

ANOTHER SUIT BY DEMOCRATS

REPORT TO FORCE COUNTY CLERK TO PUT NAME ON BALLOT.

SUIT FILED YESTERDAY

Candidate Did Not File With County Clerk; Judge Rhea Appealed to For Hearing.

The last wall of the Democratic managers who did not know that a law enacted in 1892, and in continuous operation since, made it mandatory upon the part of a candidate to file with the County Clerk his certificate of nomination in order to have his name placed on the official ballot, is echoed in another suit filed yesterday by attorneys Glenn and Likens to compel the clerk to place upon the ballot the name of H. G. Daniel, a Democratic candidate for constable in the Sulphur Springs magisterial district. They had filed a similar suit on behalf of the county candidates before Judge Slack, who had promptly dismissed the action. Taking advantage of the fact that Judge Slack was temporarily out of the district they filed this suit before Judge John S. Rhea, of the Russellville district. Rhea has been a very active partisan in the Democratic ranks. At best it is an amusing spectacle to watch the frantic antics of these disappointed attorneys chasing around from pillar to post in an effort to find some friendly court that will repair their "unfortunate oversight."

At the hour of going to press the case had not been called before Judge Rhea, but what ever action he may take the Court of Appeals decisions stand like a stone wall against any trigger work, and the election will proceed on the same old day and in the same old way, and there will not be any Democrats for county offices on the ballot at the election Tuesday.

QUOTAS OF TEN STATES TO REPORT NOVEMBER 2

Washington, Oct. 30.—Ten States have been directed by Provost Marshal General Crowder to send the remainder of their quotas for the National Army to the cantonments on November 2. It was disclosed to-night that the orders were issued last week, and that the drafted men are now preparing to move. The States are Pennsylvania, Maryland, Washington, Idaho, California, Oregon, Wyoming, Utah, Nevada and Montana.

All but about 30 per cent of the quotas of these States for the first draft already are in training. It is expected that every man called out in all sections of the country will be in camp before the end of November.

PROMOTIONS FOR OHIO COUNTY DRAFTED MEN

A recent issue of the Louisville Times contained the names of Foy B. Hinton and Carl Sapp, who have been appointed Sergeants in Co. K, 336th Inf., at Camp Zachary Taylor. John D. Ham, of Co. K, 336th Inf., has been placed in the physical culture section and Earl Felix Miller, of the same company, in the automatic arms section of the army school.

SWIFT'S SON-IN-LAW ARRESTED IN CHICAGO

Chicago, Ill., October 28.—Count James Minotto, son-in-law of Louis F. Swift, multimillionaire president of Swift & Co., has been arrested by federal authorities for alleged pro-German activity.

The count, who was married to Ida May Swift less than two years ago, faces deportation by the United States Government as an undesirable alien. He is at present at liberty in Chicago under a \$50,000 bond signed by Swift.

According to one report, Count Minotto was born in Venice; according to another report, in Berlin.

A definite decision in his case is expected within the next week or ten days. If he is ordered deported,

it is probable he will be interned until the war ends, or will be released under heavy bonds.

The deportation warrant, under which the nobleman was arrested, contains the technical charges that when he entered the United States he was liable to become a public charge, and that he is of a character likely to "foment trouble" here.

Back of the warrant, government officials state, is a mass of evidence gathered by the Department of Justice in Chicago and New York indicating the count is pro-German, and through his social and financial connections has attempted to aid the German Empire "at divers times and divers places."

The entire case has been marked by the closest secrecy. Even some of the members of the Swift family have been kept in ignorance of the count's arrest.

ILLINOIS GAME WARDEN GETS HIS FRIENDS FINED

Dixon, Ill., October 28.—State Game Warden J. L. McDowell, recently appointed, went hunting yesterday with three of his former schoolmates, Claude Fruen, of Oregon; R. E. Stage, manager of the Rock River Telephone Company at Oregon, and George McLaren, water system superintendent on Gov. Lowden's farm at Oregon.

McDowell's friends did not know he was a game warden. However, they discovered it after killing six rabbits; their erstwhile chum held them before Judge Ray, who fined them each \$50 for hunting on the farm, which is a game preserve. Figuring it out, they estimate the rabbits cost them \$26.50 apiece.

