

JAP SOLDIERS SINK FROM HEAT

Tests Made to Determine
Human Endurance at
the Limit.

(United Press Leased Wire.)
Tokio, July 19.—Eight soldiers are dead, 35 are dying and 115 are in a serious condition as the result of a terrible heat wave which has swept over Japan during the past few days. Public sentiment is aroused over the action of the military authorities in compelling the men to drill in the scorching heat, the theory being that it would build up the men and a court martial has been demanded.
At Takasaki six soldiers are dead and 25 dying from sunstroke as the result of being compelled to participate in a tallon inspection when the thermometer stood at 135 degrees in the sun. The men dropped out of the ranks like flies but the officers were unmoved and compelled the battalion to go through all the maneuvers as planned at the start. Twenty-nine men dropped from the ranks while the troops were on the field and a number of others were on the verge of collapse. At the hospital six of the soldiers died and there is little hope for the recovery of any of the others.
Hundreds of men in the Onaka regiment suffered sunstroke during a two days forced march, ordered by the commanding officer to test the endurance of the troops in hot weather. Two members of this regiment died, nine are in a critical condition and there is slight chance of recovery. 80 are in a serious condition and the rest are suffering intensely.
At Hamamatsu similar conditions prevail. For five hours Saturday the regiments stationed there were compelled to maneuver in the hot sun. The heat was intense and nearly 100 men were overcome. Of this number 35 are in a serious condition and some of them are expected to die.
The heat has been most intense in central Japan. Men and cattle have been overcome and many deaths among civilians throughout the empire. The suffering of the civilians has been so great as to cause among the soldiers because of the policy of "toughening" them by exposure, either to heat or cold, which has been adopted by the military.
Public indignation is heightened by the fact that this is not the first time deaths have occurred in the army as the result of what is considered needless exposure. A number of private soldiers were killed by the cold last winter when they were ordered into the field for a forced march through the mountains.

OLD VERDICT OF SUICIDE DENIED

(Continued from Page One.)

least two of the employees of Carvel hall, where Lieutenant Sutton and his brother officers attended a dance on the night of the tragedy. The employees will, it is reliably understood, contradict the testimony before the first inquest. In several important matters and make statements tending to show that Lieutenant Sutton was shot out by the other officers that night instead of forcing himself on them, as was understood.

REVIEW OF SUTTON CASE WITH CHARGES OF SUTTON FAMILY

By John E. Lathrop.
Annapolis, Md., July 19.—In no small degree is the honor of the navy, the marine corps and the government in the hands here today of Commander John Hoot of the navy, senior member; Major Wendell C. Neville of the marine corps, and Lieutenant Henry H. Sutton, son of Mr. and Mrs. James N. Sutton, who was appointed first to the naval academy and later to the marine corps. Major Henry Leonard, marine corps, is judge advocate that is, really counsel for the government, but because of the peculiar issues arising in the case will be virtually a prosecutor of Lieutenant Sutton as a suicide. Judge Henry E. Davis and Van Dyke brothers of Washington will represent the Sutton family and seek to introduce such evidence as will clear the stain of self-destruction from the memory of the Portland youth.

Previous Record Also on Trial.
I refer to the judge advocate as virtual prosecutor of Sutton as a suicide, because the first inquest board declared him a suicide and that verdict was rendered on testimony the whole of which was given by marine corps officers; for no civilian witnesses were called at that time. The clannishness between corps officers—well marked here and not denied by any one—kept it up to the judge advocate either to sustain his fellow officers of the first board, or by reaching a different result, show them up as absolutely incompetent, or as willing to inflict an eternal shame on the memory of a dead man—the disgrace of a suicide.

Newberry Refused to Reopen.
The preceding administration of the war department, too, is in a sense on trial. In the face of absolute proof that material witnesses had not been subpoenaed at the first inquest and the allegations by Mrs. Sutton, her daughter, Mrs. Sutton Parker, and their counsel, attorneys of repute in Washington, that new evidence had been found that indicated that Sutton did not die a suicide, the secretary of the navy refused to order a new inquest.

Bourne Moved Secretary Meyer.
Senator Bourne was the direct cause of this second inquest. He procured from Secretary Meyer what no one had been able to get from his predecessor. Yielding to the dictates of prudence the new board made the inquest open to the public, thus obviating renewal of grave popular suspicions that the original inquest was prejudiced and reached cruelly unjust conclusions.

