FULL TEXT OF PROPOSED MILLS PRIMARY LAW OFFERED READERS

PARTIES HOLD CONVENTIONS

Successful Candidate Must Receive 40 Per Cent Of Votes To Be Legal

A. L. Mills, well known Portland citizen has the following bill ready to present to the legislature tomorrow:

A Bill for an act to amend Sections 3965, 3987, 3988 Oregon Laws, and to further insure a representative government in the state of Oregon, to require a specified percentage of votes cast at primary nominating elections in order to nominate candidates for offices, to authorize and regulate the holding of conventions by political parties, to privide for a restricted delegation of authority by political parties and to repeal acts and parts of acts in conflict with the provisions hereof:

Be It Enacted by the People of The State of Oregon

Section 1. That Section 3925 Oregon Laws be and the same is hereby amended so as to read as follows:

"A political party within the meaning of this act is an affiliation of electors representing a political party or organization, which at the last preceding general election polled for its candidates for representatives in Congress (Presidential Electors) at least twenty per cent of the entire vote cast for that office in the state. Every such political party shall nominate all its candidates for public office, under the provisions of this law and not in any other manner, and it shall not be allowed to nominate any candidate in the manner provided by Section 3920. Every political party and its regularly nominated candidates, members, and officers shall have the sole and exclusive right to the use of the party name and the whole thereof, and no candidate for office shall be permitted to use any word of the name of any political party or organization than that by which he is nominated. No independent or non-partisan candidate shall be permitted to use any word of the name of any existing political party or organization in his candidacy, nor shall he be permitted to use any other name than 'Independent' or 'Non-partisan.' The names of candidates for public office nominated under the provisions of this law shall be printed on the official ballots for the ensuing election as the only candidates of the respective parties for such public office in like manner as the names of candidates nominated by other methods are required to be printed on such official ballots, and the provisions of Sections 3934 and 3935 shall apply to and are hereby made applicable for nominations for public office made under this law, so far as the same are not in conflict with the provisions of this law."

Section 2. That Section 3987 Oregon Laws be and the same is hereby amended so as to read as follows:

"On the third day after the close of any primary nominating election or sooner if all the returns be received, the county clerk, taking to his assistance two justices of the peace of the county of different political parties, if practicable, shall proceed to open said returns and make abstracts of the votes. Such abstracts of votes for nominations for governor and for senator in congress shall be on one separate sheet for each political party and shall be immediately transmitted to the secretary of state in like manner as other election returns are transmitted to him. Abstracts of votes for nominations of each political party for offices to be voted for in the state at large and in districts composed of one or more counties, shall be on a sheet or sheets separately for each political party, and shall be forthwith transmitted to the secretary of state as required by section 3988. The abstracts of votes for county and precinct offices shall be on another sheet or sheets separately for each political party; and it shall be the duty of said clerk immediately to certify the nomination for each party and enter upon his register of nominations the name of each of the persons having the highest number of votes for nomination as candidates for county and precinct offices, respectively, and to notify by mail each person who is so nominated or elected, provided no person, except delegates to the county convention and members of the county central committee, shall be so notified unless shall have received forty per cent or more of the votes cast at said election at which he was a candidate; provided, that no candidate for a nomination who fails to receive the highest number of votes for the nomination of the political party with which he was affiliated at the time of filing his petition for nomination, shall be entitled to be the candidate of any other political party, or to become an independent candidate at the ensuing election, and in either case the county clerk shall not certify the name of such candidate; provided, further, that when a tie shall exist between two or more persons for the same nomination by reason of said two or more persons having received forty per cent or more of the votes at said election and an equal and the highest number of votes for nomination by one party to one and the same office, the clerk whose duty it is to compare the polls shall give notice to the several persons so having received forty per cent or more of the total votes cast at said election and the highest and equal number of votes to attend at the office of the county clerk, at a time to be appointed by said clerk, who shall then and there proceed publicly to decide by lot which of the persons so having an equal number of votes shall be declared nominated by his party; and said clerk shall forthwith enter upon his register of nominations the name of the person thus duly nominated in like manner as though he had received the highest number of votes of his party for that nomination. And it shall be the duty of the county clerk of every county, on the receipt of the returns of any general, primary nominating election, to make out his certificate stating therein the compensation to which the judges and clerks of election may be entitled for their services and lay the same before the county court at its next term, and the said court shall order the compensation aforesaid to be paid out of the county treasury. In all primary nominating elections in this state, under the provisions of this law, the person having received forty per cent or more of the votes cast at said election and the highest number of votes for nomination to any office shall be deemed to have been nominated by his political party for that office. If no person shall receive forty per cent or more of the votes cast at said election, the nominee of that political party for said office shall be determined in convention. The person receiving the highest number of votes in his precinct for central committeeman, although less than forty per cent of the vote cast at such election, shall be elected committeeman. Up to and including the number of delegates to the county convention for any political party to which each precinct is entitled the candidates for delegate from said precinct to such convention of such party receiving the highest number of votes shall be elected regardless of whether or not they have received forty per cent of the votes cast at such election."

