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If the Election Should be Dead-Locked?

We think it fitting at this time to copy the following detailed explanation of the procedure should the election of the President fail to Congress, taken from the Charlotte Daily Observer:

Much has been said and written about the possibility of the forthcoming election being thrown into Congress. Speculation of the possibility continues, and people are apparently becoming more and more interested in the question of what would happen in the event of a deadlock in the electoral college. Even in Charlotte we hear frequent discussion of the question. And while the course to be pursued has been often explained, at least briefly, we have seen nothing on the subject more comprehensive and clear than the treatment of the subject by the Atlanta Journal, which sets forth "a summary of the legal aspects of the problem," which it says has been submitted to eminent authorities on the Constitution and pronounced substantially correct. The Journal's summary in the form of a set of questions and answers, will be read with a great deal of interest by a lot of people who have become interested in the question:

In the first place, what does a dead lock mean?

The Constitution requires that the President must have a majority of the electoral college to be elected. A deadlock is always possible with three candidates in the field. Wilson was a minor

7,500,000 for Roosevelt and Taft. Why wasn't the 1912 election dead locked?

Taft, however made so poor a showing on the basis of states carried (he captured only Utah and Vermont) that in the electoral college he had but eight votes. Roosevelt had 88 votes. Wilson had 430 and in the electoral college was an easy winner.

It is on the basis of states as units then, that the election is decided. Yes, Coolidge and Davis might have a total of 240,000 votes in Nebraska as against 130,000 for LaFollette; but if LaFollette had more votes than either Coolidge or Davis individually then all of Nebraska's eight electoral votes, and not just a proportionate share of them, would go to the third party in the electoral college.

What would deadlock the election now?

There are 531 votes in the electoral college. Of these 531, 194 are votes in the Solid South and bordering States which a Democratic candidate is reasonably sure of carrying. That leaves a remainder of 337.

A majority of the college is 266. Accordingly this is the situation.

If Davis carries the 194 votes of the solid South and the border States then Davis and LaFollette between them need 72 additional votes to block the election of Coolidge.

LaFollette is usually credited, as a minimum, with chances of carrying the five Northwestern States of Wisconsin, Minnesota, Montana and the two Dakotas. That is a block of 39 votes. Thirty three more for either Davis or LaFollette, anywhere outside the Solid South would prevent the election of Coolidge.

Endless combinations can be suggested which provide those 33. New York alone, for example has 45 votes to deliver.

On the other hand, Davis cannot win his own election in the electoral college unless to his 194 he adds 92 more. And if LaFollette is given 39 then to win in the college, Davis must cut the Coolidge total to 226.

You can guess the answer any way you like, but it is clear that with every state LaFollette carries, both of his opponents have an increasingly smaller margin to play with. LaFollette's strength is probably not spread evenly throughout the country as Taft's was in 1912, but massed in separate states. That is why there is talk about a deadlock.

If no candidate in the electoral college, receives a majority, what happens next?

The first step is for the House of Representatives to attempt to choose a President from among the three highest candidates. But first the house does not vote as it ordinarily does, by individuals, but votes by states.

Second, each state counts one vote and only one—New York for instance with its 43 members, counts no more than Wyoming with its one.

Third, it is not the new House that

"BETTER LATE THAN NEVER!"

BY BILLY BORNE



Courtesy of the Asheville Citizen.

does the voting, but the old House, that is, the existing House, even though the election may have changed its membership substantially.

Who wins when the House votes? Once more a majority and not a mere plurality is necessary for the election of a President. How large a fraction of the present House LaFollette could control in such a contest is debatable. But for the sake of illustration, grant him his five states again. There are 48 States in all; 25 are necessary for a majority, each State counts one vote; set LaFollette's five aside and all either Davis or Coolidge has to do to block the other's election in the house is to tally 19 votes. For these 19, with LaFollette's five, would leave the other party only 24, and 24 is one shy of a majority.

Assume this happens. What follows next?

The House has until March 4 to break its deadlock if a deadlock shall arise. The break could come either by LaFollette surrendering enough of his state delegations to Coolidge or to Davis to furnish a majority or by enough Coolidge states going over to Davis, or vice versa, on the theory that a victory for the other side was better than confusion.

Suppose, however that party lines hold fast. What happens in that case?

The question goes to the senate?

Does the Senate choose a president? No, what the Senate does is not to elect a president, but to elect a Vice President from among the two highest candidates. The Twelfth amendment to the Constitution provides:

"A quorum . . . shall consist of two thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice"

What happens if a vice president is elected?

He proceeds to act as President and the incident is closed.

But it is not difficult to believe if the deadlock was carried thus far it might go one stage further.

