Lieutenant Sutton Alone Responsible For His Death

Findings of Board of Inquiry Made Known By Navy Department.

Charge of Murder is Both False and Unreasonable Says Court

Discipline at Marine School Severely Criticised.

Washington, Aug. 18.—"Lieutenant Sutton is directly and solely responsible for his own death, which was self-inflicted, either intentionally or in an effort to shoot one of the persons restraining him, and his death was not caused by any other injury whatever."

This is the verdict of the navy court of inquiry which for some weeks has had under investigation the cause of the death at Annapolis Naval Academy in October, 1907, of Second Lieutenant James N. Sutton of the United States Marine Corps, which verdict has been approved by the judge advocate general of the navy, and by Beekman Winthrop, assistant and acting secretary of the navy. The Court also finds:

That Lieutenant Utley failed in his duty as senior officer present, under Article 266, United States Navy Regulations, 1909, in permitting Lieutenant Sutton to run away and arm himself, instead of calling on those present for assistance and following Lieutenant Sutton, preventing his arming himself, by force if necessary, and turning him over to the custody of the officer of the day.

Failed in His Duty.

That Lieutenant Bevans, officer of the guard, failed in his duty as officer of the guard in not disarming Lieutenant Sutton by force while in front of his, Sutton's tent.

That Lieutenant Willing, the officer of the day, failed in his duty as officer of the day in not immediately assisting by force in helping to disarm Lieutenant Sutton when he arrived on the scene before the fatal shot was fired.

That the charges of wilful murder and conspiracy to conceal it, made by the complainant, Mrs. Sutton, mother of Lieutenant Sutton, are purely imaginary and unsupported by even a shadow of evidence, truth or reason.

The court recommends, however, that in view of the youth and decided inexperience of Lieuts. Utley, Willing and Bevan at the time and of the altogether unusual conditions of excitement, threats and danger during the aforementioned fray that no further proceedings be taken.

Minority Report.

The report is signed by J. Hood, commander, United States navy, president of the board, and Henry Leonard, major, United States Marine Corps, also filed a minority report in which he says that he concurs in majority report, and in addition, he is of the opinion that Lieuts. Utley, Adams, Osterman, Willing and Bevan showed a deplorable lack of knowledge of their duties and obligations as officers holding commissions in the Marine Corps, and the testimony concerning the whole deplorable affair indicates a state of discipline then existing in the marine school of application discreditable to the service, and argues strongly against the practice of commissioning and putting into positions of responsibility young men without proper previous training. He is also of the opinion that Lieuts. Willing, Bevan and Utley should have been brought to trial at the time for neglect of duty, and Lieuts. Adams and Osterman should have received milder punishments for engaging in a brawl unbecoming officers and gentlemen, and he concurs in the recommendation that no further proceedings be taken at this time only because of their youth and inexperience at that time and because of their being in a sense the victims of a system for which they themselves are not responsible.

Winthrop Approves.

In approving the findings and recommendations of the court and of the judge advocate general, Acting Secretary Winthrop says:

"By its concurrence in the opinion of the court and of that expressed in the minority report, the department indicates its thorough disapproval of the lax state of discipline shown by the evidence to have existed at the Marine School of Application prior to and at the time of the death of Lieutenant Sutton. The results of this laxity have brought serious discredit not only on the officers directly responsible for the efficiency of the institution, but unfortunately on the Marine Corps as a whole."

In the beginning the report says:

"After due consideration of the testimony, in the taking of which the widest latitude was allowed to all parties concerned, with the object of bringing out every possible bit of testimony or fact that might in any way bear on the subject matter under injuiry; and after carefully weighing all the evidence, which as might be expected after the lapse of time, and in viey of the excitement under which the principal witnesses were laboring at the time of the occurrence of the matter under inquiry, is peculiarly mixed and contradictory in details, the court finds certain facts standing out, clearly, distinctly, and beyond dispute or cavil, and does so report. Accordingly at 2.30 p. m., the judge advocate was called before the court and directed to record, viz:

The Record.

"1 That a quarrel took place in which filthy language, unbecoming an officer and a gentleman, was used by Second Lieutenant Sutton towards Second Lieutenant Adams in the presence of their senior, Lieutenant Utley, about 1 a. m., Oct. 13, 1907; that Lieutenants Utley and Osterman intervened and prevented a fight.

"2. That because of this interference a fight took place immediately afterwards between Lieutenants Osterman and Sutton, in which Lieutenant Sutton was the aggressor, calling Osterman a vile name and striking Osterman a blow from behind.