BLANKENSHIP'S DUTY.

In a frantic effort to escape a storm of righteous indignation raised in the rank and file of their party by their failure to see that the names of their candidates went on the official ballot some of the Democratic leaders are unfairly attempting to shift the responsibility for their stupid oversight upon County Court Clerk, Claude Blankenship. Blankenship was at all times ready and willing to perform any duty demanded of him by writhe of his office, and neither did nor refused to do anything that was legal and honorable. The Democratic candidates did not offer to file, nor did anybody offer to file for them their certificates of nomination, and the clerk's duty in such cases is clearly defined in a decision of the Court of Appeals as follows:

"Kentucky Statute Sec. 1456, requiring certificates and petitions of nominations to be filed with the Clerk of the County not more than 60 days and not less than 15 days before election is mandatory, and THE CLERK HAS NO RIGHT TO PLACE THE NAME OF THE CANDIDATE UPON THE BALLOT, THE CERTIFICATE OF WHICH HAS BEEN FILED WITHIN 15 DAYS OF THE DATE OF ELECTION."—(Case of Brody vs. Hoek from Breckenridge county.)

ELIJAH T. WILLIAMS ANSWERS REAPERS CALL

Elijah Thomas Williams died at his home here Monday, at 9:30 p. m.

Mr. Williams had been afflicted for some time past with nephritis and some two weeks previous to his death his condition grew much worse.

Deceased was born near Goshen on the Williams, old homestead, where his fore-fathers were born and reared.

Mr. Williams had passed the three score and ten mark, being in his 77th year, having been born January 24th, 1841. He had been a member of the Baptist church since 1863 and was a member of the local church at time of his death.

On October 11th, 1916, Mr. Williams was married to Miss Sadie E. Hendricks, who with C. M. Williams, a brother, survive.

Funeral services were conducted at the Baptist church, after which the remains were buried in Oakwood cemetery, at 2 o'clock p. m., Tuesday.

DELAWARE GOVERNOR HURT; WIFE KILLED IN ACCIDENT

Philadelphia, Pa., October 28.—The wife of Gov. John G. Townsend, Jr., of Delaware, was killed and the governor himself severely injured in an automobile accident today.



A great many statements have been made concerning me in regard to my refusal to have the names of the Democratic candidates placed on the official ballot. I deem it my duty to make a statement concerning this matter.

During my term of office I have endeavored to discharge my duties according to law and do not believe that any fair-minded person would desire that I, as an official, certify under oath to a fact that did not exist.

The election law provides among other things that:

"Certificates of nomination shall immediately issue to the persons receiving the greatest number of votes for the office for which they were candidates and said certificate shall in not less than fifteen days next before the day on which the general November election is held, be filed with the county clerk."

The Court of Appeals in construing this provision of the statute has held in numerous cases that it is mandatory and the clerk has no power or authority to place the name of any candidate on the official ballot unless the candidate has filed his certificate of nomination in the clerk's office fifteen days before the election.

Neither of the Democratic candidates have filed or offered to file in my office their certificate of nomination fifteen days before the election or at any other time. The contention made, is that I ought to have certified that the certificates were on file in my office when in truth and in fact they were not. This I could not do. It would have been a violation of law for me to make such a statement. I had no objection then and have none now to putting their names on the ballot, if I have a legal right to do so. Some clerks in the various counties of the State have placed the names of candidates on the ballot in violation of this statute, and because they have violated the law, some think that I should have done so, but I do not believe that I should violate the law because some one else has.

I have acted in good faith and did what I believed was my duty under the law. Anyone who will take the time to examine the Statutes and opinions of the court construing them, will see that I have not acted arbitrarily, but have only followed the law and discharged my duty as an honest official, and if the Democratic candidates fail to get their names upon the official ballot it is no fault of mine, but is only through their own neglect in failing to comply with the plain mandatory provision of the statute.

I only ask at the hands of the people of this county a fair and impartial investigation of this entire matter and if this is done, I feel sure that you will find I have discharged my duty faithfully and honestly.

