

LIEUT. SUTTON KILLED BY HIS OWN PISTOL WHILE BEING HELD DOWN

Bevan Says Sutton Took His Own Life While Held on the Ground

LIEUT. BEVAN'S STORY

Mother of Lieutenant Sutton Says That After Listening to the Evidence She is More Convinced Than Ever That Her Son Was Murdered.

(By Leased Wire to The Times) Annapolis, Md., July 21—Before Lieutenant William F. Bevan was recalled to the stand today to complete his story of the death of Lieutenant James N. Sutton, counsel for the relatives of the dead marine officer requested the board of inquiry to hold a session at the scene of the tragedy and have it re-enacted by the witnesses.

Commander Hood and his two associates took the request under consideration.

"If the plan is approved of Mrs. Sutton and her daughter will be present," Lawyer Van Dyke said for the Suttions. "All those who have knowledge of the facts will be directed to attend."

Mrs. Sutton and her daughter were early in court. Mrs. Parker changed her position so that she might have a better opportunity to study the witness.

Lieutenant Bevan is quite popular in the society circles of the academy, and the fact that he was on the stand brought out a larger attendance of women friends of the officers than before.

"Could any of the officers you saw when you reached the scene of the fight have carried a revolver, without it being noticed?" was the first question put by Major Leonard.

"Yes, sir; almost any one of them might have had a revolver, either in his shirt or otherwise concealed," Bevan declared.

This was a direct contradiction of the testimony of other witnesses.

After a wrangle among counsel Lieutenant Bevan was allowed to answer the question whether he knew of his own personal knowledge that Sutton had "shot up" the camp or had threatened the life of any officer. Said the witness:

"Mr. Sutton never threatened the life of any one as far as I know."

"A few weeks before the tragedy I saw Sutton fire seven shots over the head of Lieutenant Roelker. Major Fuller took the pistol from Sutton," continued the witness.

Q. Did Sutton fire the fatal shot before or after the remark was made, "Roelker has been killed"?

A. They occurred almost simultaneously.

Q. Was Sutton killed by the bullet fired by himself?

A. I am absolutely certain that the bullet that ended Mr. Sutton's life came from the revolver which he drew from under his body while I held down his shoulders.

"Sutton said to me between two and six weeks before the tragedy that he had no interest in life; that it had no attraction for him and that some day he would end it all with a bullet," Bevan declared, in answer to a question.

Mrs. Sutton and Mrs. Parker shook their heads at this evidence.

Reading from Lieutenant Bevan's testimony at the first hearing Mr. Davis showed that the witness had declared he discussed the Osterman-Sutton combat with Lieutenant Utley before the tragedy occurred. During this proceeding Bevan had sworn that he did not see Utley until it was all over.

Damaging conflict between Bevan's story and the testimony of his predecessors was developed when Mr. Davis caused the witness to admit that at least six shots were fired before he ran to the scene and saw Sutton discharge the last bullet. Both Adams and Osterman swore five were fired, including the fatal one.

Bevan's declaration, Mrs. Parker said to a reporter, was proof that one of her brother's antagonists was also armed, for only five shots in all had been discharged from the two weapons Sutton carried. Bevan admitted that he had to pass the body of the fallen Roelker in order to get to Sutton. He explained that he didn't

2 Witnesses in Sutton Investigation.



Here are two principal witnesses in the investigation as to the cause of death of Lieutenant Sutton, of the Marine Corps. On the right is Lieut. Robert Adams and on the left Sergeant James De Hart. They were taken by a staff photographer of The Hearst News Service at the United States Rifle Range at Sea Girt, New Jersey.

"My Poor Boy Was Beaten To Death" Says His Mother

(By Leased Wire to The Times) Annapolis, Md., July 21—"My poor boy was beaten to death and then shot," today declared Mrs. James N. Sutton, mother of Lieutenant James N. Sutton, of the marine corps, who was killed in a struggle following an automobile ride.

"I am now certain that Jimmy was killed by blows struck by his companions in the marine service. The bullet was fired into his head after it was seen that he was dead. This was done to bolster up the allegation that Jimmy committed suicide which myself and daughter have all along declared to be false.