The present secretary, while in no sense indicating belief or disbelief in the new theory of murder or accidental killing, commanded a reopening of the case when confronted with facts and conditions which were simply compelling.

Facts That Are Known.
These are the known facts:
That Lieutenant Sutton was not armed the night of the shooting.
He spent the evening with Miss Mary Stewart, daughter of Charles Stewart of Pittsburgh, at Carvel hall.
He rode from the hotel to the marine corps barracks in an automobile driven by William Owens, chauffeur, in company with three fellow lieutenants—Adams, Osterman and Utley.
These had been drinking at Carvel hall.
The bullet found in the body of Sutton entered the skull two inches behind and above the right ear and pursued a downward course.
Allegations at First Hearing.
These are the allegations by Sutton's former officer associates, made at the first inquest:
That Sutton began a fight with his fellow officers in the automobile, who tried to quiet him; that he became frenzied, and also was engaged in an attempt to control him physically.
That he rushed to the marine camp, brought thence two revolvers, with which he shot at several of the officers, finally slightly wounding Adams in the finger and Roelker in the breast.
That Adams cried to Sutton: "My God, you've killed Roelker!" whereupon Sutton turned his pistol on himself and committed suicide.
That Sutton was morose and quarrelsome and delighted in being a "bad"

man, as the appellation goes in western mining camps.

Points to Be Cleared Up.

These are points to be cleared up by this present inquest board:
The complete motive for the crime, if crime was committed by one of Sutton's fellow officers.
If jealousy was the cause for such alleged crime, was it Adams, or Roelker, or Osterman? Which of these lieutenants, if either, was "united" with Miss Stewart and vented Sutton's apparent winning her favor?
What were the earlier movements of Lieutenant Roelker, who was not with the Sutton party in the automobile but who got into the melee later, and who, discharged from the marine corps in November following, disappeared from view and has remained away ever since?
Did Adams force Sutton to fight, or did Sutton start it by an attack on Adams?
What officer gave Sergeant De Hart a pistol to dispose of that night during or after the fight?

Mrs. Sutton's Allegations.

These points must be cleared because Mrs. Sutton, after almost 20 months of patient investigation, aided by Mrs. Sutton Parker and guided by competent counsel, lays these allegations:
Sutton was attacked at 1:15 a. m., as shown by the stoppage of his watch at that moment.
The official finding of the first inquest was that Sutton was found dead at 1:20 a. m.
The distance to Sutton's quarters from the "dumpy" (a refuse heap along College creek where filling of lowlands was in progress), that is, from the point where the fight is generally admitted to have taken place, is about a quarter of a mile.
Sutton's accusers alleged that Sutton went that distance, procured two pistols, returned and engaged again in the fight; that half a dozen officers were in it; that a prolonged struggle took place, in which at least two of them being on Sutton's prostrate body, Adams pummeling him savagely with his fists on the head, after which Sutton shot Adams, Roelker, thrusting to the others, and after all these occurrences, which are alleged to have transpired in the minutes between the time of the finding of his dead or nearly dead body, he shot himself.

Mrs. Sutton claims that it is impossible that these things could be. She also asserts that from the nature of the wound, it is a physical impossibility that Sutton could have shot himself.

How Much Liquor?
As in so many such cases, a material element will be the quantity of liquor consumed by the parties in the case. It will be shown that Adams, Osterman and Utley had imbibed freely at Carvel hall up to the moment of departure for

the barracks in the Owens automobile. Sutton drank some; the question at issue will be: "How much?"

It is expected that it will be proved, or proved in part, that Adams later confessed that he hated Sutton, and it is alleged by some that it will be shown that Adams said he jumped on the dead body of Sutton, but avowed he did not shoot Sutton, who, he said, had committed suicide.

Question of Sutton's Popularity.

An effort will be made to prove that Sutton was unpopular with his fellow officers, and if proved, this will be seized on by the naval judge advocate, probably to show him morose and unnatural as justification for the theory of self-destruction. On the other hand, Sutton's counsel will probably strive to show that Sutton, in part, at least, at least a motive for someone to shoot Sutton that night.

One of Three Verdicts.

One of three verdicts is bound to be returned:
That Sutton committed suicide.
That one of the officers shot him purposefully.
That in the fight, a pistol was discharged accidentally and a bullet therefrom entered Sutton's head, killing him.

