The Observer

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Serving the Notre Dame and Saint Mary's College Community

November 6, 1968

Hinges on Ohio, Ill., Maryland, and Calif.

LOOKS LIKE NIXON

Nixon Margin Slim in Key States

WASHINGTON (UPI) - Richard M. Nixon held a precipitous lead over Vice President Hubert H. Humphrey today in a presidential race so close it could end with neither candidate winning the needed majority of 270 electoral votes. If that should happen, George C. Wallace would be in a strategic position to tip the election to either Nixon or Humphrey when the formal Electoral College balloting takes place Dec. 10. Wallace ran third, picking up about 14 percent of the popular vote and carrying 5 southern states. Nixon's hopes for a clear cut victory hinged on the outcome of still unsettled races in populous California and Illinois which have 66 electoral votes among them.

With 78 percent of the vote tabulated, the count for president at 5:15 a.m. EST: Humphrey 25,426,837 Nixon 24,559,985 Wallace 8,288,111

Nixon had won 13 states with 181 electoral votes and led in 3 states with 48 electoral votes for an indicated total of 229.

Nixon had won 28 states with 221 electoral votes and was in 43 electoral votes for an indicated total of 264. Wallace had won 5 states with 45 electoral votes.

If Nixon squeaks through to victory in one of the closest presidential elections in American history, he will confront a Congress controlled by the opposition party. Democrats retained control of both chambers of Congress, losing part of their comfortable majority in the Senate but holding onto most of their edge in the House.

In the popular vote, Nixon and Humphrey ran almost even throughout the night in the count by the National Election Service. But it was a new low for the electoral votes allotted to the states on a basis of one for each of its members of the House and Senate.

After Nixon had taken an early lead, Humphrey moved ahead by winning such prizes as New York with its largest bloc of electoral votes, 43; Pennsylvania with 29, Michigan with 21, Massachusetts with 14, and then President Johnson's home state of Texas with 25.

Typifying the teeter totter action of the night was Maryland where Humphrey emerged in front by 19,000 votes when the voting machine tabulation was completed. But there were 35,000 absentee ballots which will not be counted until Thursday, continuing the uncertainty over the state's 10 electoral votes until then.

Everyone will be happy to find out, because, as much of the nation went to sleep Tuesday night and early today, a bewildering and apparently endless number of possibilities confronted Americans and voters.

To win.

Would neither Humphrey or Nixon get enough electoral votes to win, throwing the election into the House of Representatives and precipitating a constitutional crisis? Would absentee votes prove the difference? Would everyone have to wait for the California outcome to decide the winner? Would a broken down computer in Dallas make it necessary to wait for a late decision in the close Texas race? And so forth.

For televisioners, it was a spectacular slowdown to a presidential race that once appeared to be a runaway. And it was clear that there was a lot of dreaming about politics by viewers who went to bed not knowing the identity of the next president of the United States — or if there was one.

As the presidential returns on election night dragged on, it became increasingly more plausible that the 1968 presidential election will at least be sent to the House of Representatives, if not decided there. If that happens, a constitutional crisis may be imminent.

A review of the chronological events may clear up the constitutional jungle to some extent. If it appears tomorrow that the electoral college will not decide a winner by giving him the necessary 270 votes, there are several avenues open for the candidates.

The college does not automatically meet until December 16, and there will undoubtedly be some political finagling between now and then. George Wallace, who has caused the deadlock, has said that the election will not go to the House. It is upon him, for whom the least number of ballots were cast, that the presidency will hinge.

Wallace has several alternatives. Although electors are constitutionally free to vote for whomever they wish, he has required every elector pledged to him to sign a document stating that the elector will vote for Wallace, or whomever Wallace chooses, in the electoral college. Wallace can pledge his support to whichever other candidate will adhere to his requirements. However both Nixon and Humphrey have said they will not compromise with Wallace. If no candidate comes around to Wallace's point of view, he may then merely cast his support for one or the other of the other candidates to prevent the almost certain chaos in the House. Nixon would seem to be closest to Wallace at present. In any case, whatever else Wallace is, he is a staunch supporter of the Constitution and may not want to force America into the constitutional crisis of another election.

