

STATE COURTS TO SETTLE ELECTION CONTESTS

Washington Officials Concerned Over Changes of Contests of State Votes.

Washington, D. C., Nov. 9.—Government officials here were deeply interested and not a little concerned over today's announcements from democratic and republican leaders that contests might be expected, with a possibility of legal proceedings over the votes for presidential electors in several of the close states.

Examination of the decisions of the supreme court and of the revised statutes disclosed that electors are plainly regarded as state officers. The highest court has held in two leading cases that questions of their proper or improper choice are for state election officers or state courts to determine, and that the federal government is not lawfully concerned even if fraud is shown.

The revised statutes provide that the electors shall meet in each state and "give their votes" on the second Monday in January following election, at places to be designated by the state legislatures.

The states further provide that where a state shall have laws made prior to the election determining the methods by which controversies or contests over electors shall be settled, whether by judicial proceedings or otherwise, these laws "shall be binding and shall govern in counting the electoral votes."

Aside from the direction that the electoral votes of all the states be counted in the house on the second Monday in January, there seems to be nothing to indicate just how much latitude a state might have in determining contests so as to have its vote counted at a fixed time.

The statutes provide that the votes of the states be forwarded to Washington forthwith after the electors meet on the second Monday in January and also that whenever the certificate of any state as to its electors has not been received in Washington on the fourth Monday in January a special messenger shall be sent to the federal district judge in that state, in whose hands one certificate must be lodged, and he is requested "forthwith" to forward his certificate to the capital.

When congress meets to receive the votes it is still possible for a majority to reverse the certified results from any state in certain cases. As the votes are read to the joint session, the statute gives the right to any member of either house to object, the objection to be considered in separate session.

When only one return has been made from a state, congress cannot overturn the certified result except the two houses concurrently may reject any vote where it appears not to have been given by the properly chosen electors. When more than one certificate for a state has been sent, the vote of those electors who the two houses shall concurrently decide have been supported in a contest by the proper state authorities, shall be received and accredited. Where there has been no determination of a contest by state authorities and there are more than one certificate returned, the choice as to those properly selected is with the two houses.

The constitution provides that where an election is thrown into the house a selection must be made by the 1st of March following the election, but this apparently is intended only to cover cases where there is a tie and whether it applies to those where there is a dispute over electors from a state or states is not clear.

Should contests and recounts over Tuesday's elections before state canvassing boards or in state courts consume such time that the governors would be unable to certify the final result by the time congress meets in February, it was believed by legal experts here that the final canvass could be held open until March 4 and that a selection would be made by that time.

Upon the question of state jurisdiction over state electors, several cases have been before the supreme court, but apparently none of the question of jurisdiction over a recount of such electoral votes. In 1890, in a Virginia

case upon prosecution for fraudulent voting for electors, Justice Gray said the only powers of the federal government with regard to the appointment or the votes of presidential electors, "are those which authorize congress to determine the time and day on which they shall give their votes, and which direct that certificates of their votes shall be opened by the president of the senate in the presence of both houses and the votes be then counted."

"Although electors are appointed under the constitution, they are no more officers or agent of the United States than are the members of the state legislatures when acting as electors of federal senators."

PRINT PAPER COST MAKES DIFFERENCE TO PUBLISHERS

For the past year the print paper market has been very unsettled, as most of our readers are at this time well aware. At the present time our print paper is costing us fully three times as much as it did one year ago and still advancing. At the prices now our paper will cost us in the neighborhood of \$4,000.00 per year, where the same amount would have cost between \$1,200 and \$1,500 a year ago, if we are to consume as much as we have been.

"WIN MY CHUM," WEEK AT THE M. E. CHURCH

The weather was not very favorable for the launching of the "Win-My-Chum" campaign yesterday, only a small company, comparatively, attended church last night. High expectations were dashed very low, enthusiasm was greatly reduced or chilled.

