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Comment on Bennett's statement concerning election law

Strom Thurmond

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STATEMENT BY STROM THURMOND IN RESPONSE TO REQUESTS BY NEWSMEN FOR
COMMENT ON MR. BENNETT'S STATEMENT CONCERNING THE ELECTION LAW
September 23, 1954

The South Carolina election law contains ample provisions under which the Democratic Executive Committee could have ordered a primary on September 3rd. A primary could still be held if the committee nominee for the Senate would agree.

That law also contains a provision, Section 23-315, under which the nominee of the 31 members of the Executive Committee could now give the people the privilege of voting in a primary if he and the committee chose to follow democratic processes.

That section reads as follows:

"If any candidate dies, withdraws or otherwise becomes disqualified after his name has been printed on the ballot and if any person is nominated as authorized by law, to fill such vacancy, the name of the candidate so nominated to fill such vacancy need not be printed on the ballots, but the name of such candidate shall be certified by the party executive committee making the nomination to the officer, commissioners or other authority charged with the duty of printing such ballots and a vote cast by a voter for the name of the candidate printed on the ballot who has either died, withdrawn or otherwise become disqualified shall be counted as a vote for the candidate subsequently nominated to fill such vacancy whose name is on file with such officer, commissioners or other authority."

Under the section of the law cited above, the nominee of the Executive Committee could permit a primary election by the simple act of withdrawing as the committee nominee. The ballots already printed could be used in the General Election and the votes cast for the name printed on the ballots would be counted for the winner of the primary.

No complaint was heard from the nominee of the committee about the provisions of the Election Law when he voted for it in the Senate on

April 11, 1950, as it was passed ^{on} third reading.

Not only did Senator Brown vote for the bill, but five of his colleagues on the present Executive Committee who voted against holding a primary also voted for the bill. They are: Senator Baskin of Lee County, Senator Dennis of Berkeley, Senator Gressette of Calhoun, Senator Parler of Dorchester and Senator Paul Wallace of Malboro.

Certainly none of these men would have voted for the election law if it deprived the people of their right to vote in a primary.

The senate passed the law by a vote of 29 to 9, an indication of its confidence in the law, as shown by the 1950 Senate Journal on page 692.