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EVENING CAPITAL NEWS

THE WEATHER. Probably snow to night and Wednesday.

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DECISION IN CONTEMPT CASE TO BE GIVEN ON JANUARY 2

Publisher and Editor of the Capital News Submit No Evidence and Their Case Will Not Be Argued

"So far as Sheridan and Broxon, the two other defendants in this case, are concerned, I take it they stand before this court convicted of contempt, and nothing remains but the court to make its findings and pass judgment."

This was the remarkable statement made before the supreme court of this state today by Attorney General D. C. McDougall, who, acting at the request of the court, appeared in the Capital News contempt case, as prosecutor, during argument. The court announced that owing to the seriousness of the case, the fact that it will be a laborious task to prepare the opinion which will take serious thought, time would have to be taken in the preparation of the opinion and it will be handed down Jan. 2 at 10 o'clock in the morning.

Attorney General McDougall closed for the state. A. A. Fraser made the final argument for A. R. Cruzen, E. S. Sheridan, owner and publisher, and C. O. Broxon, managing editor, of the Capital News, the two other defendants, who claim the constitutional right to criticize a supreme court decision, left their case with the court without argument.

Placing his respects to newspaper ethics Attorney General declared in his argument:

"There seems to be peculiar newspaper ethics. If we had brought in a reporter to testify he would have assumed all of the responsibility. No reporter being in the case, the managing editor, who is on a salary, takes it upon himself to assume all the responsibility and follows out these ethics to defend the 'higher ups'."

The delicacy of the issue they were handling, the fact that the three justices sit on the case as accusers, a jury denied and acting themselves as jurors, was cautioned by Attorney Fraser in closing for Cruzen. He pointed out that the court is looked upon by the great masses of the people to rise above newspaper reports and criticisms, not to be swayed by bitterness nor to be prejudiced, but to be fair and impartial.

Attorney General Opens. Attorney General McDougall opened the argument for the prosecution immediately after court convened at 10 o'clock this morning and Attorney Bogart, speaking in behalf of his clients and for associate counsel Van S. Hasbrouck and John J. Flanagan, announced that defendants Sheridan and Broxon would rest their case with the court without argument.

Reviews Record of Case.

Reviewing the record of the charges preferred against the defendants and particularly against Cruzen, Attorney General McDougall said that the "scandalous" matter published and reported by the Capital News, referring to the Roosevelt telegram and the editorials that criticized the supreme court's decision striking the Roosevelt electors from the ballot, proved the intent of the publication to attack the court and impede its work. He dismissed the defense of Messrs. Sheridan and Broxon with the remark quoted above and confined his argument almost exclusively to the defense offered by Cruzen.

"If Cruzen is responsible for these articles; if he controlled the policy of the paper and dictated the articles, he is as responsible as those who wrote them," declared the attorney general. The circulation of the Capital News was referred to by the speaker to show the extent of territory the alleged "scandalous articles" covered and the number of people they reached.

Would Also Find Cruzen Guilty.

"If the defendant Cruzen was being tried before a jury charged with burglary there is no question but that the jury would find him guilty," said the attorney general during his argument. "For illustration had Cruzen burglarized the Capital News and was seen coming and going into the building in which it is located and had admitted it, he would be found guilty. This case is a question of fact. If the defendant was before a jury charged with burglary of course he would deny it."

Reference was made to the prominence of the men the state had subpoenaed and the statement Cruzen had made to them about controlling the Capital News and its policy, by the speaker who later argued that the mere fact that Thompson, one of the witnesses, had told of calling on Cruzen at the latter's office to see if he could not have the fight on Charles D. Storey, that the Capital News was conducting, called off, and that during the conference that followed Cruzen called Broxon over the telephone to the former's office was evidence that

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BANDITS HOLD UP TRAIN BUT LITTLE BOOTY SECURED

Worked for Forty-five Minutes in an Effort to Blow Up Safe in Express Car but Fail.

Springfield, Ill., Dec. 24.—A posse started today on a hunt for four bandits who held up the "Alton Hummer," a fast passenger train on the Chicago and Alton south of here early today. After uncoupling the engine and express car and compelling the engineer to take them a mile down the track, the robbers made five unsuccessful attempts to dynamite the express safe. According to railroad and express officials the robbers obtained only a few packages of small value. While the highwaymen were working with the engineer and firemen, Flagman Horace Smith slipped away to Hes Junction and notified the officials. The robbers were working 45 minutes in the express car, giving an engine carrying officers time to reach the scene. When the robbers heard the engine they fled from the officers. The express car safe contained a large sum of money and it is believed the robbers boarded the train at Hes Junction.

Booty worth \$50,000 was the prize sought by the bandits. In the safe which resisted the five attempts to break into were money, jewelry and other valuables, worth that sum and it is believed the would-be robbers had an inkling of the value of the Christmas treasure the train was carrying from Chicago to St. Louis and Kansas city.

Clever in eluding officers as bold and deliberate in holding up the train, the robbers apparently have escaped.

