

RULES OF THE DEMOCRATIC PARTY OF THE CITY AND COUNTY OF PHILADELPHIA

The name shall be “THE PHILADELPHIA COUNTY DEMOCRATIC EXECUTIVE COMMITTEE.”

DEFINITIONS

CHAIRMAN-Where the word “chairman” is used to designate the head of a committee, it shall mean either a male or female.

WARD COMMITTEE-Where the phrase “ward Committee” is used, it shall mean the Ward Democratic Executive Committee.

COUNTY COMMITTEE-Where the phrase “County Committee: is used, it shall mean the Philadelphia County Democratic Executive Committee.

DATES-Where under these rules a date has been set for the holding of any meeting and that date falls on a Sunday or holiday, the meeting shall be held on the next succeeding day which is not a Sunday or holiday. Provided, however, that the same is not contrary to the Election Code of 1937 or the supplements and amendments thereto.

ELECTORS-An elector shall be one who is duly registered in the City and County or Philadelphia as a member of the Democratic Party.

MEMBERSHIP-The membership of a committee shall be understood to mean all of those members of the committee whose names are enrolled as members of the committee, at the time the matter in question shall have arisen, and against whom no action for expulsion or suspension is pending and undetermined.

QUORUM-A quorum shall be made up of one-third of those enrolled as qualified members of the organization or committee. The members present at a duly organized meeting may continue to do business until adjournment, even though a sufficient number shall have withdrawn as to leave less than a quorum. If a meeting cannot be organized because a quorum has not attended, those present may adjourn the meeting to such time as they may determine. If a quorum is not in attendance at the second of such adjourned meetings, those in attendance, although less than the quorum fixed above, shall, nevertheless, constitute a quorum for the purpose of proceeding with the business of the said meeting.

TIME-Where “time” is designated, it shall mean the time that is being recognized by the Municipal Authority.

DISTRICT-A district is any subdivision of the County as subdivided by the General Assembly, such as Congressional, Senatorial, Councilmanic and Legislative district, and the wards within the boundaries so fixed shall comprise the said district.

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WARDS-A ward is a subdivision of the County as fixed by the courts of Philadelphia.

DIVISION-A division is a subdivision of the ward as fixed by the courts of Philadelphia.

EFFECTIVE DATE

These rules shall become effective immediately upon final passage and approval.

RULE I

QUALIFICATIONS OF VOTERS HOLDING MEMBERSHIP IN PARTY ORGANIZATIONS

Article 1. Any qualified elector, who is duly registered as a member of the Democratic Party, shall be entitled to vote for the Democratic candidates for party offices, delegates, and alternate delegates to conventions and nominees for public officers at the primary elections, provided for by law.

Article 2. Only qualified electors shall be nominated, elected or chosen as members of any committee, or as delegates or alternate delegates to any convention, or to any party office.

Article 3. No person shall be qualified for membership in any organization or committee under these rules, who is not a duly qualified elector and registered as a Democrat in the County of Philadelphia immediately prior to his election or appointment to the said committee, or who has within a two-year period actively or inactively supported the candidacy at any general election of any person or persons not on the Democratic ticket.

Article 4. No person holding an office of profit connected with either the national, state, county or city government, to which said person has been appointed or retained therein by a head or chief thereof who is opposed to the principles of the Democratic party (except officers of a judicial character appointed by the courts and their appointees, notaries public and those holding minority positions under the Constitution and the several Acts of Assembly of this Commonwealth) shall be eligible for the office of Chairman of the County Executive Committee or of any Ward Executive Committee, or for membership in the County Executive Committee or Ward Executive Committee, or hold any party office, unless consent is given by a majority vote of the committee in which he seeks to hold office of membership.

RULE II

ORGANIZATION OF THE PARTY

Article 1. The organization of the party shall consist of the following:

- (1) Ward Committees.
- (2) County Committee.

ARTICLE 2

Membership in the Ward Committee

Section A. All officers of the Ward Committee and those elected to represent the division in which they reside, who have been duly seated as members of the said Ward Committee, and all other persons who shall be appointed to fill vacancies in the Ward Committee in accordance with these rules, shall constitute the Ward Committee.

Section B. All members of the Ward committee representing certain districts shall during their term of office have the proper qualifications and be resident voters of the district they represent in the said Ward Committee.

Section C. Any member of a Ward Committee who, during his membership, has changed his registration from that of Democrat to any other party, shall forthwith cease to be a member of the said Committee; and any member who, during such term of membership, shall have been proven after a full hearing to have supported directly or indirectly any candidate or candidates on an opposing ticket at any election, shall lose his membership in the said Committee.

ARTICLE 3

Membership in the County Committee

Section A. All officers of the County Committee and a representative from each of the wards in the City and County of Philadelphia elected in accordance with these rules shall constitute the County Executive Committee with the exception noted under Section B.

Section B. Where a ward contains sixty (60) or more divisions, the County Committee shall be authorized to divide the said ward into units, either on the recommendation of the County Committeeman of the ward, or on their own motion. There shall be not less than thirty (30) divisions to a unit and the first additional unit shall be known as "A" unit of the said ward, the second as "B," etc. The County Committee shall see to it that a separate committee is set up in each unit for organizing in accordance with the rules above set forth for the organizing of the Ward Committee. Each unit shall have the right to a County Committeeman to represent that unit in the County Committee with the same force and effect as if said person had been elected as County Committeeman for an entire ward; provided, however, that no such division shall take place within sixty (60) days prior to any election at which members of the Ward Committee will be elected. The divisions in the new unit shall retain their already designated numbers.

ARTICLE 4

County Convention

The County Convention shall consist of the officers of the County Committee, and County Committeemen from the various wards in the City and County of Philadelphia.

ARTICLE 5

Adoption of Rules and By-Laws

Section A. The Ward Committees and the County Committee shall adopt rules and by-laws that are consistent with the rules of the Democratic State Committee.

Section B. In the organizing of a Ward of County Committee and in subsequent meetings of said committee, the then existing rules and by-laws of the Ward of County Committee, as the case may be, shall govern until new rules and by-laws are adopted, provided they are consistent with the County and State Committee Rules.

ARTICLE 6

All the records, books and property of any of the said Ward Committees or of the County Committee shall become the property of their lawful successors. The property of the County Convention shall become the property of the County Committee existing at the close of the convention.

RULE III

ELECTIONS

ARTICLE 1

Election of County Committeeman and Ward Officers

Section A. The County Committeeman and all officers of the Ward Committees shall be elected at the time the new Ward Committee is organized on the third Monday succeeding the Primary Election, unless otherwise provided for in the rules.

Section B. At the Spring Primary there shall be elected in each election division two persons, who shall serve, on and after the third Monday succeeding their election, as members of the Ward Committee in which such division may be situated.

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Section C. The term of membership shall date from the time of their enrollment as a member of the new Ward Committee up to and including the Monday preceding the next Spring Primary Election.

ARTICLE 2

Election of Officers and Members of County Committee

Section A. All officers of the County Committee shall be elected on the fourth Monday succeeding the Spring Primary Election at which the members of the Ward Committee were elected, unless otherwise provided for in these rules.

Section B. The election of members to the County Committee shall be held on the third Monday succeeding the Primary Election at which the members of the Ward Committee were elected, unless otherwise provided for in these rules.

Section C. Each Ward Committee shall at the time of its re-organization elect, not necessarily from its own membership, one representative to the County Committee. Such person, however, must be an elector of the ward he is to represent.

Section D. The term of membership shall date from the time of enrollment as a member in the County Committee, up to and including the third Monday succeeding the Primary Election at which the members of the Ward Committee are elected, or namely until successors have been elected.

ARTICLE 3

Election of Members of State Committee

Section A. The members of the State Committee shall be elected to hold office in accordance with Rule 2 of the Democratic State Committee.

ARTICLE 4

Election of Delegates and Alternate Delegates to the National Convention

Delegates and alternate delegates to the Democratic National Convention shall be elected at the Spring Primary of each Presidential year.