Although the electoral college will balloting on December 16, the votes will not officially be counted until January 6, at a joint session of Congress. If no decision is reached, the newly elected House will immediately begin balloting for president.

Only twice before, and not for 144 years, has a presidential election been sent to the House. In 1801, Thomas Jefferson and his vice presidential candidate Aaron Burr tallied the same number of electoral votes. They gave the vice presidential election to the House. They passed in 1804, required separate electoral votes for both president and vice president.

Again in 1824, four Democrats knotted the election. Although Andrew Jackson received 42.2% of the popular vote to John Quincy Adams' 31.9%, Henry Clay and William H. Crawford each achieved 13% of the vote to throw the election in the House, where Clay threw his support to Adams who won the election and subsequently appointed Clay Secretary of State.

In 1876, although Samuel Tilden received the popular vote election, a dispute over electoral votes threw the decision to a special congressional-Supreme Court commission which awarded the presidency to Rutherford B. Hayes.

After quite a struggle, the constitutional convention decided that an electoral college deadlock would place the presidential election in the hands of the House. They gave the vice presidential election to the Senate.

In the House each state delegation may cast one ballot, with 26 needed for election, for any of the top three candidates. Democrats now control 29 delegations, the Republicans 18, with three evenly split (neutralizing the vote). However several of the Democratic or Wallace-won states. The slight chance in the House due to yesterday's election is enough to tip the scales in the opposite direction in several states, but whether the House will be able to pick a president is still anyone's guess.

Speaker of the House John McCormack has attempted to insist that Democrats stick to party lines in the event the election goes to the House. The Republicans have not said anything yet, but then they are not split by the Wallace South. It is virtually impossible to predict whether representatives will stick to party lines or vote for the popular victor.

If the House cannot decide by inauguration day, January 20, the election will go to the Senate-eligible vice president, in accordance with the Twentieth Amendment. The Senate will not vote according to state delegations as each senator will vote. The Democrats have not said anything yet, but then the election will probably not change the Democratic edge. And since the Senate considers only the top two candidates, thus eliminating LeMay, Muskie will probably get the nod.

Thus if indeed the election goes to the House, there is the distinct possibility that Muskie will win as president until the House can resolve the election.

More probable is that Wallace will decide the election before the electoral college meets one month from now. Undoubtedly some attempts will be made to correct the system after this election, but meanwhile the presidential candidate who finishes third, a poor third, may decide the next president of the United States. As George Wallace said last night, "This election isn't over yet."

On the Inside

- Brademas over Erwin in the House
- Bayh over Ruckelshaus in the Senate
- GOP Gains Five Governorships
- Three House Seats, Five Senate Seats
- Election Protests Here and in Washington, New York and Chicago
US Postpones Paris Peace Talks
PARIS (UPI) - The United States yesterday announced indefinite postponement of expanded Vietnam negotiations scheduled for today because of Saigon's refusal to sit at the conference table alongside a Viet Cong delegation. But the Viet Cong demanded the talks go on without waiting for Saigon.

U.S. spokesman William Jordahl held out hope the South Vietnamese government would call off its boycott and eventually send a delegation to Paris. He said negotiations were continuing and "as soon as a date has been decided for the next meeting we will announce it."

A North Vietnamese source in Paris said Wednesday's meeting had been cancelled at the request of the United States and Hanoi had agreed "readily" because it did not want to embarrass the United States.

The postponement was ordered after the United States began secret talks with the Hanoi delegation on the expanded talks that were to have included the United States, North Vietnam, South Vietnam and the Viet Cong. A Viet Cong delegation arrived in Paris Monday.

