

WANT ADS Reach Thousands in a few hours' time.

EVENING CAPITAL NEWS

THE WEATHER. Snow tonight and Friday; colder.

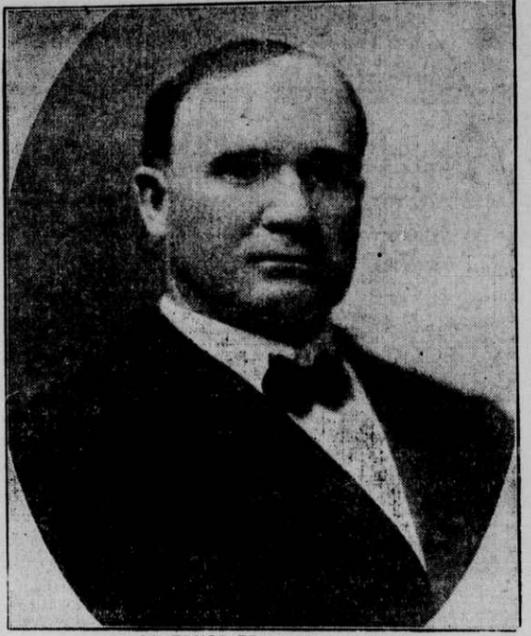
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EX-GOVERNOR GOODING WITHDRAWS FROM THE SENATORIAL CONTEST

CANDIDATE FOR SENATORSHIP IN 1915

Action Taken Because the Question Has Been Raised as to His Citizenship—Candidates Making Claims as Result of New Development.

Former Governor Frank Gooding today formally withdrew from the senatorial race. In the statement here published, the former governor gives his reasons for his action, and extends thanks to those who have supported his candidacy.



EX-GOVERNOR FRANK R. GOODING.

EX-GOVERNOR GOODING'S STATEMENT.

To the Members of the Twelfth Session of the Legislature and the People of Idaho: I have been an active candidate for United States senator to fill the unexpired term of the late Senator Heyburn. A doubt as to my eligibility to fill the position, if elected, has been raised, and I do not feel in justice to myself and to the Republican party, which has honored me in the past, and to all the citizens of Idaho, that I have any right to continue longer as a candidate for this great office.

Oregon Judge Sends Greetings to Prisoners in the Contempt Case

Klamath Falls, Ore., Jan. 8, 1913. Hon. Dow Dunning, State Senator, Boise, Idaho. I send ten dollars to be applied on contempt fine of Sheridan, Broxon and Cruzen with the wish that heaven's choicest blessings may be and abide with them and theirs forevermore. See my letter. HENRY E. MCGINN, Circuit Judge of the State of Oregon for Multnomah County, Department Number Three.

THE NATION'S EYES UPON IDAHO.

Under the above head the Salt Lake Herald-Republican prophesies the defeat of the Republican party and the success of the Progressive party unless action is taken immediately by the people of the various states, and particularly by the people of Idaho, to curtail the power claimed by the supreme court of this state in the recent contempt proceedings, as a result of which three Idaho citizens, peaceable and law abiding in every respect, are now serving sentence of 10 days in the Ada county jail, and wherein there has been levied fines against them aggregating nearly \$2000.

Mr. Roosevelt's telegram of protest, conspicuously displayed in every newspaper of importance in the United States yesterday morning, has made the Idaho instance of judicial tyranny a national issue. Casual readers of the newspapers who might otherwise have paid but cursory attention to this subject of such vital importance to every citizen, have now given it much more than a passing glance because the best-advertised man in the world is concerned in it.

Not only have these Idaho victims of judicial astigmatism furnished Mr. Roosevelt's propaganda the publicity it craves, but they have furnished justification for his radicalism. Showing themselves utterly destitute of judgment and understanding, the blow the Idaho jurists had hoped to strike at unwarranted radicalism has recoiled upon the conservative elements of the nation. The chimerical recall of judges and of judicial decisions has been given an impetus it could not have hoped from a decade of agitation and disputation.

The weakness of the former president's fervent advocacy of his newly-embraced fads during the recent campaign lay in his inability to justify himself to the American people; he could not convince them that there exists any necessity for such radical changes in our methods of government. Thousands that might have enlisted under his banner, attracted thereto by his theories of industrial democracy and social justice, were repelled by his indorsement of the recall of judges and judicial decisions. They felt that such radical control of the courts was unnecessary, that no abuses existed that justified the resort to such drastic remedies.

"No anarchist agitator," declares the colonel in his telegram to his party chairman in Idaho, "could ever do anything against the courts comparable in effect to these actions of the highest of one of our state courts"—and we fully agree with him. Not even the most superheated imagination could have conceived, nor the most reckless tongue have published to the world, a prophecy of imminent judicial despotism that could compare with what has actually occurred in the Gem state; had the most radical of visionary proponents of direct government predicted some such happening, the public would have only stared in incredulous amazement. It has remained for judicial dignity and respect to receive its most damaging blow from those who should be chiefly interested in conserving it.

