

MANY PROBLEMS ABOUT ELECTORS NOT YET SOLVED

Peculiar Mixup in Many States This Year Shows Defects.

REALLY NO NEED OF ELECTORS AT ALL

Proposed to Place Names of Presidential Candidates on Ballots but Not Change the Manner of Electoral Votes by States—Need of Change is Demonstrated in the Present Campaign.

By Frederic J. Haskin.

The present squabble between the Republicans and the Progressives over electors emphasizes the fact that there are many conditions which may arise that the fathers never foresaw when they made the constitution, conditions which carry with them no light to guide in their solution.

The Progressive electors justify their position by saying that they were chosen by the progressive Republicans of North Dakota, and with the intention that they should vote for Theodore Roosevelt for president on the Republican ticket.

Claim It is Unfair. The Republicans answer that this is not at all fair, that it is "stealing the livery of heaven to serve the devil."

The situation in Missouri is a little different, the electors nominated by the Republicans pledging themselves to vote for Taft if their votes will elect him, but not otherwise.

The present campaign has demonstrated the need of a change either abolishing electors entirely or definitely fixing their duties and responsibilities under our present system of presidential choice.

A problem that has arisen on at least two occasions, and which may arise in more serious form than heretofore, is that of determining when the house gets control of a presidential election.

WHAT SAVED HER LIFE

Mrs. Martin Tells About a Painful Experience that Might Have Ended Seriously.

Rivesville, W. Va.—Mrs. Dora Martin, in a letter from Rivesville, writes: "For three years, I suffered with womanly troubles, and had pains in my back and side. I was nervous and could not sleep at night."

The doctor could not help me. He said I would have to be operated on before I could get better. I thought I would try using Cardui.

Now, I am entirely well. I am sure Cardui saved my life. I will never be without Cardui in my home. I recommend it to my friends."

For fifty years, Cardui has been relieving pain and distress caused by womanly troubles. It will surely help you. It goes to the spot—reaches the trouble—relieves the symptoms, and drives away the cause.

If you suffer from any symptoms of womanly trouble, take Cardui. Your druggist sells and recommends it. Get a bottle from him today.

Write for Ladies' Advisory Dept., Chastity Medicine Co., Chattanooga, Tenn., for Special Instructions, and 64-page book, "Home Treatment for Women," sent in plain wrapper, on request.

DOUBLY PROVEN

Capital News Readers Can No Longer Doubt the Evidence.

This Boise citizen testified long ago. Told of quick relief—of undoubted benefit.

The facts are now confirmed. Such testimony is complete—the evidence conclusive.

It forms convincing proof of merit. Mrs. Ellen Dial, 1114 Miller St., Boise, Idaho, says: "Last spring I felt miserable and really did not know what caused my trouble. I suffered a great deal from backache as time passed I became all run down. I knew of several people who had taken Doan's Kidney Pills with excellent results and finally deciding to try them, I procured a box at Joy's Drug Store. They proved very effective in relieving me and I am now enjoying good health." (Statement given October 28, 1907.)

No Trouble Since. Several years later Mrs. Dial said: "The cure Doan's Kidney Pills made in my case has been permanent. I am only too glad to confirm my former endorsement of this remedy."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States.

Remember the name—Doan's—and take no other.

of Wisconsin was going on, that there was clearly a case of the right of the house to consider that the electoral colleges had made no choice, and therefore to proceed to the choice of a president. In 1876 it was again claimed that since the situation seemed to warrant the conclusion that there was no actual means provided for determining whether any candidate had really secured a majority of the electoral vote in that major election, it was time for the house to proceed.

Faults of the System.

So far as a real or fancied inhibition against it might be, there is nothing in the constitution or the law which would prevent the house holding that the returns showed that no choice was made, when there were doubtful returns, and that it could therefore refuse to have anything more to do with the senate and proceed to the election of a president. Of course such an arbitrary course as this, in the trying times of an uncertain presidential election, might precipitate the most serious trouble. The choice by the house will always fall upon a membership just retiring from office, and upon a body which frequently represents sentiments opposed to the candidate strongest before the people.

Another question that may arise at some time when there is a contested election, is whether or not a state legislature has a right to change the manner of appointing electors without the assent of the governor. Suppose, for instance, that a state should have a Democratic governor and a Republican legislature, and the prospect of an election were that it would be too close for party health. The legislature, if the state were normally Democratic, might decide to appoint Republican electors. This happened in the early days, one time without the assent of the governor as to the manner of choice. Should that question arise now, congress probably would have to acquiesce, or else break the precedent established in 1806.