ARTICLE 5

Presidential Preference

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At the Spring Primary in 1944, and at every second Spring Primary thereafter, Democratic Party electors shall have an opportunity to express their choice for the office of the President of the United States, as now provided for by law.

ARTICLE 6

Nomination of Candidates

Candidates for all offices to be filled at a general or municipal election shall be nominated at the preceding primary election. Candidates to be voted upon at a special election shall be nominated in accordance with Rule VII, Article 3, Section f.

ARTICLE 7

A primary election shall be held each year in accordance with the Election Code of 1937, and supplements and amendments thereto.

RULE IV

MEETINGS

ARTICLE 1

Ward Committee Meetings

Section A. At 8:00 PM, on the third Monday succeeding the Primary Election at which members of the Ward Committee were elected, all persons claiming the right to membership in the Ward Committee shall meet at the place designated, to organize the new Ward Committee, unless the newly elected members of the Ward Committee are unable to obtain their certificates of nomination to the Ward Committee by twelve o'clock noon of the said third Monday. Un such event, the meeting of the Ward Committee shall be postponed until the Monday evening following the delivery of the certificates of nomination to those entitled to receive the same.

Section B. Regular meetings of the Ward Committees shall be held at least once a month.

Section C. Special meetings of a Ward Committee shall be called as follows:

- (A) By the County Committeeman as circumstances may require, or
- (B) Upon petition filed with the County Committeeman in conformity with the requirements set forth for the calling of special meetings of the County Committee by petition.

ARTICLE 2

County Committee Meetings

Section A. At 8:00 PM, on the fourth Monday succeeding the Primary Election at which the members of the Ward Committee were elected, persons who have been elected to represent the wards in the County Committee shall meet at the place designated to organize the County Committee, unless the Ward Committees have been unable to organize as set forth above; in the event the said Ward Committees are unable to organize at the time fixed, the they County Committee shall organize on the second Monday after newly elected members of the Ward Committee by the County Board of Elections.

Section B. Regular meetings of the County Committee shall be held at least once a month.

Section C. Special meetings of the County Committee shall be held as follows:

(A) At the call of the Chairman; or

(B) Upon a petition filed with the Chairman requesting a special meeting, and setting forth the purpose or purposes of the special meeting and the nature of the business to be transacted at said meeting. The petition must be signed by two-thirds (2/3) of the membership of the said committee and attached to the petition there must be an affidavit of once of the signers, containing an averment that the signatures affixed to the petition are in the handwriting of the persons whose names are affixed thereto; and that the signers had full knowledge of the contents of the petition at the time of the signing and that the affidavit was sworn to before someone having the authority to administer an oath or affirmation. It must be filed with the County Chairman. The County Chairman shall then call a special meeting as requested in the petition, not less than four days or more than ten days from the date of filing of the petition.

ARTICLE 3

Place of Ward Committee Meetings

Section A. For the purpose of organizing the new Ward Committee, the place shall be the last meeting place of the preceding Ward Committee, unless otherwise determined by the preceding Ward Committee at a meeting held on the third Monday preceding the Primary Election at which the members of the Ward Committee are to be elected.

Section B. Regular and special meetings of the Ward Committee shall be help at the place or places designated by the County Committeeman unless otherwise provided for by the Ward Committee.

ARTICLE 4

Place of County Committee Meetings

Section A. For the purpose of organizing the new County Committee, the place shall be the last meeting place of the preceding County Committee, unless determined otherwise at a meeting to be called by the County Chairman not less than one week nor more than two weeks prior to the Primary Election at which members of the Ward Committees are to be elected.

Section B. Regular and special meetings of the County Committee shall be held at the place or places designated by the County Chairman, unless otherwise provided for by the County Committee.

ARTICLE 5

Notice of Ward and County Committee Meetings

Section A. Notice of meetings for the purpose of organizing the Ward Committees of the County Committee shall be at the discretion of the presiding officer and not mandatory.

Section B. Notice of regular meetings of the Ward and County Committees is to be given in writing, at least forty-eight (48) hours in advance.

Section C. Notice of special meetings of the Ward Committee shall be in conformity with the requirements under Rule IV, Article 5, Section d, with the following changes: Where the term "County Committee" is used, read the term "Ward Committee"; and in the case of all other special meetings notice shall be given at the discretion of the County Committeeman.

Section D. At least seventy-two (72) hours' notice in writing must be given before any meeting of the County Committee for filling a vacancy, electing the officers to fill any vacancy in the County Committee, for the endorsement of any candidate or policy to be supported by the County Committee or for the recall of any officer of the County Committee. If a meeting must be called in less than seventy-two hours, this provision may be waived by the vote of two-thirds (2/3) of the enrolled membership, said vote to be taken at the meeting in question. All other special meetings may be called on reasonable notice at the discretion of the Chairman. Notices of all special meetings must specify the purpose for which the meeting is being called and no other business shall be transacted at the said meeting.

Section E. Notices of all meetings are to be addressed to members at the addresses on the roll of the Committee, and the depositing of the notices in the mail or the delivery of the notices to a telegraph company shall be deemed service of the notice. The time shall commence from the time the notice is deposited in the mail or delivered to the telegraph company. This does not apply to cases where the rules have set forth other forms of notice and service. This is applicable to both Ward and County Committees.

Section F. Where circumstances make it impossible to hold meetings either of the Ward, County, or of any other committee provided for under these rules, at the place designated, it shall be proper for the chairman of said committee to procure another place and to notify the members of the committee of the change of meeting place. However, should this change occur in the organizing of a new Ward Committee or new County Committee, then the person to preside over the said meeting shall proceed to the meeting place previously designated and at the time designated for holding said meeting, announce in a loud voice the new address and time for the holding of the said meeting, and instruct those present to proceed to the new place of meeting.

RULE V
ORGANIZATION PRODEDURE

ARTICLE 1

Procedure in Organizing Ward Committees

Section A. The last preceding County Committeeman of the ward shall be the presiding Chairman at the organizing of the new Ward Committee. It shall be his duty to certify in writing to the Democratic County headquarters his intention, whether he will or will not be able to perform the duties or organizing the said Ward Committee at the time and place designated. Failure to do so shall be deemed a refusal to act as the temporary Chairman of the meeting. The said notice must be delivered in person or by registered mail to the Democratic County headquarters not later than the second Monday preceding the Primary Election at which the members of the Ward Committee are elected. In the event of the inability or the refusal of the previous County Committeeman to act or upon his failure to have notified the Democratic County headquarters of his intention to act, then it shall be the duty of the person who organizes the County Committee to have the preceding Ward Chairman preside, if available and willing to act, and if not, to have the next succeeding officer, etc., until a person is obtained to organize the Ward Committee.

Section B. The Chairman who conducts the meeting for organizing the new Ward Committee shall proceed in regard to the acceptance of certificates of nomination, seating the parties claiming membership in the Ward Committee against whom no contest has been filed, the appointment of acting secretaries, sergeant-at-arms, tellers, in the same manner as provided for in the organization of the County Committee.

Section C. The Chairman shall also handle contests in the same manner as provided for in the handling of contests by the County Committee. The Ward Committee cannot be organized until all contests have been disposed of.

Section D. All contests must be disposed of and the Ward Committee organized on or before the Wednesday preceding the Monday evening on which the County Committee is to be organized.

Section E. Failure on the part of any Ward Committee to organize at this time and to elect a County Committeeman shall constitute a vacancy of a County Committeeman from the Ward. In such cases, the election of a County Committeeman, as well as the organization of the Ward Committee, shall be referred to the Committee on Organization of the County Committee. This failure shall not be considered as a contest nor prevent the organization of the County Committee.

Section F. After all contests have been heard by the Contest Committee and acted upon by the Ward Committee and all duly elected members have been seated, the meeting shall proceed with the election of officers in the manner as hereinafter set forth for the County Committee, with the exception of the officers to be elected and the order in which they are to be elected.

Section G. The officers to be elected and the order in which they are to be elected are: The County Committeeman and the Permanent Chairman. After the officer, even though he is not a member of the Ward Committee, shall be entitled to remain in the meeting, but not to take part in its deliberations. The Permanent Chairman having been elected, the new Permanent Chairman shall then proceed to conduct the election of the remaining officers: First, Second and Third Vice Chairman, Secretary, Assistant Secretary, Treasurer and Assistant Treasurer.