The Herald-Republican has never approved Mr. Roosevelt's direct government principles; we opposed them from the moment that he surprised and pained his best friends by his advocacy. We have resisted with such skill as we may the judicial recall madness and its twin fallacy, the recall of judicial decisions. Despite the numerous abuses that permeate, like stinging poison, our system of judicial procedure, we have felt that the proposed remedy was much worse than the disease; we considered that the injustice that would be fostered by mobocratic control of the courts of law would be infinitely worse than the admittedly great injustice that now constantly occurs. Nor has this Idaho outrage, this travesty upon justice, changed our opinion with regard to the recall. But we concede that some limitation must be placed upon this new oligarchy that has arisen in America before it is everlastingly too late.

Because abuses often continue until some unendurable manifestation of them brings the people to immediate understanding of their dangerous character, it is probable that this wanton orgie in Idaho is a blessing despite its sinister disguise. The intimate connection of Mr. Roosevelt with the case insures wide publicity and much discussion. The matter will be thoroughly agitated and from it should spring a reform that will mark the crime of last Thursday as merely the last desperate effort of expiring judicial absolutism.

REFUSED TO GIVE BANKERS' NAMES TO COMMITTEE

New York Man Certified to Speaker of the House for Contempt—Profits Without Putting Up Money.

Washington, Jan. 9.—Because he refused to give to the house money trust committee the names of 24 national bank officers who profited in a syndicate formed to market the stock of the California Petroleum company, George G. Henry, of Solomon & Co., New York bankers, was today certified to the speaker of the house for contempt. The full banking and currency committee voted unanimously for that action. Henry testified that national banks and national bank officers participated in the syndicate to the extent of \$1,085,000, and without putting up any money or taking over any stock, took profits of about \$50,000. He maintained that his confidential relations with customers would not allow him to furnish the names of the participants. Speaker Clark will review the case to determine whether he will certify to the district attorney for prosecution. The case threatens to involve the ultimate question of the committee's authority to inquire into affairs of national banks, which probably would be taken to the supreme court.

FLING IS TAKEN AT COURTS BY MARSHALL

Vice President-Elect Sends Message to the Legislature

SAYS PROGRESSIVE LEGISLATION NEEDED

Refers to Decision of the Indiana Supreme Court in Constitutional Convention Case—Stern Warning Issued Against Lobbyists.

Indianapolis, Ind., Jan. 9.—"Unless progressive legislation is enacted, the people, some day, will open up the cul-de-sac even though the opening may lead representative government over a precipice into pure socialism or paternalism," said Governor Marshall in his message to the Indiana legislature today.

"Representative government does not mean that present-day conditions cannot be remedied. Upon the contrary, progressive legislation may be enacted with no disturbance to the checks and balances of our system of government."

"The last general assembly recognizing our unfortunate condition with reference to the amendment of the state constitution, ordered presented for adoption or rejection by the people at the election in 1912 a new constitution. An action was brought to enjoin and restrain the governor and the other members of the state board of election commissioners and the secretary of state from putting the question of adoption or rejection upon the ballot. The litigation resulted in a permanent injunction by the Indiana supreme court upon a divided opinion, three members of the court being in favor of the injunction and two against it.

"With utmost respect for the majority of the supreme court, I felt that it had usurped the functions of the legislature and executive branches of government; that the sheriff of the court would have a rather interesting time in getting possession of my body and punishing me for contempt; and that such decisions gave greater impetus to the recall of judges and decisions than all the opinions of mere laymen touching the usurpations of the courts. Yet, I realized I might be wrong. "Though believing that it was mak-

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JAIL SENTENCES OF EIGHT MONTHS FOR TWO WOMEN

Convicted of Committing Outrages in Connection With Militant Campaign of English Suffragettes.

London, Jan. 9.—Long sentences were passed today on two militant suffragists, many of whom, in recent months have engaged in the campaign of destruction of mails. May Billinghurst and Louisa Gay, two of the first to be arrested in connection with these outrages, were condemned to eight months' imprisonment each. May Billinghurst, who is a cripple and unable to get about except on a tricycle, has been imprisoned on several occasions in connection with the suffrage campaign.

The evidence showed that letter boxes throughout the center and west end of London had been damaged, with their contents, by means of acids, sticky fluids and ink. In some cases oil-soaked burning rags had been inserted in the boxes. Many valuable documents were destroyed. It was hard to capture the perpetrators, as, in most instances, the destructive fluids were passed into the boxes in unmarked bottles contained in ordinary envelopes.

ARMY CANTEN IS FAVORED BY HIGH OFFICERS

Washington, Jan. 9.—In favor of the restoring of the army canteen, Secretary Stimson, Surgeon General Toomey, Brigadier General Witherspoon and Representative Barthold of Missouri, appeared before the house military affairs committee today to urge Mr. Birchhold's bill for that purpose. Secretary Stimson said that without the canteen conditions were worse than when the sale of beer and light wines was allowed at army posts.