Berlin Students Vow To Stop Kiesinger
BERLIN (UPI) - Radical students handed out Molotov cocktail recipes yesterday and pledged to break up a scheduled speech to Western German Chancellor Kurt Georg Kiesinger.

The militant students fought police all day Monday in a protest over disbarment proceedings against a lawyer who frequently defends demonstrators. Kiesinger is in West Berlin for the convention of his Christian Democratic Party CDU.

In West Berlin, 100 died fighting 400 police Monday night in an attempt to storm the courthouse where the bar association heard disbarment proceedings against Horst Mahler. He was acquitted of charges he took part in an illegal demonstration.

The demonstrators showered police with stones and police said 120 officers were injured. Twenty one demonstrators were injured and 48 arrested. Police used water cannon, tear gas and clubs to break up the demonstration.

Saigon Claims Step Up By VC
SAIGON (UPI) - Allied spokesmen reported yesterday that 129 Communists were killed in 24 hours of scattered fighting in South Vietnam. The Saigon government claimed the Communists have been ordered to step up the pace of fighting during the bombing halt tonight by Hanoi.

Although no major battles were reported, the United States announced it was as good as a "major" battle.

The clash Monday raised the toll of Communists killed to more than 250 Viet Cong and North Vietnamese in continued fighting in South Vietnam since Sunday morning.

U.S. spokesmen said the American battlefield casualties were extensive but they declined to give a rate as of two weeks ago, when 100 Americans were killed for a new low mark for the war.

The South Vietnamese government said a secret Hanoi document confirmed that "Vietnam's president, Thieu fully agreed to battle Israel, in thanks for full emotional support during the battle." The only other Democratic as it went to the polls, the Democrats had 26 Republicans and 19 Democrats.

The American version was that Thieu backed down from his earlier agreement to the U.S. formula, which provided simply that there would be "two sides" present at the expanded talks and that each could be represented by any one delegate.

The United States' position is that Hanoi may call the NLF delegation anything it wants, but American delegates will recognize only one side across the table.

ND Tally
The Notre Dame community voted overwhelmingly for Democratic candidates in the polls in the Fieldhouse yesterday.

The final tally for the campus was: Humphrey: D 336; Nixon: R 120; Wallace: 9. In other races the totals were: Eisenhower: D 364; Ruckelshaus R 89; Governor: Rock: D 330; Whitcomb: R 110; Congress: Brademas D-400; Erwin R 60.

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Bayh Defeats Ruckelshaus
The state of Indiana went Republican in yesterday's election, with a sweep that included 13 presidential, 5 congressional and down-ballot races, which provided simply that there would be "two sides" present at the expanded talks and that each could be represented by any one delegate.

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The Anti-Election Festival was similar to what was planned and discarded for the ROTC Review last spring. At the time of the Presidential Review, several proposals were made for a party to be held on the field in front of the reviewing stand. However, what finally resulted was a sit-in. Yesterday's occurrence had more a party atmosphere than anything else, with loud music and even several babies. In spite of the small counter-effort, most spectators seemed amused more than anything else by what went on, and good music by such groups as Country Joe and the Fish.

John Whips Will Brademas Carries Third District Over Erwin

Incumbent Congressman John Brademas was decisively re-elected last evening, easily lapping his Republican opponent Will Erwin. St. Joseph County went particularly strongly for Brademas, with 192 precincts giving him an edge of 60,475 votes to Erwin's 40,168 votes.

Brademas had a narrow victory relatively early last night, then visited his various campaign headquarters in the South Bend area, proclaiming effective leadership, the numerous split ballots which showed Republican shifts to Brademas, and the role of area students. Over 40,000 phone calls alone have been made since Thursday, urging a vote for Brademas. The Congressman particularly mentioned his appreciation and concern for his youth support.

Protest Demonstrations Erupt Across Country

(b y United Press International), New York (UPI) yesterday, some 400 anti-war, hippie-type youths marched peacefully Sunday to the North Side Lincoln Park to the downtown Chicago Hilton hotel, a key base of election procedures, candidates, police and Chicago's Mayor Richard J. Daley.

