



SENATE CHAMBER

MONTGOMERY

ALABAMA

J. SANFORD MULLINS
10TH DISTRICT
ALEXANDER CITY

January 7, 1933.

Dear Harry:

If you want to get a re-apportionment of the State, join me in my fight for a Constitutional Convention. I enclose you a memo. of the high lights of the bill I will propose. I look forward with pleasure to seeing you again when we assemble on the 31st. Let me know your views on the proposed Constitutional Convention.

Sincerely,
J. Sanford Mullins



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Digest of Bill which will be proposed by
Senator J. Sanford Mullins of the Tenth
Senatorial District of Alabama for a
Constitutional Convention to revise and re-
write the Constitution of this State.

Under the bill which Senator Mullins will propose at the coming extraordinary session of the Legislature of Alabama, calling a Constitutional Convention, it is provided that an election will be held on Tuesday, July 19, 1933, to determine if a majority of the voters of the State shall approve of the holding of such Convention. The Mullins bill for a Constitutional Convention provides that there shall be one delegate to such Convention from each county in the State and twenty-five delegates from the State at large. The bill further provides that of the twenty-five delegates from the State at large, twenty of these shall be so apportioned among the Congressional Districts of the State so that each such District shall be represented by two resident citizens thereof and the remaining five delegates at large shall be elected from the State without regard to their local residence, according to the provisions of the bill. The proposed measure also contains the provision that no person shall be disqualified from being a delegate to such Convention on account of the fact that he holds any office of honor or profit under the State or Federal Government.

The total membership of such a Constitutional Convention, as is proposed in the Mullins bill, would be ninety-two members - one each from the sixty-seven counties of the State, two from each Congressional District of the State and five from the State at large without regard to their local residence. It is thought that such a provision with reference to the total membership of such a Convention is an improvement over the former bill proposed by Senator Mullins at the last extra session of the Legislature, since the former bill provided for a total membership of about one hundred and sixty to such Convention. It was urged by many in opposition to the bill at that time that a Convention of such size would be wholly unwieldy and top-heavy.

The bill proposes that on Saturday following the election of July 11th the Probate Judges, Sheriffs and Circuit Clerks of the several counties of the State shall canvass the returns of such election and certify the results thereof to the Secretary of State. By Section six of the bill, it is provided that on Wednesday, July 19, 1933, the Governor, Secretary of State and Attorney General shall assemble in the office of the Secretary of State, and open the returns of said election and count the votes which have been cast in favor of holding the Convention and those opposed to holding such Convention. Should such Convention be authorized by the people, it is provided by Section seven of the Mallins bill that the delegates elected to such Convention shall convene in the Hall of the House of Representatives in the City of Montgomery on Tuesday, August 1, 1933, and then and there proceed to organize said Convention by the election of a president from among themselves, and such other officers (who need not be delegates) as such Convention may deem necessary for the proper performance of the duty assigned to the Convention.

"The officers of said Convention shall receive the same compensation, payable out of the Treasury of the State, as corresponding officers of the House of Representatives are by law allowed. The Chief Justice of the Supreme Court, or in his absence, one of the Associate Justices, shall call the Convention to order and preside until temporary officers are elected. The said delegates shall receive for their services the same per diem and mileage from the Treasury of the State as is allowed to members of the Legislature of Alabama", are provisions of Section nine of the proposed Constitutional Convention. It is further provided by Section nine of the bill that "per diem compensation shall not be allowed or paid to any member of the Convention for a longer time than fifty days."

Section fifteen of the bill provides that if such Convention be called, it shall not incorporate in any Constitution it may adopt any clause or matter looking to the removal of the State Capital.

Under the bill drafted by Senator Mullins, it is made the duty of the Governor, by the provisions of Section sixteen of the bill, within one week after the filing of a correct copy of a revised and rewritten Constitution of the State with the Secretary of State, to issue his proclamation making known the fact that such Constitution has been framed and thereby require an election to be held in the several counties of the State in the same manner and by the same officers as general elections are required to be held for the purpose of submitting to the qualified voters of this State the said Constitution for ratification or rejection. By the terms of the bill, this election shall be held not less than twenty days nor more than sixty days after the date of such proclamation.