

CASE

STEVENS

IS IN

Government Closes and Refuses to Make Argument—Attorney Davis on Behalf of Mrs. Sutton Will Be Heard Tomorrow.

Vital Facts Based in Sutton Case to Date.

Lieutenants Sutton, Adams and Osterman quarreled in auto on way to barracks from hop on October 12, 1907.

Sutton and Adams in fist fight. Osterman knocked Sutton down.

Adams and Osterman shot by Sutton. Sutton found shot in head and dying early on morning of October 12.

Sutton's mother prevails on navy department to reopen case. Lieutenant Adams, first witness, vividly reenacts struggle in which Sutton met his death.

Lieutenant Osterman testifies, corroborating Adams in the main.

Lieutenant William F. Bevan testifies he saw Sutton die by his own hand, but says eight shots, instead of five, as previously testified, were fired.

Lieutenant Willing testifies that he saw the flash of the gun, but did not see who fired the shot that killed Sutton, but that he is confident Sutton shot himself.

Mary Elizabeth Stewart, society girl, in letter, tells her part in events preceding tragedy.

Mrs. Sutton says that girl's story shows that Sutton did not commit suicide.

Sutton's mother-to ask indictment.

Probing of discrepancies in testimony begins.

Sergeant Todd ready to testify Sutton killed when he refused to halt on order of "Stop or you will be shot!"

(United Press Pressed Wire.) Annapolis, Aug. 12.—The testimony before the inquiry board sitting to investigate the death of Lieutenant James Sutton, was concluded at noon today.

Immediately after the taking of the last witness' testimony Judge Advocate Leonard announced that the government had no arguments to make regarding the case.

Adjournment was then taken until tomorrow morning at 10 o'clock when the government will make its arguments. The court will send its findings to the secretary of the navy before the decision is made public.

Sergeant Todd had testified that Sutton was shot down when he refused to halt when commanded to do so. In the state court this testimony is expected to be the turning point in the case in favor of Mrs. Sutton's contention.

No one expects the army board to do other than reiterate the findings of the former court-martial. But in this belief there must be injected an element of doubt.

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"Well, what did you think of it from an investor's standpoint?" the question was promptly put.

"Some of it," responded Mr. Stevens, "is very, very good, and some is as bad."

"But does the country justify development enterprise and the faith we have in the return that will be made when railroads bring the people and the money?"

"Indeed it does," the engineer answered emphatically. "I put my judgment on it that there is land which will pay splendidly in return for development. Of course there are other parts which make no promise at all and look hopeless. Such places are to be found almost anywhere."

Investment Might Be Made. Mr. Stevens went on to say that he had neither for the interests he represents nor himself made any investments in Oregon properties, nor did he know of any about to be made. In the northern states, he said, and in Washington investments had already been made. What he would do about Oregon investments will be determined absolutely by advice from the east which he has yet to receive.

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Mr. Shannon added that he did not believe Mr. Stevens was in the employ of Hill or knew anything about the Deschutes railroad.

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CITY WILL BID ON WATER MAIN

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Confidence in Engineer. "I have confidence in the figures compiled by the engineer and I think the board should adhere to the policy of rejecting all bids not coming within his estimates, plus the 10 per cent allowance," continued Mr. Wilcox.

"Well, why can't the water board do its own work?" countered Mayor Simon. "We find it necessary to lay a water main we can go ahead and do so. The money necessary to finance the project can be advanced from the water fund and later returned to it from the sale of bonds for which the abutting property will be assessed by the water board."

It seems to me that the scheme I suggest is feasible and that the charter will permit it. The city has as much right, it would appear, to enter the lists as has any contractor."

Put in Mayor's Hands. The board was unanimously in favor of trying the plan outlined by the mayor to reduce prices and J. C. Ainsworth immediately made a motion to leave the decision of the matter within the discretion of Mr. Simon.

Owing to the fact that no water mains have yet been laid under the new law passed at the last election no bids had as yet been acted upon by the new administration until the Everett street main was brought before the board because of its urgent need to be laid before the thoroughfare is improved with a pavement.

For more than a year previous to the close of the Lane administration no new mains had been laid. Mayor Lane contended that the contractors were trying to hold up the city and he was a real obstructionist. Since then the engineer of the water department has revised the old estimates by adding 10 per cent for reasonable profit, and still the contractors' figures are above the estimates.

The excuse given by some of the firms," said Engineer Clarke this morning, "is, they say, that the warrants given in payment of the work done are not worth their face value and that no bank in the city will accept them even at a 10 per cent discount."

BOB BURDETTE MUST CLOSE CAREER

(Continued from Page One.)

Press Humorists. He is the perpetual parson and pastor emeritus of 100 of us, and calls up his boys, with the possible exception of Mark Twain and Ell Parker, who have a few years on the parson, though active members of his widely scattered flock of fun manufacturing sinners.

Dares Not Speak a Word. And, though his doctors wouldn't allow him to speak a word because the mere effort of speaking increases his agony of body, the remembrance from these jokesmiths of the daily press grove the look from his eyes for a moment. What he wanted to say was what he has said to me often: "Boys of my own kind—my real brothers—God bless them all!"

His fortitude is all the more wonderful when you know that for days he has lain, and for months probably he will continue to lie, held fast from his waist down in a plaster cast. A slip and a fall backward on a wet veranda at his Pasadena mansion March 15 last resulted in the big sciotic nerve being gouged and torn by the sharp corner of a bench—odds enough, a bench from an old church pew.

Because of persistent reports that Dr. Burdette was on his deathbed, in spite of denials of his three physicians, Mrs. Burdette, who is noted as a past president of the National Federation of Women's Clubs, made absolute denial of such rumors yesterday.

Not Morally Ill. Dr. Burdette is not morally ill, and yet his illness could truly be termed critical. His suffering is terrible and almost continual. He rarely gets more than two hours of sleep at a time, and the only ease from the pain is by the injection of opiates into the sciatic nerve to stop its awful throbbing.

Hundreds of letters and telegrams are arriving at the Burdette home every day, and many of these are read to the afflicted humorist. Little stories about the real greatness of this one of America's first humorists, come to light every day, and here is one that has never been told before. The father of the child told the story himself, with tears streaming down his face:

A New Burdette Story. His little girl was dying. "Bob" Burdette had started on a lecture tour along the coast and up north. The tour was to last several weeks and ordinarily was worth several thousands of dollars to him. The child was a member of the Burdette Sunday school and a constant attendant at his church. Her plea was simply, "I want Mr. Burdette to talk to me before I die." "Bob" Burdette cancelled his entire list of engagements and returned at once to Los Angeles, and the youngster passed away with the trace of happiness on her face at the cheerful words that came from his heavy heart.

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Several streams of water were put on the flames and the main plant, only a few feet distant, was kept from danger of the fire. The firm will rebuild the dry kiln at once. The loss is about \$1500.

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