

Wheat v Cummings } Contested Election

Statute provides for contests in the County officers - and that Justices shall decide and render judgment for costs - and County Clerk shall issue a certificate of Election

Subject to appeal to Circuit Court.

Rev stat pp 472 to 473. Sect 42 to 50

In cases which Justices do not decide they shall transmit the testimony to General Assembly &c.

Rev stat p 473 sect 47. 50.

Mandamus is not the proper remedy to try the title to the office

People ex rel Brewster v Tilduff 15 Ills R 501

Tappingan Mandamus 26.7.

165-6-173-4

People ex rel Alvin Stue v Matteson et al 17 Ills 168

The intention of the voter is to be ascertained and is to govern

17 Ills 169.

Term of office of Clerk Circuit
Court Rev Stat p 68 Sec 29. Article 5
Const

Clerk Circuit Court Recorder & Officer
Rev Stat p 309 Sec 12-
p 304 Sec 1 act 1945 p 311 Sec 1

Demand of office Rev Stat p 631. Sec 38

See power Circuit Court same section

Scales for Sept

Mr J. Head

John B Cummings

Brief

Scates for Dept.