Miss Irene Truscott led the devotional meeting at the league hour. The topic was, "If They Cannot Believe in You, Will They Believe in Your Christ?"

Tonight Miss Florence Balsler will lead the meeting. Her topic will be, "The Bugle Call of Courage," and her illustration from Paul's letter to the Corinthians—1 Cor. 15. Everybody is cordially invited to attend, at 7:30.

Miss Marie Hiber, who has been attending the State Teachers' association at Omaha the past week and who spent Sunday in this city with her parents, Mr. and Mrs. John Hiber, returned to Beatrice, Neb., yesterday afternoon, where she resumed her school duties today.

Her Son Subject to Croup.

"My son Edwin is subject to croup," writes Mrs. E. O. Irwin, New Kensington, Pa. "I put in many sleepless hours at night before I learned of Chamberlain's Cough Remedy. Mother need not fear this disease if they keep a bottle of Chamberlain's Cough Remedy in the house and use it as directed. It always gave my boy relief." Obtainable everywhere.

THE NEBRASKA LEGISLATURE IS DEMOCRATIC

The Senate Will Have Good Working Majority and the House Will Be Almost 2 to 1 Democratic.

- SENATE. 1—R. F. Neal (R), Auburn. 2—John Mattes (D), Nebraska City. 3—John Bennett (D), Omaha. 4—John Tanner (D), Omaha. 5—Ed Howell (D), Omaha. 6—Robert Strehlow (D), Omaha. 7—Wallace Wilson (D), Fremont. 8—Frank Haas (R), Emerson. 9—Phil Kohl (D), Wayne. 10—W. L. McAllister (R), Neligh. 11—John Henry (D), Howells. 12—I. L. Albert (D), Columbus. 13—C. W. Doty (D), Beaver Crossing. 14—Clark Oberlies (D), Lincoln. 15—A. J. Sawyer (D), Lincoln. 16—Adam McMullen (R), Wymore. 17—Thomas Lahnners (R), Belvidere. 18—E. J. Spirk (R), Wilber. 19—C. E. Sandall (R), York. 20—Walter Hager (D), Hastings. 21—James Hammond (R), Cambridge. 22—C. W. Beal (D), Broken Bow. 23—John Robertson (D), Joy. 24—Charles W. Meeker (R), Imperial. 25—R. K. Bushoe (R), Kimball. 26—George Adams (D), Crawford.