Yours very respectfully,
W. C. BLANKENSHIP.

U. S. LEGATION EMPLOYE AT BERNE ROUTS GERMAN CHILDREN SENT TO ORPHANS HOME

Berne, October 28.—John Moran of Chicago, confidential clerk in the American legation, was attacked Wednesday evening by an unidentified, German-speaking man who struck him with a loaded umbrella handle. Moran's assailant was unaware that he was attacking a former lightweight boxer and when Moran promptly delivered a counter attack the surprised man fled. It is thought Moran may have been mistaken for a member of the legation who formerly was stationed in Germany and who recently received a warning that certain Germans had designs against him.

Mrs. S. O. Keown went to Louisville Monday with three small children of Echols, and placed them in the Kentucky's Orphan Home.

The children were found in a destitute condition and brought here before Judge Wilson, who ordered them sent to the institution mentioned.

Several months ago the father of the children, Jesse Cook accidentally killed his wife, the mother of the children, since which time the little girls, who are three, five and eight years old have, it is alleged, been neglected by the father who is now in jail, charged with non-support of them.

REPUBLICANS BEWARE!

OUR DEMOCRATIC FRIENDS ARE IN DESPERATION OVER THEIR OWN FOLLY IN FAILING TO GET ON THE BALLOT AND MAY TURN, AS A LAST RESORT, TO THE SUPPORT OF THE SOCIALIST TICKET. REPUBLICANS BEWARE OF ANY POSSIBLE SCHEME THEY MAY ADAPT AND GO TO THE POLLS IN FULL PHALANX TUESDAY AND POLL THE FULL PARTY VOTE. TAKE NO CHANCES.

October was the coldest mid-October month within a century.

revenues of \$9,000,000, as against \$6,000,000 last year is misleading. The Postoffice Department pays nothing for the nearly \$200,000,000 worth of public buildings which it occupies; it pays not a cent for the salary of the postmaster-general and all his staff, including the auditor of the postoffice and his staff, several thousand officials, whose aggregate salaries amount to more than \$3,000,000 annually.

F. G. R. GORDON.
Utica, October 27.

SOLDIER GIVEN FIVE YEARS FOR STRIKING OFFICER

Montgomery, Ala., Oct. 30.—Private Roy B. Rouch, of Company B, 2d Infantry, Alabama National Guard, recently was sentenced to five years in the Federal prison at Fort Leavenworth, Kan., by a military court-martial for striking Lieut. Cowan, of his company. This was revealed to-day by habeas corpus proceedings brought in Federal Court here in an effort to have Rouch released from military jurisdiction. Judge Clayton denied the writ.

Rouch struck his superior in Birmingham while on furlough.

LIBERTY BOND "SLACKERS" BOUND OVER FOR HEARING

Fairmount, Minn., October 28.—Chas. Alp, farmer, was taken into custody yesterday after Liberty Loan solicitors told officials he had ordered them off his farm, declaring the United States had got itself into the war and could now get out without his help. He was released for a hearing next week. F. S. Schwalen, banker, accused of hindering the sale of Liberty bonds and who later bought some for himself and his bank, was held in \$1,000 bond for grand jury action.

Settled in Court.

The Democrat candidates, through their attorneys, Ringo, Glenn and Likens, filed suit before Judge Slack, at Owensboro, Thursday of last week seeking to compel County Clerk Blankenship to place the names of the Democratic ticket on the ballot. But after hearing evidence of both parties to the controversy Judge Slack ruled that according to repeated decisions of the Court of Appeals the candidates, by failing to file their certificates of nomination within the time prescribed by law, had forfeited their right to go upon the ballot, sustaining the contention of Blankenship. The Democratic attorneys went immediately to the Court of Appeals with the case but that Court held that it had no jurisdiction to hear the case, leaving the decision of Judge Slack as the rule of action for the County Clerk, and the names of the Democratic county ticket will not appear on the ballot at the election Tuesday.

Dies in Sante Fe.

Mrs. P. J. Holderman died a few days ago in Sante Fe, New Mexico, and her remains were brought to Hartford and interred in Oakwood cemetery Wednesday.