Section H. All of the above offices must be elected from the membership of the Committee with the exception of the County Committeemen. A Ward Committee, however, by a two-thirds (2/3) vote at the meeting of its organization or by its rules, shall be entitled to elect a female as Vice Chairlady from without the membership of the Ward Committee and such an election may create, if so desired, the additional office of Vice Chairlady. This is not to be considered a limitation on the election of males to the office of Vice Chairman as above provided.

Section I. Upon the election of the County Committeeman, a certificate of his election in duplicate shall be given to the newly elected County Committeeman, signed by all the officers of the Ward Committee or the majority of the same, and a certificate in duplicate shall be certified showing the names, addresses and divisions of all the newly elected officers of the Ward Committee. One of each of the said certificates shall be forwarded, on or before the Friday noon preceding the organization of the County Committee, to the County Committee headquarters and the other given to the County Committeeman.

ARTICLE 2

Procedure in Organizing County Committee

Section A. The County Chairman of the last preceding County Committee shall preside over the meeting called to organize the new County Committee. It shall be his duty to certify in writing to the Executive Secretary on or before the first Monday after the Primary Election whether or not he will or will not perform the duties of Temporary Chairman and organize the County Committee. In the event of his failure to do so, or of his inability to act, it shall be the duty of the First Vice Chairman to act in this capacity. Should he refuse, it shall be the duty of the next officer in order to act, or so on down the line until one is available.

Section B. The person who will organize the County Committee shall, on or before the Friday preceding the Monday set for the organization of the County Committee, appoint a Contest Committee and officers for all other duties pertaining to a contest, as provided for in these rules. On the night of the organization of the County Committee, he shall appoint, from those persons whose certificates he has received and against whom no contest has been filed, two acting secretaries, two tellers and two acting doorkeepers. He shall instruct the secretaries to make two lists of names of the persons who claim they have a right to membership in the County Committee. One of the lists shall contain the names of all persons whose seats are uncontested; the other shall contain, if any, the names of persons whose seats are contested.

Section C. He shall then declare those persons whose credentials he has received for membership in the County Committee and against whom no contest has been filed, to be duly elected members of the new County Committee. He shall then proceed with the further business of organizing the Committee. The Contest Committee shall make its report in writing as to all contests referred to it. The members of the new County Committee, as constituted, may either accept or reject the report of the said Contest Committee. The acceptance or rejection of the report of the Contest Committee must be made separately on each and every contest. If the County Committee accepts the recommendation of the Contest Committee, the person or persons who have been recommended by the Contest Committee and, having received the requisite majority vote, are accepted by the County Committee, shall then become duly qualified members of the County Committee. In the case of the refusal of the County Committee to accept the recommendations of the Contest Committee, in whole or in part, the County Committee shall have the right to elect to its membership one of the persons from the ward whose seat is being contested even though not recommended by the Contest Committee. The acceptance of said person by the County Committee shall make his a member of the County Committee.

Section D. The organization of the County Committee cannot proceed until every contest has been decided by the County Committee after the recommendations of the Contest Committee have been received. Where a ward has failed to organize and no certificate of election of a County Committeeman from that ward has been certified to

the County Committee, this shall be deemed a vacancy and not a contest. The matter, after the organization of the County Committee, shall be referred to the County Organization Committee for the purpose of organizing the Ward Committee and supervising the election of a County Committeeman from that ward.

Section E. All contests having been decided, and those entitled to membership in the County Committee having been seated, the Committee shall then proceed with the election of the officers of the County Committee and the completion of its organization. The Committee shall proceed to the nomination and election for the office of County Chairman. Should there be more than one person nominated, the voting shall proceed in accordance with the rules hereinafter set forth. The tellers shall tabulate and record the votes, as cast by the members. After the tellers have agreed, the Chairman shall announce the results of the voting and declare the one who received the highest number of votes to be elected Chairman of the County Committee. The retiring presiding officer, in the event that he is not a member of the County Committee, shall be given the privilege of remaining in the meeting without any voice in its deliberations, unless he shall have obtained the consent of the meeting. The newly elected Chairman shall continue with the organization of the County Committee and the election of the County Officers as hereinafter set forth.

Section F. The newly elected Chairman shall proceed to conduct the election of the remaining officers in the following order: The First Vice Chairman, Second Vice Chairlady, Third Vice Chairman, the Secretary, Assistant Secretary, the Treasurer and Assistant Treasurer.

Section G. All of the above-mentioned officers must be elected from within the membership of the committee with the exception of the County Chairman, as provided for above, and the Second Vice Chairlady, who must be elected either from the membership of the County Committee, any Ward Committee or the State Committee.

Section H. The Chairman shall appoint two permanent sergeants-at-arms.

Section I. Within thirty (30) days after his election, the County Chairman shall appoint a Committee on Organization as well as a Committee on Rules and all other committees as hereinafter set forth.

Section J. Certificates of membership shall be issued to each County Committeeman duly seated under these rules.

RULE VI

CONTESTS

ARTICLE 1

Procedure for Filing Contests in Ward Committees and County Committee

Section A. All contests shall be heard in the Ward Committees and in the County Committee as hereinafter set forth and heard by the said committees in accordance with these rules. Failure to comply with the rules shall operate to the detriment of the person or persons not complying fully with the rules.

Section B. All contests pertaining to the election of the County Committeeman and ward officers shall be filed with the County Committee. In the case of the election of a County Committeeman, the contest shall be heard by the Contest Committee. In the case of the election of ward officers, the contest shall be heard by the Committee on Organization. All contests as to membership in the Ward Committee shall be heard by the membership of the Ward Contest Committee. In this case the action of the Ward Committee on the report of the Ward Contest Committee shall be binding, except in the case of the election of a County Committeeman or ward officers.

Section C. Appointment of Contest Committees. The Contest Committee of the Ward Committees and the County Committee shall be appointed by the persons who shall preside over the organization of the Ward or County Committee, respectively. The said appointments are to be made on or before six o'clock P.M. on the Friday preceding the Monday of the organization of the Ward or County Committee, as the case may be. The Ward Contest Committee shall consist of the person who shall preside at the organization of the Ward Committee and six other persons to be selected by him from the prospective membership of the committee provided no contest has been filed against them. In the event of the unwillingness or inability of the person who will preside over the organization of the Ward Committee to serve on the Contest Committee or if a contest has been filed against him, he shall then select a substitute member for the committee and appoint one of the seven members so selected as Chairman of the committee.

Section D. The County Contest Committee shall consist of seven persons appointed by the presiding chairman from the prospective membership of the new County Committee against whom no contests have been filed and whose credentials of membership are duly filed in accordance with these rules. He shall appoint one of the members so selected, as the Chairman of the committee.

Section E. All contests regarding membership in the Ward Committee shall be instituted by filing a petition which shall contain the names, addresses and the division of the petitioner or petitioners, the names, addresses and the divisions of the person or persons against whom the contest is filed, the names of all persons who received votes for membership in the Ward Committee either as a candidate whose name was printed upon the ballot, or who was voted for by means of a sticker or by having his name written in, showing the number of votes each person received according to the official returns, and all other averments or facts which the petitioner or petitioners rely upon

and feel able to prove in support of the contest and claim (if claiming) to the right of membership in a Ward Committee. The petition shall be signed by the petitioners and shall have affixed thereto an affidavit of the petitioner or petitioners containing an averment that the facts set forth in the petition are true and correct to the best of their knowledge and belief and that they expect to prove the same at the proper time. The said affidavit shall be sworn to before a person authorized to administer oaths or affirmations. There shall be endorsed on the petition a notice to the contested party of the time, date and place where the Contest Committee shall hear the petition of contest. This endorsement may be at the end of the petition or on the back of the petition. Failure to notify the person so contested shall constitute a dismissal of the contest so filed.