Section 3. That Section 3988 Oregon Law be and the same is hereby amended so as to read as follows:

"The county clerk, immediately after making the abstracts of votes given in his county, shall make a copy of each of said abstracts and transmit it by mail to the secretary of state at the seat of government; and it shall be the duty of the secretary of state, in the presence of the governor and the state treasurer, to proceed within thirty days after the primary nominating election, and sooner if all returns be received, to canvass the votes given for nomination for all officers to be voted for by the people of the state or of any district embracing one or more counties; and the governor shall grant a certificate of nomination to the person having received forty per cent or more of the votes cast at said election and the highest number of votes for each office and shall issue a proclamation declaring the nomination of each person by his party; provided, that no candidate for a nomination, except delegates to the national convention of a political party, who fails to receive forty per cent or more of the votes cast at said election at which he was a candidate and the highest number of votes for the nomination of the political party with which he was affiliated at the time of filing his petition for nomination, shall be entitled to be the candidate of any other political party or to become an independent candidate at the ensuing election, and in either case, the governor shall not include in his proclamation any such candidate. In case there shall be no choice for nomination for any office by reason of any two or more persons having received forty per cent or more of the votes cast at said election in which he was a candidate and an equal and the highest number of votes of his party for nomination for either of said offices, the secretary of state shall immediately give notice to the several persons so having received forty per cent or more of the votes cast at said election at which he was a candidate and the highest and equal number of votes to attend at the office, either in person or by attorney, of the secretary of state, at a time to be appointed by said secretary, who shall then and there proceed to publicly decide by lot which of the persons so having an equal number of votes shall be declared duly nominated by his party; and the governor shall issue his proclamation declaring the nomination of such person or persons as above provided. If no person shall receive forty per cent or more of the votes cast at the election the nominee of that political party for said office shall be determined in convention; provided, the persons (up to the number of delegates to be elected) receiving the highest number of votes for delegates to the national convention of a political party shall receive certificates of election."

Convention Authorized

Section 4. A convention by each political party as defined in Section 3965 Oregon Laws shall be held at the county seat of each county commencing at 10 o'clock in the forenoon of the second Tuesday in July of each year in which a general election is held in the State of Oregon.

A state convention of each of said political parties shall be held at the capital of the State of Oregon on the second Friday following the second Tuesday in July of each year in which a general election is held in the State of Oregon.

Section 5. **Delegates, Qualifications of.** Each county convention shall consist of one delegate from each precinct and one additional delegate from each precinct for each one hundred registered electors of said precinct or a major fraction thereof.

No person shall be eligible to election as a delegate or to act as a proxy for a delegate to any convention authorized by this act who is not a qualified elector of the precinct from which he is chosen or for which he acts as a proxy and a registered member of the political party whose convention he undertakes to attend, nor who has not been a resident of the State of Oregon for two years immediately preceding his election, nor who has not been a registered voter elector of the political party electing him or in whose convention he proposed to act as a proxy for two years immediately preceding said convention, providing that the last requirement shall not apply to persons not of voting age during the full period of such preceding two years. Any duly elected delegate to any convention authorized by this act may in writing appoint a proxy who shall have the same qualifications and authority as a delegate.

