

# GOLDBERG GIVEN SUPERVISOR JOB BY COURT RULE

## Judge Perrin Throws Out Two Ballots Counted for Dorf by Board.

Reversing the decisions of the election board of the Fourth ward and the city commission as the canvassing board, Judge Solon L. Perrin of Superior court decided that Jakob Sellg Goldberg is the duly elected supervisor of the Fourth ward, Superior, over his opponent Isadore Dorf, the present incumbent.

The findings of Judge Perrin were as follows:

"That exhibit 'A' which was counted by the election board for the defendant Dorf, contains two lead pencil marks constituting the cross above the center of space provided for, opposite and to the right of the name of Dorf.

"It also bears another pencil cross at the intersection of the lines which is substantially upon the line dividing the names of the parties to this procedure, about one-half of this last mentioned is in the space allotted for the purpose of voting for Dorf and one-half in the space for Goldberg.

"That there is apparent at, about and partly surrounding the last named cross, some evidence of an erasure, but I find that the cross now under consideration was made after the erasure and not before.

"I find it impossible upon inspection of the ballot, that the intent of the voter can be ascertained therefrom and that the said ballot is not entitled to be counted for either of the candidates and is therefore thrown out.

"I find that exhibit 'B' contains on its face no mark with the exception of a cross in the space occupied by the word 'supervisor' and the words 'vote for one.' That there is no mark on either of the squares opposite the names of the parties thereof. That the mark is nearer the name of Dorf, than it is that of Goldberg, but that it is separate from Dorf's name by a blank line across the ballot, and I find that the intent of the voter of this ballot cannot be ascertained therefrom and that such ballot should not be counted for either of the candidates, and is therefore thrown out."

In the conclusion of the findings of Judge Perrin he states that Goldberg is the duly elected supervisor from the Fourth ward by a majority of two votes over Dorf. The count as it now stands is Goldberg 153 and Dorf 151.

"I knew that if I carried the fight far enough I would win out in the election," said Goldberg last night. "While a member of the county board of supervisors I will work for the interests of the people of the Fourth ward and for the entire county. Economy in measures to be passed on, by the board will be my 'motto.'"