Secretary Stimson testified that the government was anxious to clean out the red light district in Colon before the Panama canal opens for traffic. He said that on his recent visit to Panama he attempted to open negotiations for the government to buy the 10 acres comprising the district, but was unable to do so, despite his offer of a high price. Such acquisition would have to be by treaty with Panama. Surgeon General Toomey, U. S. A., said at the Presidio in California there has been much intemperance among the soldiers because of the large number of saloons just outside the post.

NO WORD RECEIVED FROM THE PANTHER

Washington, Jan. 9.—The naval tug Sonoma, which left Hampton Roads with the Panther, has arrived at Guantanamo. No word has been received from the Panther, but officials insist there is no reason to fear for her safety as a result of being caught in the recent gale.

INJUNCTION AGAINST THE LUMBER TRUST

New York, Jan. 9.—The government's petition for a permanent injunction against the Eastern States Retail Lumber Dealers' association, alleged to be a combination in restraint of trade, was granted by the federal district court today.

SUSPENDS INCREASE IN RATES ON PAPER

Washington, Jan. 9.—A proposed increase of 10 per cent in freight rates on news print paper from Sault Ste Marie, Ontario, to destinations in the United States, was suspended today by the interstate commerce commission from Jan. 11 to July 11.

SOCIAL BETTERMENT LAWS RECOMMENDED BY GOV. M'GOVERN

Madison, Wis., Jan. 9.—Broad plans for industrial, social and economic betterment were recommended to the Wisconsin legislature today by Governor Francis E. McGovern in his message to that body. He recommended simplification of the income tax, a more flexible woman's and children's labor law, taxation of mineral deposits under ground, and voting by mail for citizens away from their home precincts.

CLAIMS OF CANDIDATES.

Each One Sees Advantage for Him in Retirement of Governor Gooding. The withdrawal of former Governor Gooding from the ranks of senatorial aspirants, which was officially announced this morning, has resulted in a great deal of conjecture among the members of both houses of the state legislature as well as among the remaining candidates, as to its probable effect upon the chances of those still retaining their hats in the ring.

Among all it is conceded that Governor Gooding had developed a great deal of strength, and while the number of legislators actually pledged to his candidacy may never become known, the future disposition of the votes which Governor Gooding had corralled is the main topic of discussion and the one thing which is occupying the attentions of the remaining senatorial aspirants.

Just who the legislators are who were favorable to Gooding before his withdrawal, and who those Gooding supporters will line up with in the coming fight, is not apparent. At each of the headquarters of the senatorial candidates this morning, claims were being made that the votes

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Abe Martin



DISEASED BEEF SOLD TO INDIANS IT IS CHARGED

Said That the Interior Department Officials Had Knowledge of the Sale—Gross Frauds Alleged.

Washington, Jan. 9.—Sales of diseased beef to Crow Indians, with the knowledge of the interior department officials, was charged today by Mrs. Helen Pierce Gray, an investigator, before the senate Indian affairs committee, hearing Senator Townsend's resolution to direct the interior department to send the Crow records to the attorney general for investigation. Mrs. Gray declared that beef of cattle with lumpy jaw, sold to the Indians by lessees of their land, had infected the Indians. Senator Townsend declared he was convinced that gross frauds had been perpetrated on the Indians and that an investigation should be made.

Texas as a Corn-Growing State. Greenville, Texas, Jan. 9.—That Texas is able to grow corn as well as cotton is strikingly evidenced by the large number and high class of the exhibits at the seventh annual show, which was opened here today by the Texas Corn Growers' association. More counties are represented in the display than at any of the previous shows given by the association. The show will continue through the remainder of the week. In connection there will be daily sessions of the corn growers, with lectures and addresses by noted agricultural experts.

LODGING HOUSE DESTROYED AND TWO LIVES LOST

Believed That Other Bodies May Be Found in Ashes—Guests Escape in Night Clothes.

San Francisco, Jan. 9.—Two unidentified bodies were removed from the ruins of two water front lodging houses that were destroyed by fire this morning and were despoiled other bodies will be found in the ashes. A score or more were injured in the dash for safety and three firemen were badly hurt by the collapsing of the building. Policemen dragged a dozen smoke-stupefied lodgers to the streets. Fully 100 guests escaped in their night clothes, to shiver in the cold rain. Locked doors prevented a thorough search of the building before it was swept by the flames. Sailors and long shoremen usually frequented the house, although one of the injured is a woman.

St. Anthony Man Killed. St. Anthony, Jan. 9.—Christian Anderson, a machinist at the St. Anthony Milling & Elevator company, was caught in a belt while oiling a shaft yesterday and was instantly killed.

WILL FINANCE TEAM IF THERE IS NO SUNDAY BALL. Keokuk, Ia., Jan. 9.—The Y. W. C. A. has agreed to finance a local club in the Three-I league, provided baseball enthusiasts of the city would agree to dispense with Sunday games.