STATE’S
EXHIBIT NO. 13
CHICAGO, Dec. 13 The continuing battle for the governorship of Illinois seems more heated than it was before the election. Former Senator Adlai E. Stevenson 3d, a Democrat, formally filed last week for a recount of the election, which he lost to Gov. James R. Thompson by 5,074 votes. Today, the court set a hearing next Tuesday for the two sides to argue the suit.

The Governor has filed a countersuit, saying that the recount, which could cost taxpayers $4 million and each candidate $2 million, was an "unnecessary waste of public resources."

Mr. Stevenson has also accused the United States Attorney here, Dan K. Webb, of playing politics in his investigation of charges of vote fraud. Mr. Webb had said he wanted to "see how many dead people voted in Chicago." Mr. Stevenson won 73 percent of the Chicago vote.

In asking Attorney General William French Smith to appoint a special prosecutor to replace Mr. Webb, a Republican, Mr. Stevenson said that "would give the public confidence in the impartiality of the investigations."

Mr. Webb said he is investigating "numerous and serious allegations of absentee ballot fraud, ghost voting, and cases where the ballots have been tampered with." Agents of the Federal Bureau of Investigation have obtained voting records from more than a dozen Chicago precincts where charges of fraud were made.

Local politics are also part of the recount process. In Cook County, the prosecutor is States Attorney Richard M. Daley, son of the late Mayor Richard J. Daley, who controlled a Democratic machine riddled with vote fraud convictions. The younger Mr. Daley will join the investigation of fraud under the administration of Mayor Jane M. Byrne, whom he faces in a February primary for the mayoral nomination.

Democrats Say Fraud Is Statewide

Although no one outside Chicago has admitted to illegal election activities, the Democrats assert that fraud is not confined to the city. In heavily Republican Lake County, they point out, more than 1,000 ballot tops were destroyed on election night. If that group of votes were disqualified as a result of the recount,
Democrats say that Mr. Thompson would lose a large number of votes in the suburban county.

Republicans said last week that the very person who ordered the ballot tops thrown away was the county clerk, Grace Mary Stern, Mr. Stevenson's running mate.

If Governor Thompson's petition to dismiss the recount is denied, the Illinois Supreme Court will appoint a panel to decide whether a recount is in order. For the past three weeks, a "discovery recount" has been in progress. Mr. Stevenson asked for such a partial recount of 58 downstate and suburban counties in the hope of finding enough evidence of error to convince the panel to call for a full recount.

Governor Thompson, for his part, has had 348 Chicago precincts examined, hoping to turn up enough error or fraud to offset irregularities in downstate counties.

Possible Increase in Votes

Mr. Stevenson said his discovery recount found 3,814 ballots cast for Governor Thompson that carried no initials of election judges, and 1,089 cast for himself. If the votes were thrown out, Mr. Stevenson would gain 2,725 votes.

Mr. Stevenson also said he has discovered thousands of ballots with distinguishing marks that could later identify a voter, such as pen marks, crumpled portions or even paper fiber threads. However, Governor Thompson has contended that such distinguishing marks on ballots are illegal only if the voter, rather than a precinct worker, made the mark, or if it was happenstance. "If the ballots are recounted, we'll find that the number of living, breathing humans who voted was greater for Thompson," said one of the Governor's aides.

Mr. Webb has called for a grand jury investigation of election night activities in some Chicago precincts. Darryl Cunningham, a precinct worker on Chicago's North Side, admitted that he had voted the straight Democratic ticket on several absentee ballots in exchange for a job that never materialized.

Other allegations have pointed to fraud in connection with absentee ballots, ballots cast by unregistered voters and votes cast by dead people. "We are checking lists of people who died in Chicago in the past year and comparing them to voter lists," said Bernard Carey, a county commissioner and former prosecutor.

Michael E. Lavelle, the chairman of the Chicago Board of Election Commissioners, defended his office, saying the "black eye" it received in connection with the November election was unwarranted. He said the city's computerized counting of ballots is still "in the refinement process." He defended as legal the practice of bringing votes into election headquarters in car trunks.

He said one judge "just got tired and went home." Instead of bringing the ballots and voter registration materials to the board of elections office after the polls closed, she brought the wrong materials. "We told her to go back to the precinct and get them, but she just went home with the materials," he said. "We found them locked up the next morning in the precinct headquarters."

He listed the precautions taken to ensure honesty, including observers from the Chicago police, the staffs of the United States Attorney and the county prosecutor and a volunteer group. "About the only thing we didn't have was the National Guard," he said.

There have been no vote fraud convictions in Chicago since 1976. The greatest
number, 80 Federal and 50 county convictions, followed the 1971 election of Mayor Daley, according to Mr. Carey.

If a full statewide recount is ordered, it will be the first in Illinois history. It could take months and possibly force another election.

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