To be sure the contest is narrowed down by this time; one man is ruled out, and the choice before the Senate is now between the two highest candidates for vice president. But pose these two highest candidates are Dawes and Bryan. There are three Republican votes (LaFollette's, Prazier's and Ladd's) which would almost certainly go to Bryan; there are two farmer-labor votes (Shipstead's and Mangus Johnson's) which would go in the same direction. That would tie the voting 48 to 48. Or, to prevent a majority until party lines broke, these three Republicans, two Farmer-Labor men and perhaps sev-

eral of their more insurgent colleagues, might refrain from voting ei-

ther way. The Constitution requires a majority of the whole membership and not merely a quorum, for an election.

For the sake of illustrating all the possibilities which the situation holds grant that another deadlock blocked the Senate's action. What would follow after that?

It would take a fortune teller to feel certain. For the Twelfth Amendment, which lays down all these complicated rulings, leaves off here and nothing takes its place.

It has been suggested that Mr. Hughes, as Secretary of State would fall heir to the presidency, thanks to the presidential succession act and the provisions of Article II, section 1, of the Constitution. But if that is true, the same statute also requires him to call a special session of Congress, and in this case it might be the duty of the incoming Congress—the statute doesn't specifically affirm or deny it—to elect anew President and Vice President.

It has also been suggested that the Supreme court might be asked to pass on both the interpretation of the Constitution and the constitutionality of the statute. But the question raised, the method of electing a President might be regarded by the Supreme Court as a non-justiciable question over which it would decline jurisdiction.

Other theories suggest all manner of emergency methods, from the appointment of an electoral commission as in the Hayes-Tilden controversy to the theory that the present occupant of the White House simply

Mail Service Now Boone to North Wilkesboro

The new mail service that was put on the 27th between Boone and North Wilkesboro almost completes a perfect system for Boone and other parts of the country.

The mail is scheduled to arrive in Boone at 10:30 a. m. and leave on its return at 12:30 p. m., reaching North Wilkesboro in time to connect with the train carrying mail down state. The Winston-Salem Journal and the Greensboro Daily News now reach here the morning they are published while all letter mail from these and intervening cities reach here the morning after they are mailed. Even New York papers are being read in Boone the day after they are taken from the presses. Friends of the Charlotte Observer are sorry indeed that it gets in late in the afternoon after the two dailies have preceded it here by several hours. If this can be remedied it would please many of our people greatly.

Postmaster Farthing says that all mail going on the Wilkesboro route should be in the office by noon as the 30 minutes will be occupied in making up the mails.

BLOND BESS OPINES

I told Dick he was getting better looking every day and he said that was a habit he had every year shortly before Christmas.

continues to hold office until his successor is elected.

Amendments and Acts to be Voted On

Five proposed acts and amendments to the State Constitution of North Carolina are to be submitted to a vote of the people at the general election next Tuesday. The substance of these is as follows:

1. Ratification of the act known as the Port Bill. It is the Port Commission Bill. It provides for the establishment of ship and water transportation along the coast and the inland waterway of the state; creates a port commission to direct the affairs. It authorizes the state treasurer to issue eight million five hundred thousand dollars of bonds to procure funds for this purpose. Seven million is to be used for the construction of ports and terminals (depots) while the remaining \$1,500,000 will be held in reserve for construction of a merchant ship line, should it be necessary for the success of the project.

2. Second is the proposed amendment to the state constitution relating to the inviolability of the sinking fund, allowing the use of revenue collected from taxes on automobiles and sale of gasoline for retirement of highway bonds.

3. The Patterson bill to increase the pay of the legislators from \$1 to \$10 per day.

4. The proposed amendment which would allow the owner of a mortgaged homestead valued at less than \$8,000 to list only the value of the mortgage for taxation and the mortgage holder listing the other half, changing the present rate of interest of five and one half per cent. on the mortgage to the full legal rate of six per cent.

5. The soldier homestead Act, introduced by representative Frank Grist of Caldwell, passed by the regular session of 1923, provides for the issue of by the treasurer of two million dollars of bonds for the purchase of homes in sums not to exceed \$2,500, to soldiers of the World War residents of North Carolina.

News Items from the Training School

The Training School was indeed glad to have Capt. E. F. Lovill, Chairman of the Board of Trustees of the School, at chapel exercises a few days ago to hear his encouraging voice in a most sensible talk to the students.

Prof. D. D. Dougherty, treasurer and business manager of the school has not been well for some time but the doctor says he is improving and will doubtless be well soon.

The Missionary ladies and young people of the Methodist church had their District Missionary meeting at Valle Crucis on Tuesday of the past week. A number of ladies and young people from Boone attended the meeting and report a most excellent and inspiring program.