WILSON SMOKED BUT ONCE; THAT LONG AGO

Trenton, Dec. 24.—The arrival of a gold-mounted, amber-stemmed meerschaum pipe at the state house from one of Governor Wilson's friends in Ylkeburg, Miss., brought from the president-elect the confession that only once in his life did he smoke. When a boy he smoked one of his father's strong cigars to kill insects on rose bushes at the request of his mother. He said it hit him with disastrous effects. When asked if he never had an ambition to learn to smoke, he replied: "I never was forbidden to, so there wouldn't have been any point to it."

Secretary for Mrs. Wilson.

Trenton, Dec. 24.—It was announced today that Miss Isabel Hagner had been chosen by Mrs. Woodrow Wilson to be her secretary at the White House. Miss Hagner was secretary to Mrs. Roosevelt during her stay at the White House, and is now connected with the state department at Washington.

MUST GO BACK AND ANSWER CHARGE OF THEFT AT DETROIT

Detroit, Mich., Dec. 24.—A police officer will leave here today for Seattle to get W. H. Tobb, who was arrested there last night charged with the theft of \$2300. It is alleged Tobb misappropriated the money while in the employ of a local express company.

Prince Will Not Be King.

Munich, Dec. 24.—According to well-informed circles, the government has abandoned the proposed amendment to the constitution by which the agency would be abolished, and Prince Ludwig, the new regent of Bavaria, would receive the title of king. The Clerical party strongly objected to the amendment.

Christmas at Rideau Hall.

Ottawa, Ont., Dec. 24.—His royal highness the Duke of Connaught, governor general of the dominion, has made no special plans for Christmas. The duke and his family expect to spend the day in old English style at Rideau hall, following attendance at church in the morning. The customary gifts will be distributed among all of the servants and other employees.

Mayor-Elect of Roanoke Dead.

Roanoke, Va., Dec. 24.—John A. Woods, recently elected mayor of Roanoke on the good government ticket, died today.

WHITE CHRISTMAS IN ROCKY MT. REGION

Salt Lake, Dec. 24.—Christmas in the Rocky mountain region promises to be fair for the most part, without much change in temperature. However the cold weather has not allowed the recent snows to melt much and even in the northern parts Christmas will be white. In Salt Lake City snow still lies on the streets.

CHILDREN'S BUREAU HEAD IN THICK OF FIGHT TO REDUCE INFANT MORTALITY



Miss Julia C. Lathrop.

Washington, Dec. 24.—Where are the skeptics who dolefully prophesied last spring, when congress created the children's bureau in the department of commerce and labor, that nothing could come out of the new law or the new bureau save failure?

There were many such at the time, both in congress and out, but they have not been heard from recently.

When the bill finally got through congress, in April, President Taft signed it and at once appointed Miss Julia C. Lathrop, a social worker of Chicago, to fill the place. She has been in Washington but a few months, yet during that time has accomplished much for the welfare of the children of America.

How many mentally subnormal children are there in the United States, including idiots, imbeciles and children sufficiently self-directing to profit by special classes in school? Where are these children? What provision is made for their education? What does it cost?

How many fatherless children are there in the United States? How many fathers have deserted their families? How many orphans lost fathers through tuberculosis? How many through industrial accidents?

How many blind children are there in the United States? Where are they and what provision is made for their education? What are the causes of their blindness, and how many of them are receiving training in self-support?

What is the rate of mortality in the United States, and what nationwide steps may be taken to diminish this rate?

There are some of the questions that were troubling social welfare workers when the bill was passed. They are questions that could not well have been answered before the bureau was established. Yet they are tremendously important.

When Miss Lathrop came to Washington in the spring she immediately set about to find the answers to these questions, and others. She surrounded herself with competent assistants. She set about her task intelligently, determinedly. She has already accomplished much.

Though the field in which she works is a broad one, Miss Lathrop is now directing special attention to the subject of infant mortality. She has learned that three out of every 10 children who come into the world die before reaching the age of 10 years. She is determined to diminish this appalling death rate. She has not made her plans, but few doubt her ability to succeed, in some measure at least.

An occasional doubter to the contrary, Miss Lathrop is rapidly making her bureau one of the most important of any in the great departments of government. She is helping to disprove the old saying, true enough in its day, that Uncle Sam cares more for his livestock than he does for his babies.

WORST BLIZZARD OF THE YEAR ON ATLANTIC COAST

New York Is Snowbound and Shipping Is Tied Up—Snow for Holidays in New England.

New York, Dec. 24.—The worst blizzard of the year has the city in its grip. Over six inches of snow is on the streets, and is still falling. Trains are late, shipping is tied up and street traffic is at a standstill. The most disappointed of all are the street cleaners, who had been promised a half-day holiday for the first time in 20 years.

Chicago Wheat Market.

Chicago, Dec. 24.—May wheat closed today at 91 1/2 @ 91 3/4 c.

BANDIT IS SHOT AND KILLED BY NEGRO PORTER

Kansas City, Dec. 24.—To Walter Daniels, a negro porter, should go the credit for saving a valuable consignment in the safe of an express car of the St. Louis and San Francisco train which was held up near Chandler, Okla., according to passengers. Daniels shot and killed the negro bandit while the latter was in the act of robbing the express. The robbers got on the train at Chandler, robbed the conductor, and compelled him to lead the way to the express car. Daniels borrowed a revolver from a passenger, and shot the robber in the back. Then, reinforced by Private Detective W. S. Gordon, 18 shots were exchanged before the bandit lay still. The body is unidentified. All the passengers hid under the seats, but were not bothered by the robber.