Section F. In the case of filing a contest with the County Committee, the following papers are to be filed: (A) Certificate of his election to the County Committee; (B) a petition in support of his contest. The petition shall contain (a) name, address, ward and division of the petitioner; (b) whether or not he claims the right by virtue of his certificate of election or not; (c) the time, date and place where the meeting was held at which he was elected as a representative of the County Committee; (d) that such date, time and place of meeting was in accordance with the rules of the County Committee, and, if not, why not; (e) if he is claiming that persons who were entitled to vote were wrongfully denied the right to vote, he shall set forth the names of such persons and (f) and all other facts which he feels should be considered in the determination of his claim of representation.

Section G. The petition is to be signed by the claimant and sworn to before a person authorized to administer an oath or affirmation, setting forth that the facts as set for in the petition are true and correct to the best of his knowledge and belief. It should be made up with sufficient copies and be signed by, sworn to, and served upon any other person or persons claiming the same right to represent the ward in the County Committee or the office contested. There shall be endorsed on the petition a notice to the contested party of the time, date and place where the Contest Committee shall hear the petition of contest. This endorsement may be at the end of the petition or on the back on the petition. Failure to notify the person so contested shall constitute a dismissal of the contest so filed.

Section H. All contest petitions must be filed with the person who will organize the Ward or County Committee will head the contest not later than twelve o'clock noon on the Friday preceding the Monday on which the respective committee is to be organized. Service of the copy of the petition of contest and notice of the time of the hearing of the contest must be served upon the person referred to and whose seat in the committee is being contested not later than five o'clock P.M. on the Friday preceding the organization of the committee which will act upon the contest.

Section I. In the case of the Ward Committee, the original must be served either in person upon the person who will organize the Ward Committee, or by leaving the same at the legal residence of said person with an adult member of the household. In the case of the County Committee, the original must be served upon the person who will organize the County Committee or upon the Executive Secretary. If unable to serve these persons, then it should be served upon the person in charge of the Democratic County Committee headquarters.

Section J. Copies of the contest, both as to the Ward and County Committee, may be served personally upon the persons whose seats are being contested, or by leaving a copy of the contest at the legal residence. Where the term “legal residence” is used, it means that residence from which the person to be served is registered and which appears in the last registration list printed by the Registration Commission, unless it is definitely shown by the contestant that another residence is known to be the residence of the contested party.

Section K. All contest papers shall be turned over to the Chairman of the Contest Committee not later than six o'clock on the Friday preceding the Monday on which the Committee, for which the Contest Committee is acting, is to be organized. It shall also be the duty of the person who is organizing the committee, to instruct the acting chairman and all the members of the Contest Committee to meet at noon on the following day (Saturday) at the place where the Committee for which the Contest Committee is acting, will meet to organize. The said Contest Committee shall meet at this time and place to hear all contests, at which time they may continue the hearings of the various contests to various hours in the day or the succeeding days. All contests must be heard and the findings of the Contest Committee written up and ready for presentation to the Ward or County Committee at the time of their meeting for organization.

Section L. The Contest Committee must make a separate recommendation of the findings of each of the contests heard by them. The findings of the majority of the members shall be the findings of the committee. However, the minority may write a separate report of their findings and recommendations. This report, known as the minority report, is to be presented to the Ward or County Committee after the majority report has been presented.

Section M. All contestants and contested parties shall be ready at the stated time to present their side of the case and have all witnesses present without any notice other than herein set forth in these rules. The Contest Committee may, of their own volition, call witnesses who have knowledge of the matter in controversy and whose testimony they deem it necessary to hear. Each side shall be entitled to be represented by counsel and to call witnesses in their behalf, or cross examine any witnesses called by the Contest Committee, or the opposing side. However, the Contest Committee may limit

the number witnesses that may be called by the principals in their behalf. Such limitation of witnesses shall apply equally to all of the principals.

Section N. Should a contested party desire to make answer in writing to the charges contained in the Contest petition, he may do so by answering the allegations categorically and numbering the paragraphs in his answer to correspond with the paragraphs in the contest petition. He may attach to his answer any exhibit that he relies upon in his defense.

Section O. In the hearing of the contest, the contestants will be confined to the proving of the facts contained in the contest petition. The contested party shall be confined to the denial or explanation of these facts contained in the contest petition, or to the explanation of those set forth in his answer. No new matter may be introduced at the hearing that is not contained in either the contest petition or the answer without the consent of the majority of the Contest Committee.

Section P. In the event none of the contesting parties appear at the time set by the Contest Committee for the hearing, it shall be deemed that the contest petition has been withdrawn. Should the party contested fail to appear, the Contest Committee may in their discretion, in his or her absence, proceed with the hearing of the contest, and make findings accordingly. Failure of the contested party to appear will not be considered as an abandonment of his or her right to be seated in the committee, or to hold the office contested, or as an admission of the accuracy and truthfulness of the statements contained in the contest petition.

RULE VII

DUTIES OF COMMITTEES AND OFFICERS

ARTICLE 1

Duties of the Ward Committee

Section A. It shall be the duty of the Ward Committees to organize their respective wards and to do all things necessary to carry on all elections within their said wards.

Section B. In divisions where no one has been elected to membership in the Ward Committee, it shall be the duty of the County Committeeman to appoint two persons in the divisions to represent the said division in the Ward Committee. This appointment shall be made within two weeks following the organization of the Ward Committee. The persons, so appointed, shall have the same powers, rights and duties as if they had been duly elected to members in the Ward Committee.

Section C. When on account of death, removal or disqualification, there is a vacancy in the entire representation of a division in the Ward Committee, then the County Committeeman shall fill said vacancies.

Section D. The Ward Committee shall ratify the recommendation of the remaining Ward Committeeman in a division where a vacancy occurs in the representation in the Ward Committee of the said division, provided that said recommendation shall be made in accordance with these rules and the person recommended has the proper qualifications for membership.

Section E. If at any time in the opinion of the majority of the entire Ward Committee, a member is unfaithful to the Democratic party and the best interested of the party, or refuses, fails or neglects to work in harmony with the Ward Committee, the Ward Committee shall be empowered to remove said person from its membership and declare a vacancy in the membership of the Ward Committee from the said division.

ARTICLE 2

Duties of the Members of the Ward Committee

Section A. It shall be the duty of the members of the Ward Committee to take entire charge of the organization of the Party in their election divisions and attend to all matters necessary with reference to the registration of Democratic electors of their respective election divisions and with reference to securing a full expression of the will of Democratic electors at all the general, municipal, primary and special elections, as well as to perform all other duties herein prescribed for them.

Section B. It shall be the duty of the members of the Ward Committee to check any list of names furnished by the County Committeeman regarding proposed strike-offs and make a report to the County Committeeman concerning said list as soon as possible.

Section C. It shall be the duty of the members of the Ward Committee to furnish the names of persons to the County Committeeman who are willing to serve as watchers in their divisions for any primary, municipal, special or general election or for any registration day in the ward.

Section D. It shall be the duty of the members of the Ward Committee to procure petitions for the nomination of the Election Officers in their division and have intelligent and reputable electors file papers for the nomination and assist them in having them filled out, and file them with the County Committeeman at the time and place requested.

Section E. It shall be the duty of the members of the Ward Committee to procure the names of persons willing to act as clerk at elections where the Democratic Inspector is

entitled to a clerk and endeavor to obtain the services of all other persons for offices to which the Democratic party may be entitled and to fill any position or office at an election in accordance with the law.

Section F. It shall be the duty of the members of the Ward Committee to see that the election officers go to receive proper instructions at the County Board of Elections and assist them in obtaining and bringing to the voting place all election paraphernalia.

ARTICLE 3

Duties of the County Committee

Section A. The County Committee shall have supervision of the organization and management of the Democratic Party in all campaigns, and shall exercise all power and perform all duties in relation to the nomination of candidates and to general, municipal, primary and special elections in the City and County of Philadelphia not otherwise specially provided for by law or in these rules. It shall have the care and disbursement of all funds raised for general campaign purposes.