And What of Miss Stewart?
What had the personality of Miss Stewart to do with this tragedy? This point remains unsolved up to the very moment of the beginning of the inquiry. Miss Stewart came here with her brother, John W. Stewart, from Pittsburgh, and with her own hands registered their names at Carvel hall, rooms 307 and 309 being assigned them. She came October 7 and therefore had been here five days when the fatal night of October 12 arrived. Young Stewart was taking examinations for admission to the naval academy.

Sometime prior to October 12 Miss Stewart and Sutton met. Notwithstanding their brief acquaintance, there was sufficient mutual interest to keep both away from the midshipmen's hop at the academy—a function sought by almost every girl and seldom neglected by any of the young officers. Sutton, if there at all, remained only a short time. He returned to Carvel hall, where Miss Stewart was, and was with her on the broad veranda most if not all of the evening.
It is expected that it will be shown that Miss Stewart and Sutton had made engagements for the following day, and that she was prostrate when hearing of Sutton's death; that as a result thereof she was ordered to the emergency hospital by Dr. J. M. Murphy, where she was under treatment for hysteria.

Jealousy Suggested as Motive.
If it is shown that Adams also had been attentive to Miss Stewart, a new element may be injected. For it is alleged that Adams, summoned from his China station to testify here, came

to Annapolis, heard the claims of the Sutton family, hurried to Pittsburgh to see Miss Stewart, who later was found to have given up her fashionable apartments at 6315 Marchand street, Pittsburgh, and gone to Canada, intending to remain for the summer.

It is known that Miss Stewart was deeply attached to Sutton. She was admired by several of the young officers. She was educated in music and is thought to have been in training for an operatic career. She had given exhibitions of her art in Annapolis. It is said she was magnetic in her personality. It is understood that she met Lieutenant Sutton at a hop at the academy armory. Her father is a fashionable tailor in the Farmers' Bank building, Pittsburgh. He was one of the city councilmen. Miss Stewart was often at the academy at Annapolis.

De Hart May Fix Guilt.

Sergeant James De Hart, who was in or near the fight that night, is one of the most important witnesses; indeed, some think his testimony may identify and convict the guilty person, if any is guilty.

De Hart states that he was returning to the barracks at about the time of the trouble; that an officer rushed up to him with the command to take a pistol (handing him a weapon) back to the camp. De Hart says he took the weapon, then became frightened and threw it down on the parade grounds. He reported the incident to his superior officer, who commanded him to get the pistol in the morning. When he searched for it in the morning he says he could not find it.

He has been stationed at Seagirt, N. J., and resisted all probing by newspaper correspondents lately when pressed to reveal the identity of the officer who handed him the pistol.

Mrs. Sutton's Theory.

Mrs. Sutton is understood to have been importuned to press the second investigation. The assertion has been made that she has been receiving numerous letters and telegrams urging her to proceed, but that personal pleas have been offered not to insist on the inquest.

She has acted on the theory that a clique of officers, those concerned in the tragedy, conspired to fasten the stain of suicide on her son; that, whether willingly or unwittingly, the board of inquiry became party to that conspiracy, by permitting those conspiring officers to be virtually the sole witnesses at the first inquest; and that that assured the eliciting of testimony from witnesses prejudiced against her son by their own vital self-interest.

It is furthermore intimated strongly that potent political influences were brought to bear to induce Mrs. Sutton to desist; that it was feared a bad effect would be wrought on the former

administration of the war department, which so readily accepted the verdict of suicide, and which later, when evidence was offered warranting a new inquiry, refused it.

The Quantum of Liquor.

It is quite natural that the family of the deceased should seek to show that Sutton was not habituated to much drinking, but it appears that he had fallen into the too common habit of young officers, although it might be shown that on that evening he did not drink to excess.

But, whatever be the outcome, all admit that the quantity of liquor consumed that night becomes an essential element. It will be impossible to consider the case without taking into account the question of how much liquor was imbibed.

On this point the clerk of Carvel Hall, the waiters, the bartender and others will supply important evidence.

**CORPSE LOST FOR
MORE THAN AN HOUR**

(United Press Leased Wire.)

Burlingame, Cal., July 19.—Knowledge of a midnight search along the county road near this city for a corpse that disappeared from Deputy Coroner J. L. Elder's wagon, became public today. Saturday evening, Elder, accompanied by two assistants, started for San Francisco with a corpse. A short distance from that city, the wagon struck an obstruction in the road and the three men were hurled to the ground. After righting the rig, Elder opened the door to assure himself that the corpse was safe, and was horrified to find the black wagon box untenanted.

