

[c. Sept. 1954]

The candidate of the State Executive Committee has challenged me to bring a law suit in the Supreme Court to declare illegal the action of the State Committee in naming one of its members as the party candidate. The proposal is ridiculous.

I know of no thoughtful person who has said that the action of the Committee was illegal. What I have said and what the people of South Carolina have said and will continue to say is that the action of the Committee was an abuse of discretion; that it was indefensible and inexcusable.

The statute, Section 23-266, states that where a party nominee dies and sufficient time does not remain to hold a Convention or Primary to fill the vacancy, the Committee may nominate a nominee. The authority to use its discretion was abused by the Committee. Some of its members began a campaign to name a member of the Committee even before the body of the lamented Senator Maybank had been lowered to his resting place.

At the meeting of the Committee a member offered a motion that sufficient time did not remain to "hold a primary" and the Committee should proceed to nominate a candidate. That motion was carried.

That was September 3. The General Election is November 2. Every sane man and woman knows there was sufficient time to hold a primary.

But the law did not only say "Primary." It said the Committee would have to decide there was not sufficient time to hold a Convention. In Section 23-262 the law provides "the State Chairman may recall the State Convention into special session at any time he deems wise." The State Chairman is the campaign manager for the Committee candidate. He did not have to consult anyone. He knew that members of the Convention would come from the same counties as the members of the State Committee. He could have called the State Convention for Friday afternoon instead of calling the State Committee. I favored a Primary. Calling a Convention would not be as democratic as calling a Primary election, but it would have been far better than having a Senator selected to serve six years by a small group of committeemen.

The Committee candidate has refused to withdraw his name and become a candidate in a Primary. He has refused to appear before the people in joint debate. He has forced the Democrats of South Carolina to bring suit against him, not in the Supreme Court but in the High Court of public opinion. That Court of the people will hand down its decision on November 2. My prediction is that no group of men will ever again attempt to deny the people of South Carolina the right to vote.

Mr. Mitchell of Chicago, the Chairman of the National Democratic Party, said a few weeks ago he would help the Committee candidate by sending into the State speakers, money, and in every other way. Yesterday this Chicago lawyer announced in Washington that the Committee candidate would win this election because in order to vote for me a person would have to write my name on the ballot, while the people could vote for the Committee candidate by simply making a mark.

Evidently this friend and supporter of the Committee Candidate thinks that the people of South Carolina cannot write. He does not know how illiteracy has been reduced in our State. With relatively few exceptions our people can write their own names, and they can and will write the name of Strom Thurmond. They will let this Chicago Lawyer know that South Carolinians resent his interference in the politics of this State. Neither the speakers nor his money can induce our people to surrender their right to elect their Senators in a Democratic Primary election.