Section B. It shall be the duty of the County Committee to insure that the Democratic Party has proper representation at the Registration Commission on all Traveling Registration Boards and to see that watchers' certificates are procured for Democratic workers in accordance with the law, to represent the Democratic Party at the office of the Registration Commission and all places at the time when the Traveling Registration Boards shall be registering electors in the various wards.

Section C. It shall be the duty of the County Committee through its officers to supply to the County Committeeman for circulation in his ward nominating petition in sufficient number for the nomination of all party officers, election officers and for all other candidates who may be endorsed.

Section D. It shall be the duty of the County Committee, through its officers, to see that vacancies which occur in the various districts and wards are filled in accordance with the law and these rules.

Section E. It shall be the duty of the County Committee in the case of special elections to see that district caucuses are held in accordance with the law and these rules to nominate candidates to be voted upon at the special election to be held in their district.

Section F. It shall be the duty of the County Committee to ratify or reject the recommendation by any district of persons to fill vacancies that have occurred in offices for which nominations have been made and which are to be voted upon at a general election, and also to accept or reject the recommendation of the district caucus for the nomination of any person or persons to be elected at a special election in a district or

ward; provided, however, in the event the County Committee rejects the recommendation of the district caucus in such cases, the County Committee shall refer the matter to the district caucus for a further consideration and recommendation, and should the County Committee again reject the recommendation of the district caucus, the County Committee shall then make the required nomination in the aforesaid instances; provided further, however, that the filling of said vacancies and nominations is carried out in accordance with the rules as hereinafter set forth.

Section G. In the event of the failure or refusal of the Ward Committee, County Committeeman or district caucus to nominate candidates to fill vacancies or suggest watchers to represent its candidates or the party at any primary, special, municipal or general election, it shall be the duty of the County Committee to attend to the execution of these duties and functions.

Section H. In the event of the failure of any Ward Committee, County Committeeman or district in which a special election is to be held to nominate candidates to be voted upon at a special election, it shall be the duty of the County Committee to carry out this function.

Section I. In the event that there is no Ward Committee in any ward to attend to any of the aforesaid duties, the same shall devolve on the County Committee.

Section J. Where the County Committee is called upon to fulfill the duties prescribed for a Ward Committee, County Committeeman, a district or district caucus, or where no Ward Committee exists, the County Committee in carrying out these duties shall have the same power or powers in reference to any or all of the matter as already given to the Ward Committee and all other committees. The acts of the County Committee shall have the same force and effect as if done by the person or persons, the committee or committees whose duty it was to perform such acts.

Section K. If at any time in the opinion of the majority of the entire County Committee, a Ward Committee is unfaithful to Democratic principles, and the best interests of the party, or refuses, fails or neglects to work in harmony with the County Committee, then the County Committee shall refer the matter to the Committee on Organization for consideration and also may, if necessary, dissolve the Ward Committee and instruct the Committee on Organization to set up an entirely new Ward Committee in the said ward.

Section L. The Committee on Organization of the County Committee during the period of reorganizing the ward shall have all the duties, rights and powers of a ward committee and their acts shall have the same force and effect as if they were the acts of a duly constituted Ward Committee.

ARTICLE 4

Duties of County Committeeman

Section A. It shall be the duty of the County Committeeman to (A) attend all meetings of the County Committee, regular and special, as well as all regular and special meetings of the Ward Committee; (B) submit names of watchers for registration days, primary, special, municipal and general election days; (C) obtain removal cards showing changes address within the division and file them with the proper authorities; (D) procure and file petitions covering strike-offs; (E) where the Registration Commission is contemplating or considering the striking-off of Democratic electors in the wards and the list of said strike-offs has been furnished the County Committeeman by the County Committee, it shall be the duty of the County Committeeman to have the residences of the persons whose names appear on the said list checked and make a report to the County Committee. This report shall indicate (1) whether or not the party still lives in the division at the address on the list; (2) whether he has moved; if so, the new address, if known; (3) whether or not the person has died; (4) whether or not the person is in the armed forces; (5) whether or not the person is employed out of the city on a Federal or State job, and all other essential information; (F) he shall submit to the members of the Ward Committee from the list he has obtained from the County Committee (1) the names of all persons recently registered in their divisions; (2) the names of all persons stricken off the registration list; (3) the names of all persons changing their party affiliations; (G) where in any division there is an unreasonable number of changes in party affiliation, it shall be the duty of the County Committeeman to investigate and find out the cause of such changes, and in the case where it is a change from Democrat to any other party it shall be the duty of the County Committeeman to take steps to prevent, if possible, any further defections from the Democratic Party; (H) he shall stimulate and exhort his committeeman to be active in the registration of qualified voters throughout the year.

Section B. It shall be the duty of the County Committeeman to preside over the organization of the new Ward Committee and he shall recommend to the Ward Chairman the names of persons to be members of the various committees to be appointed by the Chairman. In the absence of the Ward Chairman he shall preside over all the meetings.

Section C. It shall be the duty of the County Committeeman to represent the ward at the County Committee meetings and to be the exclusive and sole distributor of patronage in his ward.

Section D. It shall be the duty of the County Committeeman to appoint a detail man from time to time to represent him in all matters with the County Committee except in attending meetings of the County Committee.

Section E. The said appointment of a detail man shall be in writing and may be revoked at will by the County Committeeman in writing. The said appointment and revocation shall be addressed to the Chairman of the County Committee.

ARTICLE 5

Duties of Ward Chairman

Section A. It shall be the duty of the Ward Chairman, with the approval of County Committeeman, to appoint committees that may be necessary from time to time for the proper conduct of the Ward Committee and for the interest and advancement of the Democratic Party and its candidates. The membership of said committees shall be as recommended by the County Committeeman.

Section B. It shall be the duty of the Ward Chairman to assist the County Committeeman in attending to the details of the Ward Committee and to advance the interest of the Democratic Party and its candidates at all times.

ARTICLE 6

Duties of Other Officers of Ward Committee

The duties of the other officers of the Ward Committee shall be similar to those of the corresponding officers of the County Committee, with the exception of the Second Vice Chairman, unless the Second Vice Chairman shall be a lady. In such an event the duties of the Second Vice Chairlady shall be similar to those of the Second Vice Chairlady of the County Committee.

ARTICLE 7

Duties of County Chairman

Section A. It shall be the duty of the County Chairman to preside over all regular and special meetings of the County Committee as far as possible.

Section B. It shall be the duty of the County Chairman to cause to be set up a headquarters and meeting place of the Democratic County Committee

Section C. It shall be the duty of the County Chairman within thirty days after his election to appoint two Sergeants-at-Arms and to appoint a Committee on Organization from the membership of the County Committee and all other committees that in his judgment he considers are necessary and essential to the best interest of the Democratic Party. The membership of these committees as to number shall be discretionary with the Chairman, but they must be selected from the membership of the

County Committee with the exception of Campaign Committees and subcommittees relating to a campaign.

Section D. It shall be the duty of the County Chairman to countersign all checks for the disbursement of any funds of the County Committee. He shall cause to be opened a checking account for the depositing of funds.

Section E. It shall be the duty of the County Chairman to comply with the Election Code of 1937 and supplements and amendments thereto in regard to giving any required notice to the County Board of Elections, especially in that a written notice, on or before the ninth Tuesday preceding the Spring Primary, shall be sent to the County Commissioners, setting forth the names of all party offices within the County of Philadelphia to be filled by election at the said Spring Primary. The County Chairman shall in due time notify the County Commissioners of the number of sample ballots required for the primary and general elections.

Section F. The County Chairman shall have the right at any time when any differences may arise between himself and any County Committeeman regarding the conduct and management of a ward as applicable to the interest of the Democratic Party, to refer the same for action by the Committee on Organization. The Committee on Organization is to act upon the matter in accordance with these rules and report its findings.

Section G. It shall be the duty of the County Chairman to make any recommendations to the County Committee which, in his judgment, are for the best interests of the Democratic Party and its candidates.

Section H. It shall be the duty of the County Chairman to receive the recommendations of the various County Committeemen for the appointment to office and positions of persons from their ward and act upon the same in accordance with these rules.