A hurried search was vain and it was nearly an hour before the corpse was found by the roadside, where it had fallen.

Prosser Local Option League.

(Special Dispatch to The Journal.)

Prosser, Wash., July 19.—Prosser's leading business men have organized a local option league. Officers have been elected as follows: President, E. C. Houston; vice-president, F. A. Kennett; secretary, R. B. Walker; treasurer, J. D. Marsh. A membership pledge has been drawn up as follows:

"We, the undersigned citizens of Prosser, Wash., do hereby enroll ourselves members of the Prosser Local Option league and pledge our best endeavors to abolish the sale of liquor within the city limits of Prosser, according to the principles of the state local option law, as passed by the legislative assembly of 1907."

Tomorrow, the 20th, is positively the last day for discount on east side gas bills. Read gas tips.

FIRE IN THE REAR IN HALIBUT CASE LATHAM SMOKES AMID THE WRECK

Canada Seeks by Indirection
to Dispossess American
Fishermen.

Channel Aeronaut None the
Worse Personally for
High Dive.

(United Press Leased Wire.)

Vancouver, B. C., July 19.—The action of the Dominion government in longer refusing permission to American halibut steamers to buy bait or coal in Canadian ports may be regarded as the first move in a diplomatic campaign in which the Canadian authorities intend to assert what they claim as their rights in the northern British Columbia halibut fisheries. The entire campaign of action is declared to be an elaborate one.

The Canadian government recently laid claim to the rich fishing waters of Hecate straits and Dixon entrance, on the ground that under the Alaska boundary award they are extra territorial and exclusively within Canadian jurisdiction, even though they are outside the three mile limit. This contention has been the subject of international correspondence between Washington, Ottawa and London, and to back up its claim the Canadian government is now making investigations and preparing a large quantity of official data relating to the matter.

It is stated here that the action of the government is a direct result of the lobbying done in Ottawa during recent months in the interests of Canadian fishing companies. For years the Norland Fish company, an American corporation, has held a virtual monopoly of the industry, through a special dispensation from the Canadian government, which permitted it to operate from Vancouver. Its profits are said to have run into the millions annually.

Attempts to dispossess Canadian fishermen to get a foothold in the halibut fishing business have failed and finally their complaint was carried to Ottawa.

New Notaries.

Salem, Or., July 19.—Notarial commissions have been issued to E. C. Keeney, Monument; H. C. Eastham, Vale; John Vert, Pendleton; Mrs. A. E. Robertson, Wondra; Marion C. Miller, Dora; W. G. Trill, Joseph.

(United Press Leased Wire.)

Calais, France, July 19.—Perched upon the framework of his wrecked monoplane, Hubert Latham was calmly smoking a cigarette when he came to the rescue after he had plunged into the waters of the English channel eight miles from the shore. Latham was unharmed and the monoplane was but slightly damaged.

Latham was attempting to cross the channel when the accident occurred. He traveled eight miles, when the monoplane's motor suddenly slowed down and the machine fell from the height of 350 feet. At a short distance above the water the machine dived straight downward into the waves.

Latham clambered upon the framework of the machine and with the aid of a waterproof cigarette and match case was able to enjoy a smoke while boats were putting off from shore to tow him in.

He will resume his trials as soon as the monoplane is repaired.

Companies Incorporated.

(By Journal Leased Sales Wire.)

Salem, Or., July 19.—Articles of incorporation were filed in the office of the secretary of state as follows:
Farmers Railway & Navigation company; principal place of business, Pendleton; capital stock, \$250,000; incorporators, Charles A. Hill, R. O. Sarnhart and A. A. Cole.
Associated Drug company; principal place of business, Portland; capital stock, \$5000; incorporators, Ralph Cryer, Charles Z. Miner and H. K. Sargent.

Courier-Christensen company; principal place of business, Bandon; capital stock, \$15,000; incorporators, B. J. Cournerth, Amos Carson, Walter Donald and Lena Christensen.

Cherry Trust company; principal place of business, Astoria; capital stock, \$5000; incorporators, Ellen S. Cherry, Edward M. Cherry and Philip X. Cherry.

PIANO SALE EXTRAORDINARY

86 Fine New Warranted Pianos of Highest Grade
Secured by Eilers Piano House at Immense
Reduction Go to Retail Buyers at Corresponding
Advantage This Week.