The youths began their march as early election returns came in. Their vital at the Hilton brought them to the scene of violent contest in the nation took place on the campus radical Lenny Bradley, an anti-Communist youth group, occupied an office of the radical students. For Brademas, and the role of area students. Over 40,000 phone calls alone have been made since Thursday, urging a vote for Brademas. The Congressman particularly mentioned his appreciation and concern for his youth support.

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Southern Cal Still No. 1, Irish 12th

NEW YORK (UPI) — Southern California has learned the dangers of overconfidence.

The Trojans needed a three-yard pass from Steve Sogge to Bob Klein with 1:13 left Saturday to beat a 5-0 Oregon team 20-15. They still managed to hold their No. 1 ranking today, receiving 20 first place votes and 316 points from the 35-member United Press International Board of Coaches, but not without losing valuable ground to Ohio State, second with 287 points, and Kansas, third and only two points further back.

Notre Dame-Pitt Game Taken Off Odds Board

NEW YORK (UPI) — O.J. Simpson is expected to break loose against California Saturday and the oddsmakers back their belief by making top ranked Southern California a seven-point favorite over the Bears.

Simpson was held to 67 yards rushing by Oregon last weekend as the Trojan backfield star stumbled momentarily in his race for Heisman Trophy. Honors, USC has a slate of six consecutive victories this season to five wins, a tie and a defeat for conference rival California. Second-ranked Ohio State figures to extend Wisconsin’s winless skein to 18 games as the Buckeyes, 6-0, take the field 20-point favorites.

No. 3 Kansas is rated seven points better than Oklahoma, fourth-ranked Penn State is 6 over Miami and fifth-ranked Tennessee is over Auburn. Rounding out the top 10 rated teams, Purdue is 13 over Minnesota, Michigan 21 over Illinois, Missouri 22 over Iowa and Kansas, third and only two points further back.

Ohio State, a 25-20 victor over Michigan State, received seven first-place votes while six coaches named Kansas No. 1. Fourth ranked Penn State and No. 5 Tennessee each received one first-place vote.

Purdue retained its No. 6 ranking, but the rest of the top ten underwent reshuffling. Michigan moved up to seventh from its 10th ranking last week while Missouri advanced to eighth. Texas, still coming strong after a shaky beginning, made its debut in the top 10 this season, capturing ninth place, while Georgia fell to 10th.

California, eight last week, dropped to 14th, followed by Arkansas and unbeaten Yale, making its first appearance of the year in the ratings.

Miami Fl. took 17th while five teams — Alabama, Michigan State, Texas Tech, Ohio University and Nebraska — finished in a tie for 18th, each with one point.

Southern California was extremely sluggish in beating Oregon, regarded as the Trojans’ last “soft touch” before closing with California, Ohio State, UCLA and Notre Dame. Ohio State cleared a major hurdle toward the Big Ten championship by downing Michigan State while Kansas took another step toward the Big Eight crown by beating Colorado 27-14.

AP

1. So. Cal. (19) 6-0 816
2. Ohio St. (14) 6-0 803
3. Kansas (10) 7-0 658
4. Penn State (1) 6-0 588
5. Tennessee (5) 5-0-1 541
6. Purdue 6-2 415
7. Michigan 6-1 371
8. Missouri 6-1 284
9. Georgia 5-2 277½
10. Texas 5-1-1 263
11. California 5-1-1 192
12. Notre Dame 5-2 183
13. Houston 5-2 183
14. Arkansas 5-1 124
15. Oregon State 5-2 118½
16. Ohio U. 7-0 114½
17. Michigan St. 4-3 78½
18. Auburn 5-2 53½
19. Wyoming 6-2 47½
20. Louisiana St. 5-2 18

MFO}

Sergio Mendes & Brasil '66

Saturday Nov. 9
8:00 P.M.
Convocation Center
$3.50 - $4.50
All seats reserved