- HOUSE. 1—W. F. Rieschick (D), Falls City. 2—E. E. Good (R), Peru. 3—George Reneker (R), Falls City. 4—A. N. Daffoe (D), Tecumseh. 5—George Leidigh (D), Nebraska City. 6—John Murley (D), Alvo. 7—Levi Todd (D), Union. 8—Jacob Seas (D), Chalco. 9—John H. Bulla (D), Omaha. 10—James Craddock (D), Omaha. 11—Francis Goodall (D), Omaha. 12—John H. Hopkins (D), Omaha. 13—Jerry Howard (D), Omaha. 14—Jerry Jelen (D), Omaha. 15—Frank Keegan (D), Omaha. 16—Joseph Lovely (D), Omaha. 17—Jens Nielsen (D), Omaha. 18—Henry Richmond (D), Omaha. 19—Richard Schneider (D), Omaha. 20—J. J. Shannon (D), Omaha. 21—A. H. Miller (R), Kennard. 22—J. J. McAllister (D), Dakota City. 23—L. T. Fleetwood (D), Wakefield. 24—Frank Radke (D), Wynot. 25—John Reifnerath (D), Crofton. 26—J. J. Linberg (R), Elgin. 27—C. E. Manzer (R), Pierce. 28—Grant Meers (R), Wayne. 29—Ferdinand Koch (D), West Point. 30—Henry Behrens (R), Beemer. 31—James Auten (D), Albion. 32—Richard Regan (D), Platte Center. 33—J. B. Sindelar (D), Howells. 34—William Dau (D), Fremont. 35—N. E. Shaffer (D), Hooper. 36—C. M. Lemar (D), Wahoo. 37—J. M. Lambert (R), Wahoo. 38—C. P. Peterson (R), Lincoln. 39—Ralph Mosely (R), Lincoln. 40—Leonard Flansburg (R), Lincoln. 41—William Foster (D), Lincoln. 42—George Waite (D), Lincoln. 43—D. S. Dalby (R), Beatrice. 44—Chase Burrows (D), Adams. 45—C. E. Knutzen (D), Bruning. 46—T. E. Conley (R), Fairbury. 47—G. A. Hunt (D), Crete. 48—George Liggert (R), Utica. 49—Nick Meysenburg (D), David City. 50—George Fuller (D), Seward. 51—J. N. Norton (D), Polk. 52—M. S. Stream (R), York. 53—H. A. Swanson (D), Clay Center. 54—Perry Reed (R), Aurora. 55—George Jackson (D), Nelson. 56—N. F. Rickard (R), Guide Rock. 57—Eric Johnson (R), Hastings. 58—Fred Johnson (R), Hastings. 59—Leo Stuhr (R), Grand Island. 60—A. L. Seudder (R), Grand Island. 61—Theodore Osterman (D), Central City. 62—B. J. Ainley (R), Belgrade. 63—Soren M. Fries (D), Dannebrog. 64—John Harris (D), Greeley. 65—Dennis Cronin (R), O'Neill. 66—H. O. White (R), Ainsworth. 67—J. A. Ollis (D), Ord. 68—W. J. Taylor (D), Merna. 69—George Greenwalt (D), Broken Bow. 70—William Gromley (D), Lowell. 71—L. Olsen (D), Alma. 72—O. T. Anderson (R), Holdrege. 73—D. F. Schwab (D), Lebanon. 74—John Jacobsen (D), Lexington. 75—S. M. Ewing (D), Imperial. 76—Fred Hoffmeister (D), Imperial. 77—George Tracewell (R), Valentine. 78—Lloyd Thomas (D), Alliance.

FORMER PLATTSMOUTH MAN DIES IN OMAHA

Saturday afternoon at his home at the Chatham hotel in Omaha Augustus E. Fitt, passed away after an illness covering the last three years during which time he has been a great sufferer from Bright's disease but despite the advances of the malady he stood the suffering and pain with a fortitude and bravery that was worthy in every way of the Christian gentleman that he was and when the final summons to the long journey to the unknown land came to him it found Mr. Fitt ready to go and leaving behind a life well spent.

Mr. Fitt resided in this city for a number of years and for the past eighteen years has made his home in Omaha where he was in the employ of the auditing department of the Burlington and was one of the best known office men in the employ of the railroad system through his long years of experience in this line of work.

MRS. GOBELMAN ENTERTAINS FOR MISS BEESON WITH SHOWER

At her pleasant home in the Westcott building Saturday afternoon and evening, Mrs. F. E. Gobelman did honor to Miss Gertrude Beeson, who is to be one of the fall brides, by receiving for her at two showers—a linen shower in the afternoon and a miscellaneous shower in the evening.

WINNERS IN THE NON-PARTISAN ELECTION IN CASS COUNTY

In the non-partisan race in this county the winners appear to have been Chief Justice Andrew M. Morrissey, Judges Cornish, Sedgwick and Dean and for District Judge, Judge Begley had no opposition. In the battle for county judge, Judge Beeson, the present occupant of the office was the winner by a very large majority that left no doubt of the popularity of the judge with his fellow citizens.

Letter files at the Journal office.

CHIEF JUSTICE MORRISSEY WINS

State Superintendency Uncertain—Also Associate Judgeship of Supreme Court.

Election returns compiled yesterday settled two of the four close contests on the Nebraska state ticket, but lifted one other place into the doubtful column.

Andrew Morrissey has been elected to succeed himself as chief justice of the supreme court, over Associate Justice Fawcett. In fifty-seven counties, he has overcome the 6,800 lead accumulated by Fawcett in Douglas and Lancaster counties and is 2,300 to the good.