Mrs. Holderman was suffering from tuberculosis and with her husband and mother went to Sante Fe some time ago with the hope of the climate improving her health, but grew steadily worse until her death. Mrs. Holderman was in Hartford only three weeks ago to attend the burial of her mother who had died in Sante Fe of accidental poisoning. Mrs. Holderman was a grand-daughter of Mr. Jake Westerfield, of Dundee.

MAN WHO GAVE SOLDIER DRINK HELD FOR HIS DEATH

Charlotte, N. C., October 28.—As the result of the death of Corp. Carl Manenke of Portland, Ore., attached to the National Guard division at Camp Greene, Cris Miller, superintendent of a rubber factory at Winston-Salem, N. C., Friday was held for action of the Federal Court of charges of having given Meneke whiskey which caused his death Tuesday night.

Government agents said Manenke was a visitor at Miller's home when he drank the liquor.

CONSERVATION IN THE SMART SET

Miss Binkley—"And so you prefer motoring to riding!"
Mrs. Blaukley—"Oh, ever so much. We ran over a silly old woman yesterday, and do you know I wasn't a bit nervous."

ITALIAN ARMY IS IN RETREAT

HUNDREDS OF SQUARE MILES OF TERRITORY OVERRUN BY TEUTONS.

ALLIES RUSH TO AID

German And Austro-Hungarian Armies Capture 120,000 Men and Over 1,000 Guns.

Virtually one thousand square miles of Italian territory have been overrun, more than 120,000 Italians have been made prisoner and in excess of 1,000 guns have been captured by the German and Austro-Hungarian armies in their eight days' drive from the Isonzo and Carnic Alps fronts of the Austro-Italian war theater.

From the east the enemy invasion on the center of the battlefield now is well within gun range of the Tagliamento River, where it has been presumed that Gen. Cadorna would turn and make a stand. The Italian Commander-in-Chief, however, has not yet brought his troops about to face the enemy, but is continuing his retreat with the rear guards harassing the advance. Just where Cadorna purposes to give battle has not become apparent. Neither is it known how well the northern and southern flanks of his army are keeping pace with the retirement in the center.

According to the latest Berlin official communication announcing the heavy losses to the Italians in men and guns, engagements successful for the enemy have taken place on the Tagliamento plain, while the Rome communication announces that there has been fighting on the hills of St. Daniele del Friuli, along the Ledra Canal at Pasiian Schiavonesco and at Pozzuolo del Friuli, northwest of Udine and from four to five miles east of the Tagliamento.

On the other battlefronts no big operations have taken place. The Germans Wednesday made no attempt to force the Canadians from their positions captured the previous day in the region of Pashedaels. Along the Chemin-des-Dames and in the Verdun sector intensive bombardments continue.

Still another mutiny among the Germans is reported. This time it was among the troops in Belgium, who are declared to have refused to go to the front, and even to have fired on their officers, several of whom were wounded.

The Jail Empty.

It is a rather unusual occurrence for the Ohio county jail to be empty, but it happens to be so just now. After taking a look over the old decrepit we are really glad it is empty, for it is scarcely a fit home even for a criminal. We are not criticizing the jailer, as Mr. Mickiff is doing the best he can with the equipment the county provides for him, but fault lies with the county for not providing a decent and modern prison. The building is fair enough but the Fiscal Court should tear out the rust-worn interior and refurnish it throughout.

ALLEGED ARMY DESERTER KILLS VILLAGE MARSHAL

Prescott, Wis., October 28.—Crazed by liquor and fearing detection as a deserter, Private W. Mozet, 24, said to be a member of Company L, Thirty-sixth United States Infantry, shot and killed C. Garland, village marshal here, Wednesday night. He then turned his military automatic pistol upon himself, but inflicted only a slight wound, the bullet tearing through his chin. Mozet was arrested and taken to the county jail at Ellsworth.

He Should Worry.

Michael Dugan, a plumber, was sent by his employer to the High-tower mansion to repair a gas leak in the drawing-room. When the butler admitted him he said to Dugan: You are requested to be careful of the floors. They have just been polished.
"They's no danger iv me slippin' on thim," replied Dugan. "I hav spikee in me shoes."