"3—That Lieutenant Sutton was then ordered under arrest by his senior officer, Lieutenant Utley, failed to obey such order, ran away to his (Sutton's) tent, threatening to shoot all present, and armed himself with two 28-calibre revolvers, one a Smith & Wesson commercial and one a service colt.

"4—That Lieutenant Sutton, having possessed himself of two revolvers, ran amuck, threatening all who came in sight, after first defying his senior officer, Lieutenant Utley, and the officer of the guard, Lieutenant Bevan, who had also ordered him under arrest.

"5—That Lieutenants Utley and Roelker and Sergeant de Hart followed Lieutenant Sutton from the camp after his breach of arrest, and came on him in the road leading from the barracks to the naval academy grounds, near the scene of the previous fight, and Lieutenant Utley and Sergeant de Hart tried to persuade him, Sutton, to disarm.

Broke Away.

"6—That Lieutenant Sutton broke away on hearing persons approach from the direction of the barracks, and ran in that direction and, while being chased by Lieutenants Utley and Roelker, met Lieutenant Adams and opened fire on him; in the general scrimmage that followed shot Roelker in the breast and Adams in the hand, and when finally overpowered and thrown to the ground by Adams, was killed by a revolver shot, from a service colt revolver, held in his own right hand suffered himself, without the intervention of any other hand."

"That is rather rough, isn't it?" said Mrs. Rose Sutton Parker the sister of Lieutenant Sutton, when the verdict was read to her. "But I cannot say that I am surprised," she said. "Neither my mother nor I can say anything about the matter at this time," Mrs. Parker continued.

Attorney Arthur A. Birney, who represented Lieutenant Robert E. Adams, said he did not see how the court could do otherwise.

While they decline to discuss their plans, it is almost certain that Mrs. Sutton and Mrs. Parker will bend every effort to have Congress make an investigation of the case.

MOTHER WHO DEFIED U. S. NAVY

Mrs. Jas. N. Sutton of Portland, Ore., widowed mother of a young naval lieutenant who, after a year's fight, forced the navy department to reopen the inquiry into the death of her son. The second hearing, bringing out conflicting and startling testimony about the manner of young Sutton's death, has cast a dark shadow on the U. S. Marine Corps, and proved a nation-wide sensation.

ST. PIERRE WORRIED OVER FISHERIES

French Trawlers Continue Depredations and the Island is Now up in Arms--Infringing Limit Laws.

North Sydney, C. B., Aug. 18.—That the French steam trawlers not only continue their depredations on the Banks, but are also infringing the fisheries laws by operating inside the three mile limit, is the information brought to this port by vessels from St. Pierre, Miq. The vessels report that within the past few days several of the trawlers have been seen fishing scarcely one mile off the coast of Miquelon. A practice said to be in vogue by the trawlers is to enter St. Pierre for supplies during the early part of the night and upon leaving operate their drag nets close in shore within the prescribed limit, departing for the Banks before the fishermen reach the ground in the morning.

This alleged infringing of the fisheries laws on the part of the seiners, both French, Canadian and American, has caused much apprehension among the nearly 8000 fishermen of the little colony which depends almost exclusively on this industry for a livelihood. The shore fishery of St. Pierre this year is very poor, and the added handicap caused by the alleged illegal activity of the French steam trawlers may mean ruination for the fishermen of the colony.

INSURANCE COMPANY FOR ABSTAINERS

Atlanta, Aug. 17.—A life insurance company that will accept on total abstainers only has been organized with Atlanta headquarters under the name of "The Temperance Life Insurance Company of America."

It is the only organization of its kind in the United States.

Application for a charter was filed today with Secretary of State Cook, the incorporators being W. A. Covington, of Moultrie, joint author of the Hardman-Covington prohibition bill; J. H. Andrews, Dr. Marion McH. Hull, James K. Hines, all of Atlanta, and J. F. Fender, of Lowndes county.

The initial capital stock is $200,000, with privilege of increasing this amount as the need arises.

Leading prohibitionists throughout the country are said to be behind the company with the intention of making it national. J. Pope Brown, state treasurer of Georgia, has been mentioned for the office of president. By insuring only total abstainers the promoters declare that the cost of insurance can be greatly reduced. They produce statistics to show that the longevity of the abstainer is from 25 to 30 per cent. greater than that of the non-abstainer. Thus, they say, the company's risk is reduced and the premiums can be made proportionately smaller.

MOHAMMED STILL REMAINS IN PERSIA

Money Tangle Over Deposed Shah's Estates Causes Delay---Rumors of a Counter Revolution.