Victor E. Wilson has been elected railway commissioner over Henry Clarke, republican incumbent. Wilson has a lead of 3,900 which is growing slowly but persistently.

The state superintendency is still in doubt between Superintendent Thomas and W. H. Clemmons, democrat. Clemmons has by 600 votes in forty-five counties, having lost much of his lead of 3,500 in Douglas county, but the figures' seesaw back and forth with every new return.

Commissioner Fred Beckman now leads Shumway for this office by 700 votes, steadily holding a lead of from this amount up to 1,800 as added returns come in.

The new office in doubt is the third of the three associate justiceships of the supreme court. Dean has spurred up to within 421 votes of Barnes in forty-eight counties. Martin is only 900 behind Dean and Hastings is 900 behind Martin. Cornish and Sedgwick are apparently safe, but the third place might go to any of the four, Dean or Barnes leading.

With eighty-three counties reporting, the figures on the United States senatorial race total: Hitcheck 139,161, Kennedy 126,084.

In the governorship race sixty-nine counties show Neville maintaining a lead over Sutton as follows: Neville 113,426, Sutton 108,351.

Letter files at the Journal office.

WOODMEN CIRCLE NOTICE

The Woodmen Circle lodge will meet in regular session, in their lodge rooms, tomorrow, Tuesday evening, at 8 o'clock. All members are requested to be present.

MONEY IN EGGS.

Eggs are not bankable but the money from their sale is. This money is yours for the effort. How do you treat the hen that lays the Golden Eggs? Dr. B. A. Thomas' Poultry Remedy will keep the poultry in good condition and increase the yield in eggs.

DEAD LETTER LIST. Mr. A. F. Ackerman. Rev. Jos. Bartlik. Mr. Henry Seagle. Mr. R. S. Bishop. Mr. F. H. Bishop. Mr. Arv Busgard. Jos. Hyrnek. John Nashek. Ant. J. Vleck. Chas. Wolf.

When mail is unclaimed and will be sent to the dead letter office November 27, 1916. D. G. MORGAN, Postmaster.

M. B. Allen, who is engaged in carpenter work for the Burlington at Gibson was in the city over Sunday visiting with his family and friends, returning to Gibson this morning.

A. T. Fitt and wife and son, Harold, departed this morning for Omaha where they will attend the funeral services of A. E. Fitt, which were held there this afternoon at 2:30 p. m.

A Splendid Example of Our Preparedness!

Anticipating the needs of our patrons we placed our orders way last February—otherwise we could not offer these excellent duck coats at



\$1.50, \$2.00 and \$3.00

Coats of genuine 10-ounce duck, D. B. bark tan sheep felt with beaverett fur collar, faced armholes and wrist protectors—34 inches long. \$4.95

Moleskin and Corduroys, priced proportionately. Duck Coats for boy, \$1.00, \$1.25 and \$1.50

C. E. Wescott's Sons "EVERYBODY'S STORE." New ties every week!

Hall, dem 64,815 Landis, dem 59,990 Seymour, rep 54,085 rasset, rep 51,445

Table with columns for PROHIBITION, PRESIDENT, SENATOR, GOVERNOR, CHIEF JUSTICE, ASSOCIATE JUSTICES, DISTRICT JUDGE, COUNTY JUDGE, and various counties with vote counts.

Don't Be Satisfied With Any But the Best!

When the manufactures of Lanpher brand merchandise took up the making of mackinaws the old "rough and ready" mackinaw was developed into a beautifully tailored, perfect fitting, rich patterned garment that appealed to men like you.



The Lanpher Mackinaw

is the kind you want—you'll find them here in a wide range of patterns and styles—and our name as well as the Lanpher name is back of every garment. What more can you ask?

Stetson Hats Manhattan Shirts Philip Thierolf VALUE GIVING CLOTHIER Carhart Overalls Hanson Gloves