Snow in New England.

Boston, Dec. 24.—Snow for the holidays is practically assured for all New England, with the arrival of a storm from the Gulf of Mexico, with a heavy fall of snow.

Suffragettes Brave Severe Snow Storm.

Upper Red Hook, N. Y., Dec. 24.—Braving one of the worst snow storms of recent years, "General Rosalie Jones" and her little army of suffragettes today resumed their march to Albany with a message to Governor Sulzer. They planned to march six miles through snow knee deep to Livingston.

ATTEMPT TO ASSASSINATE THE SUPREME COUNCILLOR OF JAPAN UNSUCCESSFUL

Tokyo, Dec. 24.—An attempt was made today to assassinate Prince Arimito Yamagata, president of the Japanese privy council and supreme councillor of Japan. The prince escaped unhurt. The would-be assassin broke into the prince's residence just after midnight and endeavored to approach the prince. He was observed by attendants and then tried to commit suicide, but was prevented as in the act of stabbing himself. He was arrested and an investigation started into the reason for the attempt. The prince was chief of the general staff during the Russo-Japanese war and is known in all European countries.

STEAMERS AGROUND AS RESULT OF SEVERE STORM ALONG ATLANTIC COAST

New York, Dec. 24.—The United Fruit company's steamer Turrialba is hard aground near Barnagat bay, according to wireless. About 50 passengers are aboard. The worst blizzard of the winter is prevailing off the coast. The Turrialba is a new steel vessel of 3000 tons bound from Kingston, Jamaica, for New York.

SCHOONER GOES AGROUND.

Sandy Hook, Dec. 24.—The three-masted schooner, the John H. May went aground during the blizzard and is in a dangerous position. It was bound from Charleston to New York and carries a crew of six. A life saving crew has departed to take off the sailors with a breeches buoy.

PRESIDENT AND PARTY READY TO INSPECT CANAL

The Arkansas Arrives at Colon and President Taft Sends Wireless Message to Colonel Goethals.

Colon, Dec. 24.—President Taft and party today arrived on board the United States warship Arkansas and landed. The party includes President and Mrs. Taft, Charles P. Taft, Jr., Miss Louise Taft, Charles D. Hilles and Mrs. Hilles, Beekman Winthrop and Mrs. Winthrop, Major T. J. Rhodes, U. S. A., Lieutenant Commander J. W. Timmons, U. S. N., United States Minister Dodge, a number of canal officials. The president before landing sent a wireless to Colonel Goethals asking him to have a special in readiness as 2000 blue jackets and all on board the Arkansas and Delaware, except prisoners, were to be given an opportunity to inspect the canal.

CONGRATULATION FOR LORD MORLEY

London, Dec. 24.—Many eminent persons, including royalty, statesmen and men of letters, paused today in the hurry-scurry of their Christmas preparations to send a few words of greeting to Lord Morley congratulating him upon the beginning of his seventy-fifth year. For many years the Right Hon. John Morley was looked upon as the successor of his old friend Gladstone as England's most distinguished plain citizen. And since his elevation to the peerage five years ago Lord Morley has lost none of the public esteem.

SALVATION ARMY TO FEED NEW YORK POOR

New York, Dec. 24.—Commander Eva Booth of the Salvation Army will be 40 years old tomorrow, having been born on Christmas day in 1872. She intends to "celebrate" the day by giving a Christmas dinner with 25,000 of the poor of New York as her guests. It is hardly necessary to state, however, that the dinner is an annual fixture of the Salvation Army and that it is given on Miss Booth's birthday is but a coincidence.

Tomorrow's dinner is expected to establish a record for the number of persons fed and for the extent and variety of the menu. Tables will be spread in several of the largest halls and armories obtainable. In addition to this, thousands of well-filled baskets will be distributed among the sick and others who are unable or disinclined to attend the public dinners. Each basket will contain sufficient turkey, with bread, potatoes, cranberry sauce and plum pudding, sufficient to feed a family of four persons. Already hundreds of applications for the Christmas baskets have been received. Among the applicants have been cripples, blind men and women led by children, the aged and feeble, and children shivering in ragged clothes.

New York Has Children's Theater.

New York, Dec. 24.—The Children's theater, the only playhouse in the world to be devoted exclusively to the entertainment of children, was opened this afternoon with a performance of "Racketty-Packetty House," a juvenile play written by Mrs. Frances Hodgson Burnett, author of "Little Lord Fauntleroy." The Children's theater is located on the roof of the new Century theater. It is a completely equipped playhouse in every respect, with a seating accommodation of 800. The funds for the enterprise were provided largely by William K. Vanderbilt.

Advertisement for Abe Martin featuring a cartoon illustration of a man and a dog, with the text 'Abe Martin' and 'HAVE YOU ORDERED?'.