Teheran, Aug. 17.—The departure of the deposed Shah, has again been postponed owing to financial difficulties. Mohammed Ali's private estates in the province of Azerbaijan are mostly mortagaged to the Russian Bank and the Nationalists fear that Russia will get a grip on them. Accordingly they have offered to increase the Shah's pension if he cedes his estates to the Persian Government, the latter assuming all liabilities in regard to the same. Mohammed is taking time to consider the proposition, but it is not expected that he will consent.

St. Petersburg, Aug. 17.—Gen. Liakhoff, who commanded the Russian Cossacks at Teheran, has returned from Persia and has been sent to command a regiment at Bielostok. He is quoted by the Novoe Vremya as saying that a force under Sattar Khan and Begir Khan is marching on Teheran to fight the Nationalists and restore the former Shah to the throne.

In a washout on the Grand Trunk resulting from a cloudburst at Barry's Bay, Wednesday, William Thurston, a locomotive fireman, was jammed under the engine and killed. He was 20 years of age, and belonged to Magawaska.

PROVISIONS OF NEW GAME LAWS FOR THIS SEASON

To the Editor of The Standard.

Dear Sir:—In less than a month bark horns will have been warmed, firearms oiled, blankets aired, and the Open Season of 1909 will be on. During the seven and one-half months since the first Yards were selected a new game act was introduced into the House by the Hon. W. C. H. Grimmer, which has since become law. As the general public are not aware of the general changes from the old act, and as a large percentage of violations of game laws are due to ignorance of the statues, our executive would consider it a favor were you to advise the public through your colums of the following extracts, taken in order from the pages of the new act:

Definitions.

"The expression Calf Moose and Calf Caribou, shall be construed to mean that the animal is a calf until at least three years old, and has at least three points or tines not less than four inches long on each horn.

"The expression Hunts, means and includes any chasing, pursuing, worrying, following after or on the trail of, or any searching for, shooting at, stalking, or lying in wait for any game, whether such game be then subsequently captured, killed, injured, or otherwise.

The expression Chief Warden, shall mean a Chief Fishery, Fire, and Game Warden, and the expression Warden includes the Survey General, a chief warden, a deputy warden, special warden, game guardian, clerk of market, and every other person temporarily called upon or instructed by a warden to assist in the enforcement of the law.

"The expression Non-Resident means a person not resident or domiciled within the province.

Offences in Close Season.

"Every one is guilty of an offence and liable to the penalty hereinafter provided who, between the dates in each case specified, exclusive of each date named in any part (unless otherwise provided) in this province:

"Hunts, takes, hurts, injures, traps, snares, shoots, wounds, kills or destroys.

"(a) Any moose or caribou between the 30th of November, in any year, and the 15th day of September then next following;

"(b) Any deer in any part of the province between the dates last mentioned;

"(d) Any partridge between the 30th day of November in any year and the 15th day of September in the year next following;

(e) "Any wild geese, brant, teal, wood duck, dusky duck, commonly called black duck (except otherwise provided for in section 8) between the first day of December and the 15th day of September then next following at 12 o'clock noon.

(f) "Any snipe or woodcock between the dates last mentioned.

(2) "Has in one's possession during the close season for hunting beaver (close season till July, 1912) the undressed skin, or any part of the carcass of any beaver killed in this Province during such close season.

(a) "Any partidge between the date of the passing of this Act and the 15th day of September, A. D., 1912.

(b) "The carcass, or any portion thereof, or the green hide of pelt, or the nest eggs of any other class of game during the close season for such game in this section provided.

(4) "Willfully refuses to furnish information, willfully furnishes false information to a warden or constable, respecting the existence of, or place of concealment or storage of, any game, or the carcass of any portions thereof, or the green hide or pelt of such game.

(5) "Has in his possession, or keeps in cold storage during close season, the carcass, or any portion thereof, of any moose, caribou, deer, or any game animal or game bird.

(6) "Being the proprietor, or manager of an hotel, inn, boarding house, or restaurant, advertises on his menu or bill of fare, or serves or sells any cooked game, or dish composed in whole or part thereof, after fifteen days from the expiration of the open season for such game."

Offences at all Seasons.

It is against the law to hunt, injure or kill any cow moose, or cow caribou, or any calf moose or calf caribou, or to use any artificial light or lights in the legal pursuit of big game. To use an automatic gun, rifle, or swivel or punt-gun, in the shooting or wild fowl.

No one shall carry a rifle or other fire arm in a game country during the close season without having a special permit from the Surveyor General, or chief warden. Wardens have the rights to search any camps or buildings for such arms."