A payment of \$5 today and \$5 a month thereafter secures a splendid new, sweet-toned, durable, high-grade Piano for which dealers usually ask \$275, \$250 and \$300. Sale price now \$146, \$169 and \$139. Only 86 Pianos, all told, however. COME AT ONCE IF YOU WANT ONE!

piano-makers east a stock of finished pianos upon which they were anxious to realize.

These pianos are now here. They are really magnificent instruments—they are warranted. You take no risk in securing one of these pianos. We guarantee them.

These 86 pianos come in mahogany and in splendid quarter-sawn Flemish oak, and also very choice mottled walnut cases. There are 56 instruments built for regular \$300 and \$350 trade, which we are now able to offer at \$173, \$196, \$186, \$189, \$191 and \$180. Six dollars cash and six dollars each month will buy them.

There are 32 pianos of regular \$275 and \$250 styles. These will cost \$146, \$154, \$169, \$162 and \$138. Payments of \$5 cash and \$5 each month buys them.

We have been in position several times in the past to offer very much below price numerous standard makes of pianofortes, but never heretofore have we been able to present as great a money-saving opportunity as will be found during this sale.

Make this the test—see the best piano you can find elsewhere for \$300—test it carefully, look at it inside and out. Then come here and find the same thing for \$173, at a saving of \$127. You'll find the same radical reduction upon every other of the 86 pianos as well.

These are not used pianos—they are not even shopworn. They are the very latest products of two prominent, well-known, long-established piano-makers. Most of them have just arrived from the factories—none has been here longer than seven days.

Always on the alert to secure whatever may prove of advantage to our buyers, we snapped up these splendid pianos at a tremendous reduction, and we, in turn, offer this benefit to our patrons who can act quickly.

At these prices we must sell many of them each day to make ends meet. We propose to sell all of them within the next 10 days. We take our semi-annual inventory a week from next Saturday, and by that time all must have been disposed of.

Start the children in music now—it doesn't take much; \$6, or even \$5 a month, looks easy—and it is easy. It's car fare; no home need be without a piano—a good piano—now.

Bear in mind that these are good pianos—instruments that will please a fastidious musician and that will

last a lifetime; not the ordinary "department-store, bargain-counter, sweatshop" goods that one frequently sees advertised in glowing terms by institutions that have no reputation to sustain or to make.

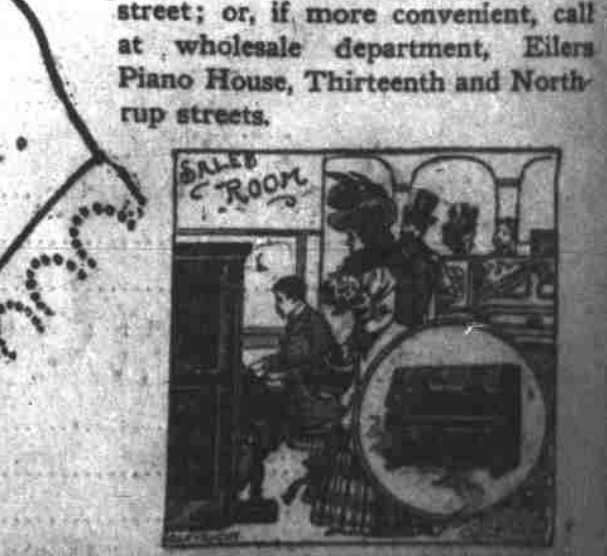
Not until these pianos are seen will anyone fully realize the truly astounding low prices at which these beautiful instruments are going.

See them in the east show windows—\$146, \$169, \$138—the biggest dollar's worth of high-class piano value ever presented by a responsible house.

You may wish to pay cash. Instruments sold "on time" pay simple interest—not on the whole amount, but on the unpaid balance. Ordinarily, with us, there is therefore no cash discount. In this sale a premium of 4 per cent goes to anyone wishing to pay for the piano in full within 30 days.

Full amount paid for one of these instruments will be accepted toward payment of any of our highest-grade Kimballs or Webers or Chickering's any time within two years of date of sale.

Remember the place—"the always busy corner," 353 Washington street, at corner of Park (Eighth) street; or, if more convenient, call at wholesale department, Eilers Piano House, Thirteenth and Northrup streets.



dispensers of
pianoreliability