Again, how are states to be prevented from casting votes inhibited by the constitution? That instrument requires that no elector shall hold a position of profit or trust under the federal government. Yet the repeated ignoring of this provision has made it practically a dead letter. Congress seems to hold that it is up to the states to determine the qualifications of the electors, and that if they do not keep out electors who have no constitutional right to vote, there is no other tribunal to do so. And yet this position is answered by the statement that by the same token it might be asserted that if the states vote for a president who is a foreigner and ineligible to the presidential office under the constitution, there is no tribunal to prevent his accession. If one elector who held a position of profit and trust under the government had had his vote rejected in 1876 there would after all have been a tie, and the election would have taken place in the house.

Settled by Law of 1887.

The constitutional convention seems never to have thought that any complications could arise in the counting of electoral votes. It simply says that the senate and house shall be in session, provides for the opening of the certificates, and then says "and the votes shall then be counted." The law of 1887 practically settled the issue as to how the vote shall be counted, and yet there seems to be no remedy if a state's vote is deemed irregular, and it may be disfranchised. Suppose, for instance, in the forthcoming election there should arise a dispute in the state of Pennsylvania over the election of the electors, and Governor Tener should refuse to sign the credentials of the electors claiming election.

The problem of a succession in the event of the death of the president-elect might have arisen in 1892 had Blaine been nominated over Harrison and elected over Cleveland. He died on January 27, 1893, after the electoral colleges had met, but before the counting of the vote in congress. Some authorities go so far as to contend that under those circumstances his running mate would not have been eligible to succeed him under the constitution. That and the death of Greely are the only two instances where either of the leading candidates for election to the presidency have died between the popular election in November and the inauguration in March.

It is a singular fact that the only amendment ever made to the constitution outside of the war amendments and those which were agreed on before the states would ratify it, is the one dealing with the electoral system. That it got through was because of one of the hardest fights and the worst misunderstanding in American politics.

NOTICE OF ELECTION

Notice is hereby given that on the Tuesday following the first Monday of November next, in the County of Ada, an election will be held for members of Congress, State, County, District and Precinct officers.

Following are the names of the persons who have been nominated for the various offices.

Table with 5 columns: REPUBLICAN, DEMOCRATIC, ELECTORS' PROGRESSIVE, SOCIALIST, PROHIBITION. Lists names for various offices including Presidential Electors, Representatives in Congress, Justice of Supreme Court, Governor, etc.

CONSTITUTIONAL AMENDMENTS

1. "Shall Section 1 of Article 3 of the Constitution of the State of Idaho be so amended as to give the people the power (under conditions to be hereafter prescribed by act of the legislature) to propose a referendum vote on any act or measure passed by the State Legislature and to approve or reject the same at the polls, independent of the Legislature?"

Said election shall be open at eight o'clock in the morning and will continue until seven o'clock in the evening of the same day.

Dated this 14th day of October, A. D. 1912.

STEPHEN UTTER, Clerk of the Board of County Commissioners

Not even the defeat of the popular will in 1824 or the bitterness of 1876 could sufficiently impress congress with the serious demand for action to lead it to submit amendments to the states. The difficulty, however, never has been a lack of agreement upon the desirability and the importance of a change, but rather such widely divergent and irreconcilable views as to preclude the hope of getting together.

It is possible that the election controversies of 1912 will go down into history alongside of those of 1800, 1824 and 1876. While it may not be thrown into the house, as was the election of 1800 and that of 1824, it has aroused a controversy over the rights of electors such as never has been seen in the whole history of the country. Not from the time the first electors were chosen until now, has there been any attempt by the electors of any party to run on a ticket of another party without the leave of that party. And if this should lead to complications in the counting and in the end should throw the election into congress it would be a mixup that would have no parallel in American presidential history except the Hayes-Tilden controversy.

Tomorrow—Presidential elections. VIII—Contests prior to 1800.

Cuba Flora Cigar, mild and fine. Stomach Trouble and Constipation Cured.

"I was sick for three years with stomach trouble and constipation, doctored continually with different physicians, with only temporary relief," says Mrs. Hester Waite, of Antwerp, Ohio. "A friend advised me to try Chamberlain's Stomach and Liver Tablets, which I did, and continued to use them for one year, and they completely cured me, not only of the stomach trouble but also of the constipation."

J. W. GIBSON CHICHESTER'S PILLS. THE DIAMOND BRAND. Constable for Boise City. Remember me on election day.

Talk About Butcher Knives. There is just as much difference in them as there is in women. Some are sharp and some are more like putty (the knives I mean). Now we have all kinds (the knives I mean) from 5 cents each to \$1.00.

The COAL That Gives Universal Satisfaction. Once Tried Always Used. The Coal that will not clack and free from dust. FREE FROM DUST, SLATE, SOOT, ROCK AND CLINKERS. HIAWATHA COAL. THE MONEY SAVER ON YOUR FUEL BILL. TRY A TON.

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