Prof. R. M. Loy, who was a teacher in the school during the past summer, principal of Tryon High School in Gaston County, brought his senior class, the young ladies and the young men's basket ball teams, some teachers and other friends on a mountain trip to Boone and the surrounding country on Friday and Saturday. On Friday night both of the teams played the Training School teams in basket ball. The score for the young ladies game was 36 to 7 in favor of the Boone team and that of the young men, which was a very fine game, resulted in a score of 38 to 34 in favor of Boone. The spirit was fine and everything moved along nicely. The school gave a reception in their honor at Lovill home on Saturday night.

A rather peculiar incident occurred at Mrs. J. M. Moretz' kitchen about two weeks ago. All unexpected to Mrs. Moretz and without warning a young colored girl walked up to the door and said she had come to stay a while with her. The girl had never seen Mrs. Moretz but her father had worked for Mrs. Moretz' father for a long time and the girl had heard them talk of Mrs. Moretz as Miss Ida Farthing and became deeply interested, so much so that she decided she would come to see her as soon as she was old enough. So when she was about fifteen she started. She walked from the western part of the county to Cove Creek the first day and the next walked into town and to Mrs. Moretz'. The girl is a bright, rather unique character and seems as happy as a lark in her new home.

friends in an interesting manner with conversation and song while she continues her work. Mrs. Moretz is greatly pleased with her new help.

New Power Plant Goes into Operation

The people of the town are very highly pleased with the new plant of the New River Light and Power Company, which first gave service to the town this morning.

The plant is located on Middle Fork of New River three miles from town and is said by experts to be one of the most modern in Northwestern Carolina. The machinery is all new and improved to the last word. The plant was ready for operation last week, but it was deemed wise by those in charge to have the work inspected by Mr. David Shearer Electrical Engineer who installed the small plant for the school. Mr. Shearer came Saturday night and left Monday, having given the job an official O. K. He was loud in his praise of the work of installation done by R. F. Tate and McKinley Ayers.

After the machinery is thoroughly "broken in" we will have 24 hour service. The current is five

Woodman Chiefs Meet With the Boone Camp

On Friday night October 24 the Boone camp of Modern Woodmen of America met with M. L. Tremain, District Deputy and the following of the District Deputies: F. M. Brown, Greensboro; H. Williams, Kinston; J. G. Smith, Farmville; J. C. Evans, Meery Hill; T. L. Moore, Charlotte, and R. S. Owens who has charge of the work in the local camp.

Dr. Everett A. Lockett, State Medical director of the M. W. A. was chief speaker of the evening. It was his first trip to Boone and he was delighted with the beautiful scenery of the country. Too he was very much pleased with the substantial quality of the membership of the camp here. His address was well received by the Boone members.

Mr. Tremain and his associates together with Mr. R. C. Rivers, local editor and Dr. J. W. Jones, local examiner for the Modern Woodmen, stopped for a group photograph in front of the Daniel Boone monument on Saturday morning, after which Mr. Tremain and the District Deputies returned to Winston-Salem.

On Friday night a class of nine members were initiated into the local camp. The candidates were very much pleased with the high type of the society and expressed themselves as one hundred per cent Modern Woodmen.

The interests of the Modern Woodmen of America are being very energetically looked after in the State by State Deputy Tremain and his corps of District Deputies. They are without exception men of high standing in their own communities and are deeply interested in promoting this fraternal order that as many men as possible in the state may become acquainted with its principles and profit through its benefits.

Recent Proceedings in the Mayor's Court

James Miller, drunk, fined \$5.00 and cost.

James Miller, having liquor in possession. Bond required for appearance at spring term of Superior Court.

Burt Godsey, having liquor in possession. Bond required for appearance at the spring term of Superior Court.

Carl Payne, operating car without license. Fined \$5 and cost. Appealed to Superior Court.

Letcher Teague, operating car without license. Fined \$5 and cost. Appealed to Superior Court.

J. H. Cook, operating car without license. Fined \$5 and cost.

R. L. Honeycutt, Affray. Released on payment of cost.

Zeb Farthing, Affray. Released on payment of the cost.

GEE—YES!
Clerk (driven to desperation by a bargain hunting boy): "Listen, young man why don't you take that top? Do you want to get the world with a fence around it for a nickel?"
Boy: "I dunno! Let's see it."

Probing Political "Slush Funds"



This is the group on the Senatorial Investigating Committee which is probing charges and counter-charges of the rival parties, who aver that huge sums are being raised to back the candidates. Left to right: Thomas W. Paynter, T. H. Caraway, W. E. Borah and Henry Shipstead.