"After listening to the testimony of three men in the government service, men who should have been my son's comrades, I am certain that a great crime was committed. Personally I will be satisfied when I have proved that my boy did not take his own life. But what will the government do? Is it not the fact that most grave charges against some one must follow an overturning of the original report of the first board? That is the real reason the marine corps is making such a fight in this second inquiry."

This outbreak on the part of Mrs. Sutton followed the sensational testimony of Lieutenant William F. Bevan, whose version of the tragedy is so widely at variance with the testimony of Lieutenants Adams and Osterman that it left the impression that Lieutenant Sutton, while self-slain, did not commit suicide, as stated by the other two young officers.

The young lieutenant graphically described how the fallen lieutenant, with three men on his prostrate body, drew his right arm from under him, and, while trying to fight the others off, fired the shot that ended his life. Despite this description and the other features of Lieutenant Bevan's story, the mother and sister will push the inquiry with the same vigor that has characterized their efforts heretofore in trying to remove the stigma from the family name, because of the death of a self-inflicted.

That Lieutenant Bevan's story will be corroborated is believed today, which will make the weight of evidence in favor of the theory that Lieutenant Sutton killed himself and in all probability accidentally. If the members of the court of inquiry believe this to be true, the verdict will be that the young lieutenant came to his death from a self-inflicted wound, differing from that of the first court of inquiry which investigated the tragedy in that it was not a case of suicide.

SPAIN FACES TROUBLE

Rioting and Disorder Because of War

Vast Crowds, Including Women, Gather About the War Ministry and Protest Against Sending More Troops to Morocco.

(By Cable to The Times.) Madrid, July 21—Spain today faces a more serious situation than has confronted her since the war with America. Public sentiment is flatly against the Moroccan war and rioting and other street demonstrations here and elsewhere are making the government aware that unless the campaign is concluded briefly and successfully it may have to deal with revolution at home.

Vast crowds, including many women, surrounded the war ministry today and vociferously condemned the dispatch of more troops to Morocco. Rioting was general throughout the city and in this, too, the women took prominent part. So general was the disorder that the police were powerless. The crowds swept them aside like chaff when they attempted to interfere in their course. No serious damage has been done as yet but the

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THE CABINET MEETS

And Discusses the Tariff Deadlock

Much Secrecy About the Meeting of the Cabinet Held to Consider Deadlock in Conference on the Tariff—President Has Many Calls.

(By Leased Wire to The Times) Washington, July 21—The special cabinet meeting called by President Taft today to consider tariff matters met at 11 o'clock at the white house. All the members were present except Secretary of the Interior Ballinger, who is on a western trip.

Until the cabinet members arrived at the white house there was much secrecy attending the purpose of the meeting. A few minutes before Secretary Nagel, who was first to arrive, reached the white house, Private Secretary Carpenter informed members of the press that he was unaware there was to be a special cabinet meeting. A few minutes later when told the cabinet was assembling he said they would hold a continuation of yesterday's meeting to consider departmental estimates. It was also stated by several members of the cabinet that these estimates would be

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GRAVEFEARS ARE FELT FOR SAFETY OF GALVESTON

Communication Cut Off But Believed That City is Completely Flooded

WATERPOURSOVER WALL

Last Reports From Galveston Said Water Was Sweeping Over Great Sea Wall and That Lower Part of City Was Already Under Water—Since Then Telegraphic Communication Has Been Interrupted, But Unless Some Way Was Found to Check the Inrush of Water the City Must Be Inundated—Gradual Rising of Water Would Give People Time to Get Out, But Property Loss Would Be Enormous.

(By Leased Wire to The Times) New Orleans, July 21—Grave fears are felt here that Galveston, Tex., has suffered a repetition of the disaster of September 8, 1900, when a monster tidal wave almost wiped the city out of existence. Advice from there earlier in the day said that the water was sweeping over the great sea wall in a perfect deluge and that the lower streets then were from seven to ten feet under water.