Section I. In the event that any question arises between himself and a County Committeeman, the County Chairman shall have the right of referring the matter to the County Committee for their consideration and final determination.

ARTICLE 8

Duties of First Vice Chairman

Section A. It shall be the duty of the First Vice Chairman to preside over all meetings in the absence of the County Chairman.

Section B. It shall be the duty of the First Vice Chairman to assume all duties and responsibilities and rights of the County Chairman during the absence or inability to serve of the County Chairman. He shall also assume the duties and rights of the county

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chairman should the same County Chairman through some unforeseen circumstances be temporarily unable to fulfill his office as County Chairman.

Section C. In the event of the death, resignation or removal of the County Chairman, the First Vice Chairman shall act as Acting Chairman until a new County Chairman has been elected by the County Committee.

ARTICLE 9

Duties of Second Vice Chairlady

Section A. It shall be the duty of the Second Vice Chairlady to preside over all meetings at which neither the Chairman nor the First Vice Chairman is able to preside.

Section B. The Second Vice Chairlady shall be Honorary Chairman of all women's county committees and have supervision over the same and make a report of the activity of the women's committees to the County Officers and the County Committee from time to time.

ARTICLE 10

Duties of Third Vice Chairman

Section A. It shall be the duty of the Third Vice Chairman to preside over all meetings in the event that the Chairman, First Vice Chairman or Second Vice Chairlady are unable to preside.

Section B. It shall be the duty of the Third Vice Chairman to have charge of organizing voters who have recently reached their majority and of all activities connected with young Democratic organizations.

ARTICLE 11

Duties of Secretary

It shall be the duty of the Secretary to keep full and correct minutes of all meetings of the County Committee and also to keep in permanent form a correct roll of the attendance at all meetings.

ARTICLE 12

Duties of Assistant Secretary

It shall be the duty of the Assistant Secretary to aid the Secretary in the discharge of the Secretary's duties and in the event of the Secretary's absence, inability or refusal to perform the duties, the Assistant Secretary shall act as Secretary

ARTICLE 13

Duties of Treasurer and Assistant Treasurer

Section A. It shall be the duty of the Treasurer or Assistant Treasurer to receive, keep and disburse all sums of money which may be collected or received by the County Committee or by any of its members for election expenses, in furtherance or the nomination of any person or persons as candidates for public office, or in furtherance of the election of any person or persons to public office, or to defeat the nomination to public office, of any person or person, and to keep a just and true account thereof.

Section B. All money collected or received by the County Committee, or by any of its members for election expenses, shall be paid over to and made to pass through the hands of the Treasurer.

Section C. Neither the County Committee nor any of its sub-committees, nor members, shall disburse any money for said election expenses unless such money shall have passed through the hands of the Treasurer and vouchers have been furnished therefore.

Section D. No Treasurer of the County Committee, nor person acting as such Treasurer, shall disburse any money received from any anonymous source.

Section E. The Treasurer shall, within thirty days after each primary and each general election, file an account of expenses incurred in regard to candidates for offices, voted for by the electors of the State at large, with the Secretary of the Commonwealth, and for all other offices, with the County Board of Elections, as provided by law.

Section F. The Treasurer shall comply in all respects with the duties and requirements of the County Treasurer of the political organization as set forth by the Election Code of 1937 and supplements and amendments thereto.

Section G. The Treasurer shall open and maintain a checking account in the name of the organization with his name as Treasurer in a good, reputable bank.

Section H. All withdrawals shall be made by check and signed by the Treasurer. In his absence or inability to serve, the checks shall be signed by the Assistant Treasurer. The checks shall also be countersigned by the County Chairman and in the absence of the County Chairman the checks are to be countersigned by the First Vice Chairman.

ARTICLE 14

Duties of the Sergeant-At-Arms

It shall be duty of the Sergeant-at-Arms to attend all regular and special meetings. He shall maintain order at the meetings and permit no one to enter the meeting who is not qualified and eligible to be present.

ARTICLE 15

Inability or Refusal of Officers to Perform Their Duty

In the event of the inability or the refusal of any officer of any committee to perform his duties as prescribed under these rules and upon the further inability or refusal of the officer next to him in line, to act, then the succeeding officer in line who is able and willing to act, shall perform the said duties or functions. The line of succession shall be, in the case of Ward Committees, in accordance with the order as set forth for the election of Ward Officers in Article I, Section 5 or Rule e, and in the case of the County Committee it shall be as set forth for the order of election of County Officers as set forth in Article II, Section 13 or Article e.

RULE VIII

RECALL OF WARD OR COUNTY OFFICERS

ARTICLE 1

Recall of Ward Officer

Section A. No recall may be made of any Ward Officer or County Officer within sixty days prior to any primary, municipal or general election unless as hereinafter provided for.

Section B. In the case of the proposed recall of a County Committeeman, the procedure and requirements as to the petition, number of signers, and the required number of affirmative votes, shall be the same as that in the case of the recall of the County Chairman.

Section C. In the case of the proposed recall of the other Ward Officers, the procedure and requirements as to the petition, number of affirmative votes, shall be the same as that in the case of the recall of the County Officers except that of the County Chairman.

Section D. The notice to any Ward Officer proposed to be recalled shall be the same as that in the case of the recall of any County Officer.

Section E. The procedure and time of serving notice and the holding of the meeting for the proposed recall of any Ward Officer shall be the same as that in the case of the proposed recall of any County Officer.

ARTICLE 2

Recall of County Officer

Section A. The proposed recall of the County Chairman must be initiated by the filing of a petition

Section B. This petition shall contain the name of the County Chairman whose recall is sought, and the specific charges and reasons for the recall. This petition must be signed by at least two-thirds of the enrolled membership of the County Committee. It must have affixed thereto an affidavit or affirmation of three of the subscribing petitioners before a person authorized to administer an oath or affirmation, containing averments that the persons whose names appear affixed to the petition personally signed the petition and that all of the signers had full knowledge of the contents of the petition and that the facts contained in the petition are true to the best knowledge and belief of the affiants.

Section C. In the case of other officers of the County Committee whose recall may be sought, the petition shall be drawn up in the same manner and meet the same requirements as set forth for the petition for the recall of the County Chairman, with the exception of the number of signers. The requirement as to the number of signers shall be fifty-one (51%) per cent instead of two-thirds (2/3) of the enrolled members of the County Committee required in the recall of the County Chairman.

ARTICLE 3

FILING OF PETITION FOR RECALL

In the case of the proposed recall of a County Chairman, the petition shall be filed with the First Vice Chairman. In the case of the proposed recall or other officers, the petition shall be filed with the County Chairman. A true and correct copy of the petition shall be served upon the person whose recall is being sought. Within forty-eight (48) hours after the filing of the petition.

ARTICLE 4

NOTICE OF RECALL

All of the enrolled members of the County Committee shall be given at least seventy-two (72) hours' notice of the special meeting to be held, to consider the petition for

recall. The said notice shall set forth the purpose of the meeting, the time, date and place of holding the meeting. The place shall be the regular meeting place of the County Committee.

ARTICLE 5

CALLING OF THE MEETING TO CONSIDER THE RECALL

The County Chairman or the First Vice Chairman with whom the petition for recall may have been filed in accordance with these rules, shall call a special meeting of the County Committee in not less than seven (7) days and not more than fourteen (14) days after the receipt of the petition for the purpose of acting on the petition for recall.

ARTICLE 6

PROCEDURE TO BE FOLLOWED AT THE MEETING ON THE RECALL

Section A. The County Chairman or the First Vice Chairman, as the case may be, with whom the petition has been filed, shall preside over the meeting.

Section B. It shall be the duty of the County Chairman or the First Vice Chairman, as the case may be, to have the Secretary call the roll of the membership of the committee, record those present, read the call of the special meeting and after its adoption, to proceed on the question of the recall.

Section C. One of the signers of the petition shall present the reasons why the person named in the petition should be recalled and his office declared vacant.

Section D. The person whose recall is being sought shall then be heard in his own defense if he desires to be heard.

Section E. After the said person has concluded, the question will be open to other members of the committee to speak for or against the recall.