Offenses Respecting Transportation.

It is against the law for common carriers to transport any live game, carcass, or portion therof unless same is properly tagged with the owner's name, date of shooting date, etc., or by special permit issued by the Surveyor General.

Tags furnished with licenses shall contain two sections: (a) Shipping section and (b) return section. The former must accompany game on its route, the latter to be stamped and shipped to the Crown Land Department, Fredericton, by the agent receiving same. Penalty $25.00 to $100.00 and costs.

A similar penalty is provided for any license holder who allows his tags to be used by another party.

It is illegal for any one to hunt, kill or destroy any partridge or partridges for export from New Brunswick and any person exporting same from the Province is equally guilty of the violation of the law.

Offences During Open Season.

It is illegal to shoot big game without a license; for a license holder to kill more than one bull moose, one bull caribou and two deer; or to attempt to kill same one hour after sunset or one hour before sunrise. No guide shall accompany a party or a sportsman unless both he and the sportsman or party have their respective licenses.

No non-resident of the Province shall atempt to shoot any snipe, partridge, woodcock, or other game bird, without first purchasing a license to do so, the price of which is $10, issued by the Surveyor General.

Prosecutions.

14. "Information or complaints under this Act may be laid by any warden, and after ten days from the commission of the offence any person may, in the absence of such action by a warden, lay information, or complaint in his own name."

Licenses.

(a) "A license to hunt and kill one bull moose and one bull caribou and two deer."

The fee for such license shall be: To a non-resident of the Province, fifty dollars; to a bona fide resident of the Province, two dollars.

(b) A guide's license to accompany in the woods as a guide and a person being the holder of a hunter's license and hunting or intending to hunt, a moose, caribou or deer:

The fee for such a license shall be one dollar. A camp-helper's license shall also be one dollar, issued only to a bona fide resident of the Province.

"A license to hunt and kill two deer. The fee for such a license shall be: To a bona fide resident of the Province, twenty-five cents; to a non-resident of the Province, ten dollars," issued by the Surveyor General in such districts in which moose are not plentiful and where deer abound.

No person shall hold more than one license, hunter's, guide's or camp-helper's, at one time.

No license while employed as a lumber man shall kill any moose or caribou covered by his license, after two bull moose or two caribou have been already killed during open season by other members of the same crew.

Registration of Guides.

Guides desiring to conduct parties shall apply to the Crown Land Department for registration blanks. These shall be filled in and returned to the Department at Fredericton.

Any registered guide who allows a license holder to break the law, to shoot more game than his license covers, to shoot calf moose or calf caribou, after dark by use of "jack-lights," and fails to report the same to the Department before the guilty person leaves the Province, shall be fined one hundred dollars and have his license cancelled.

No non-resident shall enter the woods during the open season without employing a registered guide. No guide shall handle more than two sportsmen at one time.

Except in case of starvation no moose or caribou shall be killed by a license-holder in such a place as to make it impracticable to bring the head out to be properly tagged. No game heads must be left in the woods.

Taxidermists.

All taxidermists must procure a license on payment of one dollar, such licenses to be issued by the Surveyor General "to any person who in his judgement is skilful in that art."

54 "Any dealer in provisions or meat having a place of business in the Province, may purchase and have in his possession, not more than three deer lawfully killed, and may sell the same to his local customers, and may sell the heads of such deer to any licensed taxidermist, provided, however, that said dealer shall have procured a license from the Surveyor General to carry on said business of buying and selling deer as aforesaid, and provided further that said dealer shall record in a book kept for that purpose, and open to the inspection of the Surveyor General or any warden, the name and residence of each person of whom he purchases the same, and the date of such purchase."

Bounties.

58 "A bounty of one dollar for every wildcat killed within the Province may be paid by the Surveyor General upon the production by the applicant therefor of a warden's certificate." Such a certificate to be issued on oath of applicant, the entire skin being produced with the nose, the warden to cut off the nose and burn the same immediately.

D. W. CLINCH,
Secretary-Treasurer,
N. B. F. F. & G. P. A.

CLIFTON.

Clifton, Moss Gren, Aug. 19.—A very large concourse of people from Long Reach, Bellisle, Jubilee, Rothesay, Perry's Point, Hampton and Kingston attended the funeral of the late Mr. George Chaloner yesterday, who was so suddenly stricken with death on Monday last, while attending his usual duties. The old Parish Church was well filled with mourning friends who came to pay their last tribute of respect to their deceased friend.