"The gulf lashed by a terrific wind-storm is steadily rising," the message continued, "and the in-rush of water over the wall is steadily growing in volume."

Since then telegraphic communication with the city has been lost.

A fifty-mile gale has been raging through the gulf region all day and reports say that it is gigantic in violence. Unless the flow of water over Galveston's sea wall has been checked since the last word was had from there this morning the entire city must be inundated. Lying flat along the shore of the gulf its only protection from high water was in the wall, which was built to prevent a recurrence of the 1900 disaster in which thousands lost their lives.

The manner of the inundation with the water rising by degrees and gradually encroaching upon the business houses and homes would preclude the possibility of loss of life such as came in the wake of the tidal wave, but the material damage, it is feared here, must be enormous.

Many of the city's great business institutions are right on the water front in the path of the coming water.

Several thousand persons perished in the storm of 1900, when the waters of the bay that flanks the city on one side joined the flood from the gulf in front, meeting in the streets of the doomed city. Survivors said that no other tale of horror ever rivalled their experience on that night of September 8, as their homes crashed down and the shrieks of the dying mingled with the roar of the wind and the crash of the collapsing buildings. The waters started to crawl through the streets on noon of September 8 and did not begin to recede until the following midnight.

The location of Galveston and the conformation of the sand strip on which it is located make its situation one of perpetual peril. It is built on the eastern end of a long narrow island, two miles distant from the mainland. Broadway, the thoroughfare that traverses the highest part of the city is only 8 or 9 feet above sea level. Its sole protection from the waters that encompass it upon both sides is in the jetties and the sea wall built after the 1900 flood.

Cyclone Struck City. (By Leased Wire to The Times) Houston, Tex., July 21—Murdoch's bathing pavilion and the Turf bathing pavilion at Galveston have been swept away. Railroad communication has been interrupted by the cutting off of the railroad bridge that connects with the mainland.

It is reported that a cyclone struck the city and the big jetties of the sea wall were wrecked by its force, allowing the sea to sweep on the city. The city is isolated and it is feared that it is in terrible danger.

Wires All Down. (By Leased Wire to The Times) Dallas, Tex., July 21—A terrible storm is reported raging about Galveston and along the gulf coast. All the wires to the affected territory are down. Part of the railway trestle leading to Galveston island has been

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MRS. MARY THAW ISSUES BOOKLET ON MURDER CASE

Makes an Attack on Jerome and Criticises the Insanity Experts

REVEALS SOME FACTS

Says Her Son Has Been Pursued With Vindictiveness Before the Trial and Since the Acquittal—Cowardly Combination of Disappointed Blackmailers, Perjurors and Others, Working in the Interest of the Rich Companions of Stanford White to Prevent Trial Because They Feared Exposure—Criticises Jerome for Going Out of His District to Keep Thaw in Asylum.

(By Leased Wire to The Times) White Plains, N. Y., July 21—Mrs. Mary Copley Thaw, mother of Harry Thaw, now confined in the White Plains jail awaiting the continuation of the trial of the question of his present sanity now pending before Supreme Court Justice Mills today issued a little booklet in which she gives a resume of the different proceedings in court in which her son has been involved. She makes an attack on District Attorney William Travers Jerome and criticises insanity experts.

The booklet is six by eight inches and is printed on heavy white paper. On the first page are these words: "The secret unveiled, a pamphlet by Mary Copley Thaw, copyrighted by Mary C. Thaw, July, 1909."

Following are some of the interesting extracts from the document:

"The secret unveiled, I shall reveal certain facts that will in a measure explain vindictiveness shown my son before and since his trial and acquittal. When I returned from Europe in July, 1906, I found a cowardly combination made up of men of professional standing, together with disappointed blackmailers, perjurers and others, all working in the interests of the very rich companions of Stanford White to prevent a trial which they feared would result in exposure. They set to work to blacken the reputation of my son, an average young man with a chivalrous nature as shown by his attempt to break up disreputable places. Then something never before known in any trial, the entire family, living and dead, was attacked by slanderous falsehoods.