Section F. When all parties have been heard, then the person whose recall is being sought, shall be given the right to reply.

Section G. The said person whose recall is being sought shall be the only one permitted to speak more than once on the subject without first obtaining the consent of the committee.

Section H. After hearing the pros and cons on the subject and debate having been closed, in the case of a proposed recall of a Committee Committeeman, if there are not then present two-thirds (2/3) of the enrolled membership of the County Committee, the

presiding officer shall not proceed in order with the recall, but shall declare the recall to be lost, due to the failure of two-thirds (2/3) membership of the Committee to be present.

Section I. In the case of other County Officers, this procedure shall be followed, with the exception that there must be at least fifty-one (51%) percent of the membership present instead of two-thirds (2/3).

Section J. The presiding officer shall inquire from the person sought to be recalled whether he desires to appoint a teller to assist in the tabulation of the vote. He shall also inquire of the spokesman for the petitioners for recall the name of a teller to assist in the tabulation of the vote. This being done, he shall appoint the persons named by both parties as tellers to co-operate with the Recording Secretary in the tabulation of the vote.

Section K. AT the conclusion of the discussion, the presiding officer shall put to the meeting the following question: “Shall (name of the person being sought to be recalled) be recalled and his office (the office he holds) be declared vacant” and advise the member that a vote in the affirmative is a vote for the recall and declaring the office vacant, and that a vote in the negative is a vote against the recall and against declaring the office vacant.

Section L. The presiding officer shall then proceed with the voting by having the Secretary call the roll and recording the vote in accordance with the rules set forth for voting.

ARTICLE 7

RECALL WITHIN SIXTY DAYS OF ANY PRIMARY, MUNICIPAL, SPECIAL OR GENERAL ELECTION

Section A. Where the recall is desired to be had within sixty (60) days prior to any primary, municipal, special or general election, before the filing of any such petition for the recall of any officer, whether of Ward or County, the petitioners must have the consent of the County Committee for the filing of any petition for recall.

Section B. A petition for such consent must be filed with the County Committee, setting forth the reason why it is necessary and urgent that the recall should be made at that time.

Section C. The petition shall be immediately referred to the Committee on Organization, which shall meet within four (4) days after the filing of the petition for the purpose of considering the petition.

Section D. IF the Committee on Organization by a two-thirds (2/3) vote of the entire membership decide that consent should be given for the filing of the petition, then the petitioners shall be notified and permitted to file their petition for the recall.

RULE IX

COMMITTEES FOR WARD COMMITTEES AND COUNTY COMMITTEE

This rule, and the articles and sections thereof shall be applicable to Ward Committees and the County Committee except in those cases otherwise provided for in these rules.

ARTICLE I

This rule, and the articles and sections thereof shall be applicable to Ward Committees and the County Committee except in those cases otherwise provided for in these rules.

ARTICLE 2

COMMITTEE ON CONSENT

Section A. The appointment of the Committee of Contest, if a Ward Committee shall be in accordance with Rule VI, Article I, Section c, of these rules.

Section B. The appointment of the Committee on Contest if a County Committee, shall be in accordance with Rule VI, Article I, Section c and d.

ARTICLE 3

COMMITTEE ON ORGANIZATION IN WARDS

Section A. The Committee on Organization shall be appointed by the County Committeeman within thirty days after the organizing of the Committee. It shall consist of seven (7) members appointed from membership of the Ward Committee with the County Committeeman acting as chairman.

Section B. The Committee on Organization shall co-operate with the County Committeeman and the Ward Officers in building up a militant Democratic organization in the Ward by assisting in getting watchers in all instances where the Democratic party is permitted to have watchers; by assisting in circulating, collecting and examining nominating petitions of election officers, party officers, etc., by seeing that they are in proper form before filing, by assisting in encouraging members of the Ward Committee to canvas their decision; by collecting and filing removal cards; by having those registered who recently moved into the division, by helping to register first votes and by order activities that will advance the interest of the Democratic party and its candidates.

ARTICLE 4

COMMITTEE ON ORGANIZATION IN COUNTY

Section A. The County Chairman shall within thirty (30) days after the organization of the County Committee appoint a Committee on Organization, the number of its members to be at discretion of the Chairman of the County Committee. He shall appoint one of its members as Chairman of said Committee on Organization.

Section B. The Committee on Organization shall have referred to it the following matters: (a) The organization of any Ward or the election of any County Committeeman from that Ward where the said Ward has failed to organize on or before the Wednesday preceding the Monday on which the County supervising the organization of the Ward Committee and the election of the County Committeeman and its officers; (b) All appeals from the actions of the County Committeeman or any of the officers of the Ward Committee, where such appeals are allowed; (c) It shall have the right and authority at the direction of the County Committee to go into any Ward in order to advance the interest of the Democratic Party or its candidates and to make any investigation concerning the manner in which the County Committeeman and County Officers are conducting their meetings; (d) Upon the instructions of the County Committee it may go in and set up a new Democratic organization in the Ward; (e) It shall pass upon all requests for permission to file petitions for the recall of officers requested within sixty (60) days prior to any primary, special, municipal or general election; (f) It shall cooperate with the County Chairman and the County Officers in building up and maintaining a live, militant, Democratic organization throughout the entire city and county. However, all actions of the Organization Committees shall not become operative until ratified by the County Committee with the exception of the action of passing upon the recall of a County Committeeman or Ward Officers within the sixty-day period prior to any election.

ARTICLE 5

LEGAL COMMITTEE

Section A. The Legal Committee in Wards shall be appointed on the recommendation of the County Committeeman. The rules governing the number and duties of the Legal Committee shall be in the same for the Ward as set forth for the Legal Committee of the County Committee.

Section B. In the County Committee, the Legal Committee shall be appointed by the County Chairman. The number of members constituting the Legal Committee shall be at the discretion of the County Chairman.

Section C. The Chairman of the Legal Committee under the supervision of the County Chairman, shall maintain an active, militant legal force to handle all matters of a legal nature that may be referred to the County Chairman or the County Committee from time to time. He shall represent the County Chairman and the County Committee in all actions, suits or litigations brought by or filed against the County Chairman or against any of the County Committee Officers in this capacity or against the Democratic County Committee. He shall attend all hearings before the Registration Commission. He shall also have a sufficient force to be present at the official tabulation of votes for all primary, special, municipal, and general elections and thereby protect the interest of the Democratic Party and its candidates. He shall do everything to advance the interest of the Democratic Party or its candidates that in any way requires the service of an attorney. Provided, however, the County Chairman may, at any time, as well as the County Committee, in his or its discretion, appoint special counsel to represent the County Officers or County Committee or any of its members.

Section D. The section as to the duties of the Legal Committee is in no way to be construed as a limitation of the right of any County Officer or County Committeeman to employ at his own expense special counsel to represent him in any proceedings.

Section E. The County Chairman shall set up a department in the County headquarters, if possible, consisting of one or more rooms, which shall be the headquarters of the Legal Committee and from which the said committee shall function.

ARTICLE 6

CAMPAIGN COMMITTEE

The Campaign Committee shall consist of all the members of the County Committee, the candidates endorsed by the County Committee at a primary election, and all candidates of the Democratic party at a municipal, special or general election. The County Chairman shall have the right to add to the membership of this Committee from time to time as he may deem advisable. The County officers shall be the officers of the Campaign Committee and the County Chairman shall have the right to select a Manager, Executive Secretary, Financial Secretary and Treasurer for the Campaign Committee.

ARTICLE 7

OTHER COMMITTEES

Section A. The functions and powers of all other committees shall be in accordance with the will of the County Chairman or the County Committee and where these powers or functions have not been definitely set forth, not fully set forth, or not been set forth at all, then the rules of Roberts' Parliamentary Procedure shall govern.

Section B. The organizing of committees under Rule IX and the election of its officers shall be done in the following manner: The Chairman of any committee shall, within one week after the date of his appointment as chairman of the committee, call a meeting of the members of his committee for the purpose of organizing. The time, place and date of holding this meeting shall be fixed by the chairman and set forth in the notice of the meeting.