Court Kingston of I. O. F. attended in a body. Rev. H. S. Wainwright, assisted by Rev. Mr. Edge conducted the funeral services and spoke very feelingly of his esteemed friend.

Mr. and Mrs. Lewis Cronk and little daughter of St. John are spending their vacation with the former's parents.

The people here have about finished haying.

The steamer Hampton, plying between Hampton and St. John is very busy with her excursions which she runs daily. On Saturday she brought a party of Connecticut people from St. John and they took the train at Hampton en route to their homes.

EDUCATIONAL

Rothesay..... Collegiate School
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Michaelmas Term begins TUESDAY, September 14th.
To Junior Boys entering this year two scholarships are open for competition.
For Illustrated Calendar and all information apply to the Head Master.
REV. W. R. HIBBARD, M. A.
7-17 tf.

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Course leading to M. L. A. Degree. Scholarships for worthy students.
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Affiliated with Emerson College of Oratory, Boston. Graduates from this department at Mount Allison, may enter the Senior year at Emerson.
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In charge of John Hammond, R. C. A., and equipped with Pictures, Casts, etc., to the value of $75,000. Courses in Designing, Etching, Wood Carving and Leather Tooling have been arranged.
Write for Calendar
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Next Academic Year Begins September 30th
Fourteen County Scholarships of $60 each. An Asa Dow Scholarship ($90) for First Class Male Teachers. Other prizes and Scholarships.
Well arranged Courses in Arts and Applied Science. Science courses include Civil Engin-Science, Electrical Engineering and Forestry. Thorough and complete.
Write for Calendar.
C. C. JONES, LL. D., Chancellor.

AN EDUCATIONAL EXPERT HAS THIS TO SAY OF
Acadia Ladies' Seminary
WOLFVILLE, N. S.

What impressed the writer was the admirable system that prevailed in the management and in every department of work; that kindly personality and tact, the influence of which is so graceful to young people; the genial sympathy in the relations between teacher and pupil, and the interest which each one seemed to feel in the work of the day. An education under such conditions is indeed a great asset.—Educational Review for February, 1909.
The new catalogue for 1909-1910, giving in detail full information concerning Course offered, Teachers, Buildings, Equipment and the Unsurpassed Advantages, only possible at this school, can be had by applying to the Principal.
DR. H. T. DeWOLFE, Wolfville, N. S.

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WOLFVILLE, N. S.
The Next College Year will Begin October 8th, 1909.
The institution offers a course of four years, leading to the degree of Bachelor of Arts; a course of four years, leading to the degree of Bachelor of Science; an Engineering Course of two or three years, qualifying for entrance to the third year of the large Technical Schools; a course of four years leading to the degree of Bachelor of Theology, and Special Courses for those desiring only selected studies.
The New Carnegie Science Building beautiful and finely equipped, will add materially to the facilities afforded future students. Address,
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Horton Collegiate Academy
Affiliated with Acadia University—A Residential School. Re-Opens Sept. 8, 1909.
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Extensive Sale OF PIANOS
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Furniture, Cooking Ranges, Carpets, Old Mahogany, Books, Pictures Etc., At our salesroom No. 96 Germain St., on Friday morning nex,, the 20th inst. at 10 o'clock. Come for bargains.

Sales Solicited. Prompt Returns.
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70 Princess St. ST. JOHN, N. B.
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FOR SALE

FOR SALE—One large silk refrigerator, built by Quinn, of Portland, Me., 13 ft. long, 7 ft. high, 3 ft. deep, with space for ice in centre. Can be delivered latter part of June. RAYMOND & DOHERTY, Royal Hotel.

For Sale—A South African Land Grant. Apply to Box 527, North Sydney, C. B. 12 Ins.

WANTED

Wanted—50 Men for Railroad Construction Work. Wages $1.75 per day, Board 50 cents per day. Work will last 4 months. Apply to John A. McMartin, Stanley, N. B.

Wanted—By September 1, a matron for the King's Daughters' Child boarding house. Apply by letter to Executive, 13 Prince William Street.

WANTED—A girl to fill first-class permanent situation. Apply in own handwriting. References required. AMERICAN STEAM LAUNDRY. tf

LOST

Lost—A roll of money between King Street near Germain and South Wharf. Liberal reward if returned to The Standard Office.

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BLUEBERRY PICNIC & FORESTERS' PICNIC AT WELSFORD
On SATURDAY, August 2
The picnic of the season. Come to the Barn Floor Dance. City Concert Band will furnish the music.
Trains leave at 9.20, 1.10 and 5.05
Returning at 9 p.m., and 10.30
Tickets:
Adults 70c. Children