuers Doulet & Cie Francis

DINNER GOWN, by Callot Seuers, of pompadour silk with pointed girdle and with overskirt of net and lace. Louis XIV style with front decorated with real handmade embroidery in rose design.

HANDSOME DINNER OR EVENING GOWN of black messaline, with overskirt and black panel of silk embroidery done on small mesh net. Yokes and decorations of rich black embroidery, ornaments and tassels.

NO OTHER STORE WEST OF CHICAGO EVER ATTEMPTED SUCH A MAGNIFICENT DISPLAY AS THIS—SEE FIVE SHOW WINDOWS DISPLAYING NEW GARMENTS AND MILLINERY.

Exclusive Designs in Imported Paris Jewelry

You can select from our stock of jewelry pieces which you cannot find a duplicate in this part of the United States. EXCLUSIVE novelties chosen by our own buyer and only one of each piece in most cases, so that purchasers may be sure of having a unique article. Hat pins, in jet and ivory decorations, hat pins in the very new transparent effects, belt pin in strikingly novel oxidized silver and stone set effects, and many other novelties direct from Paris that can be had here only.

Captivating Creations in Chic Fall Millinery

Our second floor millinery salons are replete with headgear of wondrous beauty, richness and exclusive style. The foremost Parisian and New York producers of authentic styles are liberally represented.

Georgette Virot Suzanne Talbot Carlier Bendel Lichtenstein

NATION NOT ROTTEN

West Is Strong Bulwark, Says Chicago Preacher.

FARMERS NEED NO PITY

Rev. A. Eugene Bartlett Says Trip to Far West Has Opened His Eyes to Opportunities of Irrigated Lands for Settlers.

PRATT AWAITS REPLY

GETS NO ANSWER FROM PAN TANS HE TELLS TO GO.

Officials Decline to Discuss Order to Quit City's Employ or Secret Society.

SPOKANE, Wash., Sept. 19.—(Special.)—Mayor Pratt, having issued his ultimatum to the three Pan Tans who are in the city's employ as appointed agents, is now resting on his oars. He stated tonight that none of the officials—Police Justice Mann, Police Court Bailiff Edwards and Police Detective McDonald—had communicated with him, and he cannot say if they will sever their connection with the Pan Tans or take the alternative of resigning their city positions, as he will ask them to do.

With the exception of the men who depend upon the influence of the Pan Tans to get jobs for them, citizens of Spokane universally support the Mayor in the position he has taken. What measures he will take to enforce his order have not been divulged, but he will have substantial backing when he starts to pull the three officials away from the public feeding trough.

Alexander McDonald said: "I have nothing whatever to say relative to that matter."

Judge S. A. Mann remarked about the proposal of Mayor Pratt: "That's news to me. I haven't received any word affecting that matter yet. I would want to think it over before making any statement for publication relative to my action."

Bailiff Chester Edwards said: "I'd rather not make any statement whatever tonight. I might have something to say tomorrow."

A new preparation is being marketed, called Santelegic Lotion, which is said to be the most remarkable preparation for the skin and complexion ever produced. Women are now resorting to it and it is attracting unusual attention on account of its speed and qualities and its wonderful effect on the skin.

ST. JOHN IS DEFEATED

EUGENE, Or., Sept. 19.—(Special.)—The Eugene Colts defeated the St. John Apostles here this afternoon by a score of 8 to 5. The day was cold and the game was rather slow, with frequent errors.

For trunks go to the Harris Trunk Co.

GOOD ROADS GREAT NEED

At Farewell Reception Enthusiastic Honor Is Paid Distinguished Lawmakers, Who Have Been Studying Conditions There.

LOS ANGELES, Sept. 19.—The Mount Baldy road race, one of the big annual events of California motordom, and one of the most dangerous in the country, was won today by Ruess, of Los Angeles, driving a Pope-Hartford in the fastest time ever made over the course. The time for the distance of 92.4 miles was 3 hours and 4 seconds.

The White car today came to grief early in the race and the driver, Gus Seifried, and his mechanic, Frank Forbes, narrowly escaped with their lives. The machine struck a telegraph pole near Newhall and was wrecked. Forbes suffered a broken arm and was internally injured. Seifried was not badly hurt.

The Apperson car, driven by Harris H. Anshus, was second, finishing in 3:24:33. There were but three entries.

The race to Mount Baldy is extremely dangerous. The course begins in the northern limits of Los Angeles and passes through the narrow defiles in the foothills and up a tortuous and steep canyon to the finishing point, well up to the top of the mountain. The altitude at the finishing point is 7500 feet. The start at Los Angeles is but 300 feet above sea level.

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COLUMBIA LIFE AND TRUST COMPANY logo and text. The logo is a circular emblem with 'COLUMBIA LIFE' at the top and 'AND TRUST COMPANY' at the bottom, separated by stars. The text inside the circle reads: 'Our "Special Combination" policy is the most desirable Life Insurance Contract on the market. May we send you a sample policy?' Below the logo, the names of the officers are listed: W. M. LADD, President; T. B. WILCOX, Vice-President; E. COOKINGHAM, Vice-President; M. M. JOHNSON, Secretary; S. P. LOCKWOOD, Vice-Pres. and General Manager. Home Office, Lumber Exchange Bldg., Portland, Or.