Section C. At this meeting of organization, the members shall elect a Vice Chairman, Secretary and such other officers as the committee may deem necessary for its proper functioning.

RULE X

VACANCIES

ARTICLE 1

Method of Filling

Section A. Vacancies existing or occurring on the Democratic ticket after the date of a Primary, or created after a Primary by the death, resignation or removal from office of an incumbent elected official, and nominations for candidates to be voted for at special elections to fill vacancies when, under the Election Code of 1937 and supplements and amendments thereto, a primary nomination is impossible (i.e., when special elections are not held at the time of the regular elections and when such vacancy occurs or exists within (60) days of the regular primary antecedent to such regular election) shall be filled as follows: In the case of county and city officers, by the County Executive Committee; in the case of members of Congress, delegates to the National Convention, State Senators and Councilmen, upon the recommendation of the District caucus in which the vacancy exists or happens. In the case of State Representatives where the district is composed of one ward, the vacancy shall be filled on the recommendation of the ward Committee at a special meeting held for that purpose. Where more than one ward comprises the legislative district, the vacancy shall be filled at a joint meeting of all ward committees in the said legislative district. In the case of members of the State Committee the vacancy shall be filled by a caucus of the Senatorial district in which the vacancy exists. (Amendment, Sept. 24, 1962)

Section B. All other vacancies, inclusive of these for which a special election is required to fill vacancies in the office of Representative in Congress, Senator and Representative in General Assembly and member of City Council, for which the law provides that candidates therefore shall be nominated by political parties by means of nomination certificates, shall be filled upon the recommendation of the district caucus in which the vacancy exists or happens, as hereinafter provided. (Amendment of Sept. 7, 1960)

ARTICLE 2

MEMBERSHIP OF CAUCUS

The membership of district caucuses such as Congressional, Senatorial and Councilmanic caucuses shall consist of the County Committeeman in each of the wards in the district holding the caucus.

ARTICLE 3

PROCEDURE FOR CALLING CAUCUS

Section A. In all instances the district caucus shall be called by the County Committeeman whose ward at the preceding general election polled the highest number of Democratic votes, unless otherwise provided for by the members of the district. He shall call the meeting at a specified time, place and date and preside over the said meeting to organize, at which meeting shall be elected a chairman (unless the district has previously designated a person to preside over all of their district meetings) and a secretary.

Section B. In Legislative Districts which consist of one ward, the County Committeeman shall call a special meeting, giving written notice setting forth the time and date for holding the meeting. The officers of the Ward Committee shall preside over this special meeting.

Section C. In the case of two or more wards comprising a Legislative District, the County Committeeman of the ward that polled the largest Democratic vote at the preceding general election shall procure a list of all the members of the various wards in the Legislative District, together with their addresses, from each of the County Committeemen of the wards. He shall have notices sent to all the members of the various Ward Committees at the addresses set forth on the lists that he has obtained, calling a joint meeting at a time, place and date set forth in the notice, and the notice shall also set forth the purpose of calling the joint meeting. The organization of this joint meeting shall be presided over by the County Committeeman sending out the notice of the meeting.

Section D. At the organization meeting, the temporary presiding officer shall appoint two temporary secretaries, two temporary tellers, shall cause a roll call to be made by the secretary, who shall record those present from the various wards and call for the nomination of a permanent chairman. The nominations having been made, he shall proceed to conduct the election of a permanent chairman to preside over the joint meeting. The voting shall be in accordance with these rules. After the election of the permanent chairman, the meeting shall proceed to elect a vice chairman, secretary, and such other officers as may be deemed necessary to transact business.

ARTICLE 4

PROCEDURE TO BE FOLLOWED AT THE MEETING

Section A. The district or legislative caucus having been organized, the meeting shall proceed to select the committee persons to be the committee of the Democratic Party in the district at a special election. The Secretary shall keep a record of (1) the names of all persons nominated; (2) the number of votes received by each person nominated and (3) the number of persons voting. The person or persons having been selected by the caucus as the candidate or candidates nominated to be placed on the Democratic ballot to be elected at the general municipal or special election, and a certificate shall be issued and delivered to the Chairman of the meeting to be filed with the County Chairman, showing the name of the person or persons selected at the meeting.

Section B. The certificate of nomination shall set forth (1) that it is a nominating certificate to have the name (insert the name of the person or persons) placed on the Democratic ballot at the general, municipal or special election, as the case may be, to be held (insert the date of the election) as a candidate of the democratic party for election to the office of (insert the name of the office or offices); (2) the address, ward, division and occupation of the candidate or candidates; (3) the names of the persons who were entitled to be present and who voted at the district caucus; (4) that the district caucus was called in accordance with the rules of the Democratic party; (5) that proper notice was given, attaching a copy of the notice of the special meeting; (6) that the meeting was held as stated in the notice, and if not, why not; (7) the name of the person who acted as temporary chairman of the meeting; (8) the names of the permanent officers elected together with the names of all persons who attended and who voted at the meeting; (9) the names of each of the persons nominated, their address and the votes each received.

Section C. This certificate of nomination having a special meeting of the County Committee for the purpose of accepting or rejecting the action of the district caucus and the County Committee shall affix to the nomination papers of the district a certificate which shall set forth: (1) The date of the special meeting of the County Committee; (2) the name of the presiding officer; (3) that a quorum was present at this meeting; (4) that the County Committee did accept the action of the district caucus and (5) that the nomination made by the district caucus and the acceptance of the County Committee is in accordance with the rules of the Democratic County Committee set forth in Rule VII, Article 3, Section f, applicable to the nomination in question.

Section D. The County Committeeman shall provide that the certificate of nomination of the district caucus together with the endorsement of the certificate accepted by the County Committee, is filed with the proper bureau in accordance with the Election Code of 1937 and supplements and amendments thereto.

Section E. This certificate shall be signed by the permanent officers of the County Committee who were present at this meeting and shall be sworn to by one of the signers as true and correct.

ARTICLE 5

Section A. Any vacancy that may occur in the offices of any Ward or County Committee or in the office of County Committeeman, by reason of death, disqualification, inability to serve, resignation or recall of any of said officers, shall be filled only after due notice has been given in writing to all members of said committee stating the existence of said vacancy and the intention to fill the same for the unexpired term at a meeting to be specified in said notice.

ARTICLE 6

MEETINGS FOR FILING VACANCIES

Section A. All vacancies shall be filled by the committees, within thirty (30) days after the vacancy occurs, at a special meeting to be called by the presiding officer of said committee.

Section B. In the event of a vacancy occurring in any office, the next officer in line shall act until the vacancy is filled.

RULE XI

VOTING

ARTICLE 1. Voting on all questions and motions shall be by roll call “ayes” and “nays” unless the secret ballot is decided upon by a two-thirds (2/3) vote of the members present at the meeting.

RULE XII

PROXIES

ARTICLE 1. Proxies will not be permitted unless expressly provided for in these rules and in the Democratic State Committee rules.

RULE XIII

REVISION OF THESE RULES

Should the County Committee at the time of its organization or at any subsequent regular meeting decide that the rules of the party should be revised or amended, the County Committee shall direct the County Chairman to appoint a committee on the revision of rules for the purpose of revising or amending the rules and direct the committee to make a report in writing to the County Committee at a later meeting. The date shall be fixed by the Chairman of the meeting and notices shall be sent to all members of the County Committee advising them of the date of the meeting called to receive and act upon the report of the committee on the revision of the rules and stating that at this time the committee will make its report to the County Committee and that the County Committee will act on the report.

RULE XIV

SUSPENSION AND AMENDMENTS OF THESE RULES

ARTICLE 1. These rules may at any time be suspended at any meeting of the County Committee by a two-thirds vote of the members of the County Committee.

ARTICLE 2. Amendments to these rules may be made by submitting the proposed amendment to the County Chairman in writing and a copy of the same being sent to all the members of the County Committee with a notice that the County Committee at a meeting (time and place set forth in the notice) shall vote upon the amendment. In order for the amendment to become a part of these rules, it must be ratified by two-thirds (2/3) vote of the members of the County Committee.