

GOP Warned Against Delegation Sell-Out.

By CHARLES E. CHAPEL
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In the past, both the Repub-
licans and Democrats have
sent instructed delegations to
the national conventions which
nominated candidates for
President of the United States.
This statement is generally
correct, although some delega-
tions went to a convention with
some of the delegates pledged
to support one candidate and
others to other candidates.
An instructed delegation is
normally one pledged to vote
at all roll calls according to the

orders of the man who has the
pledges.
FREQUENTLY, this is a
"favorite son," a good example
being Earl Warren when he
was Governor of California
and took a delegation to Chi-
cago pledged to support him as
an ostensible Republican candi-
date for President.
Nobody can prove that he
sold his delegates down the
river for an appointment to
the Supreme Court. Likewise,
nobody can disprove it. I
merely use Warren as an ex-

ample of the danger of a dele-
gation pledged to one particu-
lar man whether or not he is a
bona fide candidate for the
Presidency.
PLEASE ASK any lawyer
you know to let you look at
Volume 29, West's Annotated
California Codes, Election
Code, Sections 1 to 11499,
Copyright October, 1961, and
look at page 328, which reads
as follows:
"6050. Joinder of three or
more voters as committee in

proposing nomination of candi-
dates for delegates.
"Any three or more voters
of the State who are registered
as intending to affiliate with
the same political party may
join as a committee in propos-
ing the nomination of a group
of candidates for delegates.
The committee may elect its
officers, select the candidates
for delegates, select the chair-
man of the committee, arrange
for the appointment of veri-
fication deputies, secure the en-
dorsement of the person, if
any, preferred by the commit-

tee as candidate for presiden-
tial nominee, appoint alter-
nates, assemble and file all
necessary papers, and take all
other action which may be
necessary for the organization
and election of the group. The
committee in performing its
functions may act through its
officers or designated repre-
sentatives. (Stats. 1961, c. 23, p.
—, No. 6050, as amended Stats.
1961, c. 542, p.—, No. 15.)"
ALSO PLEASE refer to Vol-
ume 1, Statutes of California,
1960-1961, printed by the State

Printing Office, pages 1652
and 1653, Sections 10, 11, and
12, which state:
"Arrangement of ballot.
Section 10. Section 3871 of
said code is amended to read:
3871. The names of the candi-
dates for delegate of any polit-
ical party shall not appear
upon the ballot. In lieu there-
of, the names of the persons
preferred for President by
each group of candidates, or
the name of the chairman of a
group that has designated no
preference, shall be arranged
upon the ballot of the party in

a column 2 1/2 inches wide. The
person preferred by that group
of candidates, or the chairman
of a group expressing no pref-
erence, which first files its
nomination paper with the
Secretary of State shall be en-
titled to the first or top space;
the person preferred by the
group which next files its nom-
ination paper shall be entitled
to the second space; and simi-
larly for all other persons or
chairmen preferred by other
groups.
"Voting square. Sec. 11. Sec-
tion 3873 of said code is

amended to read: 3873. At the
right of the name of the per-
son preferred for President by
each group or the name of the
chairman of each group ex-
pressing no preference, there
shall be a voting square three-
eighths of an inch square.
"Heading and instructions.
Sec. 12. Section 3878 of said
code is amended to read: 3878.
At the top of the ballot shall
be printed 'Official presiden-
tial primary election ballot,'
and the instructions to voters
shall be as follows: 'To vote for
the group of candidates prefer-
ring a person whose name ap-
pears on the ballot, stamp a
cross (+) in the square opposite
the name of the person prefer-
red. To vote for a group of
candidates not expressing a
preference for a particular
candidate, stamp a cross (+) in
the square opposite the name
of the chairman of the group.'"
IN THE ABOVE discussion
of the arrangement of the bal-
lot, the important words are:
"... or the name of the chair-
man of a group that has design-
ated no preference..."
This is the portion of the
California State law which is
most important in permitting
the formation of an uninstructed
delegation to the Republi-
can National Convention of
1964 to nominate a Republican
candidate for President of the
United States, and not nomi-
nate a poor carbon-copy of a
Democrat.



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Law in Action

When our liberties are protected in our courts, it is often in cases which appear unsavory, unworthy, or even trivial. The direct attacks on our rights as in the Peter Zenger case for freedom of the press seem to have given way to indirect attacks.

Thus today's comic books aren't so very funny. Some of them are sadistic. Many have aroused opposition to their sale—to children especially.

And so some years ago one California county made it unlawful to recount certain crimes or to sell "crime" comic books to youngsters under 18. The law expressly exempted newspapers, or books telling of historical or religious stories.

The California Supreme Court found that this ordinance (1) violated freedom of press, (2) was too broad and arbitrary, and (3) denied comic book sellers equal protection of the law.

The trouble with such laws, among other things, comes in their drafting. This law, for example, could have stopped a book showing Bugs Bunny snatching carrots, or Donald Duck laying a trap for his pursuers. It is just hard to write a law in general terms that marks off biblical murder from a private eye story.

The First Amendment of the U. S. Constitution covers comic books as well as movies, newspapers, magazines, and pamphlets. Unless real dangers are clearly present, the speech of writing in any media are entitled to full freedom, barring libel or an invasion of privacy.

But the law, as the court sees it, must be limited by its terms to such dangerous publications. The case before the Supreme Court was not dangerous. But even if some comics were clearly and presently dangerous, the law was otherwise so broad that it covered all sorts of publications.

Besides it's too much to make a bookseller read all his books and judge whether they depict crime. A law which prohibits comics from giving an "account of a crime," is too vague. The bookseller could not well know if he broke the law. Such laws are unconstitutional.
Note: California lawyers offer this column so you may know about our laws.
Airman basic John L. McConnell, son of Mr. and Mrs. John L. McConnell, 2222 1/2 Plant Ave., Redondo Beach, is being reassigned to Greenville AFB, Miss., for technical training as a United States Air Force fire protection specialist. Airman McConnell, who completed the first phase of his military training at Lackland AFB, Tex., was selected for the specialized course on the basis of his interests and aptitudes. He is a 1960 graduate of Aviation High School.