"The influence at that time was tremendously strong. They pretended that my son had delusions regarding those three infamous dens used by Stanford White and his companions and their disgusting orgies and by White himself for secret assaults on innocent little girls whose bodies and souls he ruined with the selfishness of the foul fiends.

"Young girls were lured by their oriental magnificence into these dens by the persons whom Jerome terms 'those miserable degenerates.' White searched for victims untouched by viciousness and heinousness of his crimes was that a pure girl or child whose confidence he had won under the pretext of parental interest was, as a rule, hopelessly lost. By violence, if necessary, they were doomed to infamy in this life and to eternal perdition."

Mrs. Thaw has two pages of introduction in her pamphlet in which she says: "Doubtless I will be criticised by my friends and others for descending into the arena to thus openly combat the malevolent personality who has dominated my son's case since before his acquittal by the jury and the commitment by Judge Dowling. But exceptional conditions demand exceptional treatment and the fact that District Attorney Jerome has on four occasions left the quite sufficient responsibilities of his own district to pursue this case into a district within which, as he himself acknowledges with his own signature, he has no jurisdiction, compels this unusual procedure on my part."

Texas Town Burned Out. Houston, Tex., July 21—Almost the entire town of Brondell is in ruins as the result of a fire last night. Two hundred are homeless. Among the losses was that of the Kirby Lumber Company plant, valued at \$175,000, and \$100,000 worth of lumber.

Tulane Professor Drops Dead. Covington, La., July 21—J. H. Deller, formerly professor of German at Tulane University, and long president of the American Saengerbund, dropped dead today.

STRONACH FIRES GUN AGAINST RED LIGHT DISTRICT

Warfare Begun Against the Deep East and First Gun Fired by Judge Stronach

MADGE EARLE GUILTY

She Takes An Appeal to the Superior Court—Madge Held Under a Bond of \$200 Which She Failed to Give. All Witnesses Are Held Under Bonds of \$50 Each—Printers Send a Delegation to Visit Judge Stronach—Matter Satisfactorily Adjusted—Earle Woman Was Given Thirty Days in Jail But Appealed and Had to go to Jail Anyway.

The first case called in the city police court was State vs. Madge Earle, vagrancy under the bawdy house act. Ellen Moore was the first witness examined and she told of men coming in and out of the Earle house. She came to Raleigh Friday to work in a mill and was sent for by Madge Earle to come to her house and stay and she went, not knowing what kind of house it was.

Beauty Brown's testimony was not worth much to the state and John Carpenter's testimony served to corroborate the testimony of Ellen Moore. No witnesses were put on for the defense and Madge Earle was adjudged guilty of keeping a bawdy house and was sentenced to thirty days in the work house. Her attorney, Charles U. Harris, gave notice of appeal and there was some haggling over the appeal bond. City Attorney Walter Clark, Jr., contending for a bond of \$250. It was finally fixed at \$200. Madge Earle could not give the bond and she is confined awaiting action in the superior court. Beauty Brown, Ellen Moore and John Carpenter, witnesses, were also held under bond, a bond of \$50 each being required.

Judgment was reserved in the case against Madge.

Delegation of Printers. Shortly after court convened there appeared in the court room a delegation of printers, headed by Mr. L. F. Alford, the purpose of the delegation being to inquire into and learn the reason for the following, which appeared in yesterday's paper:

"Judge Stronach, in passing sentence, expressed sympathy for Medlin, but said that he had become a frequent customer of the city court and that it is not a far cry from drinking whiskey to selling it. He said there seemed to be a mania in this city for selling whiskey. In a mad rush for gain, painters, printers, and men with trades are buying cheap whiskey and selling it for high prices."

The printers were very angry about the remarks above given and wanted to know "how come." Judge Stronach, learning of the presence of the printers in court, forestalled their complaint with a positive disclaimer of any intention of reflecting on the printers, painters, brick-layers or any mechanics or tradesmen of any kind. The remark was made because of the statement made in open court that Medlin was a printer of ability and earned as high as \$25 per week and was, therefore, no ordinary vagrant. Judge Stronach did not know that Medlin was not a printer, and if the printers had been in court when he was talking, they would have caught the connection and would not have taken offense.