Delegates to the state and district conventions shall be resident registered electors of the county they undertake to represent and possessing the other qualifications required for delegate to a county convention.

Section 6. **Election of Delegates—Petition.** At each primary election hereafter held for the purpose of making party nominations for state and county offices, the delegates to county conventions provided in this section shall be elected in each precinct of the county, in accordance with the provisions of Section 3959 Oregon Laws, and the sections of Oregon Laws therein enumerated, except as such provisions may be modified herein or be in conflict herewith. Any person qualified for delegate to a county convention under the provisions of this act shall have his name printed on the official nominating ballot of his party as a candidate for delegate from his precinct to the county convention, if there shall be filed in his behalf with the county clerk of his county, at least twenty-five days before the next succeeding primary election a petition signed by ten registered voters of the precinct in which the applicant resides requesting the county clerk to place such name upon the ballot, and substantially in the following form:

"To...., County Clerk of....Co.:

"I,....., resident at....., and my postoffice address is..... I am a duly registered member of the..... Party, and have been a resident of the State of Oregon for.... years immediately preceding the filing of this petition, and have been a registered member of the.... Party for.... years immediately preceding the filing of this petition. (Or am.... years of age and have been a registered member of.... Party for years.) If I am elected delegate to the county convention of .....Party. I will accept the office and qualify as such officer.

.....
Signature of Elector Seeking Election."

"To.....County Clerk of ..... County, and to the Member of the ..... party:

"We, the undersigned registered members of the.... party, and qualified electors and residents of..... precinct in the county of....., state of Oregon, respectfully request that you will cause to be printed on the official nominating ballot for the.... party at the primary nominating election, to be held in said precinct the....day of.....19.., the name of..... as a candidate for the office of delegate to the county convention of..... party."

Name	P. O. Add.	St.	Prec.

Such petition shall be verified in substantially the following form by one or more of the signers of the said petition:

State of Oregon County of....)ss

I, ..., being first duly sworn, say: I am personally acquainted with all the persons who have signed this sheet of the foregoing petition and I personally know that their signatures thereon are genuine, and I believe their post-office address and residence are correctly stated and that they are qualified electors and registered members of the ..... party.

.....
(Signature of Affiant)

Subscribed and sworn to before me this.... day of....., 19...

.....
(Signature and Title of officer before whom oath is made.)

Section 7. **County Clerk to Furnish Certificate of Vacancies.** Prior to the convening of each county convention, the county clerk of each county shall prepare a certificate under his hand and official seal, in which he shall set forth a list of all offices to be filled at the next ensuing general election for which no nomination was made at the preceding primary nominating election, together with a list of offices for which vacancies have occurred by reason of death, withdrawal or removal from the county. Said county clerk shall deliver a copy of said certificate to the presiding officer of each convention of a political party held in his county under the provisions of this law.

Each such county convention shall be authorized to nominate a candidate for its party for each office included in said certificate, or for any office as to which a vacancy has occurred by reason of death, withdrawal or removal from the county after the date of said county clerk's certificate.

Section 8. **Place of Convention.** The county clerk shall designate the place of holding each convention and provide at the expense of the county a suitable place therefor, and shall also furnish at the expense of the county, stationery and other supplies and clerical assistance.

Section 9. **Clerk of Convention.** Each county clerk shall designate a person who shall act as clerk of each county convention held

(Continued on page 6)

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Physicians warn against neglecting coughs and colds and tell of the serious lung complications that may result. Leading physicians now prescribe BALSAMEA for all bronchial affections. BALSAMEA is a pure vegetable preparation made from a newly discovered plant. Dr. Benj. F. Crabtree, Anderson, Mo., writes: "I use it exclusively for my practice and my family. .. It is quick, sure and safe in its action like nothing else."

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BAL-SA-ME-A

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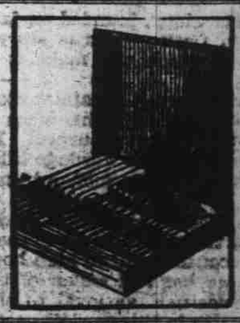

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