(Right here it would not be amiss for the reporter to say that in his copy as originally turned in, the "context" to which Judge Stronach referred was given. The reporter took the statement that Medlin was a printer, as true and so put it down in his story. The Times' Linotype men, knowing that Medlin was not a printer, caught the error and that part of the story referring to Medlin as a printer, etc., was stricken from the proof, leaving the copy standing as above printed.)

Judge Stronach's statement seemed to be entirely satisfactory to the printers and the incident was closed. The delegation included representatives from every printing establishment in town and was composed of the following: L. F. Alford, chairman; W. C. Huffman, E. B. Nelson, C. E. Mitchell, H. G. Harrington, E. G. Smith and Mr. McHenth.

Other Cases Tried. P. S. Hanney, a white youth, an entire stranger in the city, pleaded guilty of being drunk on the streets and was fined \$3.00 and costs.

THE PRESIDENT HOPES TO EXTEND OLIVE BRANCH

Will Try to Get the Warring Factions of the House and Senate Together

A NEAR FIST FIGHT

Tariff Conference Are Expected to Do Nothing Definite Until After the Peace Dinner Tonight—Senators Are Returning to Washington and General Round-up of Absentees is in Progress—Rumors of Trouble in the Meetings of the Conference, Now Between Payne and Aldrich. Payne Leaves the Room.

(By Leased Wire to The Times) Washington, July 21—The tariff conference are expected to do nothing definite until after the Taft "peace dinner" tonight, when the president hopes to extend the olive branch to the warring factions of the senate and house. A meeting of the conference was scheduled for 1 o'clock this afternoon, but the developments of tonight when reports will be presented to the president and the conference, are expected to forecast the fate of the tariff bill.

Senators are returning to Washington every day under the "round-up", which has been commenced. Saturday is the day fixed upon when the last of the legislators must arrive. The lining up in both the senate and house is rapidly being accomplished.

Rumors of trouble in the meetings of the conference cropped up and one more sensation was reported of a near fist fight between Senator Aldrich and Chairman Payne over the lumber schedule. According to this interesting report the august body was saved the humiliation of a fist fight by adjournment, but before the adjournment Chairman Payne clasped his hat upon his head and bolted through the door, declaring en route that, if the conference thought they could get along without him, all right. They could go ahead.

The trouble came about through the haste of Representative Fordney of Michigan in proposing a vote on the lumber schedule. Chairman Payne arose and sought to impress upon Mr. Fordney the weighty task before them and cried down all undue celerity. Advocates of free lumber quoted the president today as being in favor of the house rate of \$1 per thousand feet on lumber. The protectionists claim the president does not maintain that attitude at all.

President Taft called a special cabinet meeting for today to consider the departmental estimates. Cabinet meetings are always held on Tuesdays and Fridays and Mr. Taft's departure caused some comment. It will be remembered that one of the national campaign issues of the republicans was economy and Mr. Taft desires to have the heads of his various departments show him in their reports how they are carrying out the curtailment policy. The total of the government estimates will be more than \$30,000,000 less than the total appropriations made for the current fiscal year. Secretary Meyer, of the navy has succeeded in reducing the expenditures proposed for the fiscal year of 1910-1911, \$10,000,000 below the appropriation made last year.

CLARK ON THE REPUBLICAN ROW

(By Leased Wire to The Times.) Washington, July 21—Representative Champ Clark, of Missouri, the minority leader and a member of the tariff conference, when asked today what he thought of yesterday's row among the republican conferees, merely smiled. He said that if the majority members of the conference had accepted his suggestion that the democrats be allowed to take part in the conference, an agreement would probably have been reached by this time, for when it came to voting for lower duties, Mr. Payne would have "won out" and the democrats would have been with him and the president's plan could have been carried out almost to the letter. "It's a pretty kettle of fish," said Mr. Clark. "The republicans will have to settle the trouble among themselves."