

STATE OF OREGON

MAY 6 1958

DOCUMENT
SECTION
OREGON
SECTION*Voters' Pamphlet***Nonpartisan Judiciary Offices**

Primary Nominating Election

May 16, 1958

Compiled and distributed by

MARK O. HATFIELD

Secretary of State

CLACKAMAS, COLUMBIA, COOS, CROOK, CURRY,
DESCHUTES, GILLIAM, GRANT, HARNEY, HOOD RIVER,
JEFFERSON, KLAMATH, LAKE, MALHEUR, MARION, MOR-
ROW, POLK, SHERMAN, TILLAMOOK, UMATILLA, UNION,
WALLOWA, WASCO, WASHINGTON, WHEELER AND
YAMHILL COUNTIES

INFORMATION FOR VOTERS

- (1) Requirements for a citizen to qualify as a voter:

Citizen of the United States.
Twenty-one or more years of age.
Resided in the state at least six months.
Able to read and write English.
Registered as an elector with the County Clerk or official registrar at least 30 days before election.

- (2) Voting by absentee ballot.

You may apply for an absentee ballot if:

You are a registered voter. ("Service voters" are automatically registered by following the service voting procedure.)

You have reason to believe you will be absent from your county or city on election day.

You live more than 15 miles from your polling place.

You are unable by reason of physical disability to go to the polls.

You are a "service voter".
You are a "service voter" if you are:

In the Armed Forces or Merchant Marine of the United States.

A civilian employee of the United States, serving outside the country.

A member of a religious group or welfare agency assisting members of the Armed Forces.

A spouse or dependent of a "service voter" temporarily living outside the county or city in which the last home residence in this state of the "service voter" is located.

How a voter may obtain and use an absentee ballot.

You may apply for an absentee ballot if:

You will be temporarily absent from your county or city on election day.

You live more than 15 miles from your polling place.

You are physically unable to go to the polls.

Application for the ballot may be

filed with, or mailed to the County Clerk at any time within 60 days before the election, March 17—May 11 (Service voters, after January 1 of election year). Application includes:

Your signature.

Address or precinct number.

Statement of reason for application.

Applications filed less than five days before election. May 12-16, require additional statement that:

Voter is physically unable to get to the polls, or

Voter was unexpectedly called out of county or city in the five-day period.

On election day, require certificate of physical disability incurred on election day from:

Licensed practitioner of healing arts.

Authorized practitioner of Christian Science.

Ballot, when voted by elector, must be returned to County Clerk not later than 8 p.m. on election day.

- (3) A voter may obtain and use a certificate of registration if he:

Changes residence within the state 30 days preceding an election. (Certificate is presented to election board in precinct to which he has moved.)

Is absent from his county on election day. (Certificate may be presented to the election board in any county in the state. Elector may vote only for state and district offices.)

- (4) If you have moved from the precinct in which you were registered to another precinct within the same county, you may vote in your old precinct if you apply for reregistration at the time of voting.

- (5) A voter is required to reregister if he:

Fails to vote in at least one election in any two-year election period.

Changes address by moving to another precinct or county.

Changes party registration.

Changes name.

LIST OF CANDIDATES FOR NOMINATION

	Page
Supreme Court Judge, Position No. 3 (Vote for One)	
Samuel M. Bowe	5
Boyd R. Overhulse	6
Gordon Sloan	7
Supreme Court Judge, Position No. 7 (Vote for One)	
Jason Lee	8
George Rossman	11
Index	15

LIST OF CANDIDATES

1. J. M. ...

2. ...

3. ...

4. ...

5. ...

6. ...

7. ...

8. ...

9. ...

10. ...

11. ...

12. ...

13. ...

14. ...

15. ...

16. ...

17. ...

18. ...

19. ...

20. ...

21. ...

22. ...

23. ...

24. ...

25. ...

26. ...

27. ...

28. ...

29. ...

30. ...

Nonpartisan

SAMUEL M. BOWE

For Judge of the Supreme Court, Position No. 3



Samuel M. Bowe is a lawyer highly qualified for election to and service upon the Oregon Supreme Court. A native Oregonian, born at Astoria in 1909, he has practiced law exclusively since his graduation from Willamette University and admission to the Bar in 1933. He has practiced in Grants Pass since 1938 except for two years service in the army infantry during World War II. He is Past Commander of the American Legion of Oregon. Keenly interested in the affairs of his profession he has worked in many phases of the Oregon State Bar. At present he is serving on the Board of Bar Examiners by appointment of the Supreme Court and served as a member of the Board of Governors from 1952 to 1955. He has held many committee assignments including the chairmanship of the important committee on Legal Ethics.

His close association with the affairs of the profession make him familiar with the situation confronting the judiciary of Oregon. Constant growth of Oregon has increased litigation and appellate work until the Supreme Court is now approximately two years behind. Bowe feels that such delays work a hardship on litigants who are sometimes forced to inadequate settlements in order to avoid delay, believing firmly that justice delayed is justice denied. Bowe

would bring to the Court the assistance of a young, vigorous and aggressive worker, thoroughly familiar with the problems and would dedicate himself to their solution.

In addition to his many professional activities, Bowe has served his community and state in other phases. He was the first World War II veteran to become Commander of the American Legion of Oregon and has served on the Advisory Committee to the Director of Veteran Affairs since 1951. He has been a director of his Chamber of Commerce and served his Church (Episcopal) as a Vestryman. He is married to the former Mildred Miller of Salem, and they are the parents of one daughter, Sally Jane Bowe. He is a Mason, Shriner and Sigma Chi.

COMMITTEE TO ELECT BOWE JUSTICE OF THE SUPREME COURT
Niel R. Allen, W. W. Balderree, Gene L. Brown of Grants Pass; Don Eva of Portland; Roy Harland of Salem; D. J. Grant of Coos Bay; and Edward Branchfield of Medford.

(This information furnished by Committee to Elect Bowe Justice of the Supreme Court)

Nonpartisan

BOYD R. OVERHULSE**For Judge of the Supreme Court, Position No. 3**

Boyd R. Overhulse is now President of the Oregon State Senate. He was unanimously elected to that position, by the Senate, after an eleven day stalemate in a Senate equally divided between Republicans and Democrats. His conduct in presiding over that body was so fair and impartial that not a single ruling of the chair was ever appealed from through the regular and special sessions of the Legislature in 1957.

His performance was acclaimed by Republicans and Democrats alike. Governor Holmes said that Overhulse faced the most difficult situation ever faced by a Senate President and did a remarkable job. Senator Howard Belton, Dean of the Senate, said Overhulse's performance was one of the highlights of the session.

Boyd is 48 years old. He attended grade schools in Oregon and finished high school at Weston, Oregon in Umatilla County. He attended the University of Oregon and the U. of O. Law School and was admitted to practice law in Oregon in 1933. He was elected District Attorney of Jefferson County in 1934 and was re-elected three times, resigning in 1948 to engage in private law practice. He is senior partner in the law firm of Overhulse & Rodriguez in Madras, Oregon, and is President of Jefferson County Title and Abstract Company. He has been a farm tenant and a farm owner and operator.

He was elected State Representative in 1950 from the joint district of Crook and Jefferson Counties and was re-elected twice thereafter, serving in the Oregon House of Representatives in 1951, 1953 and 1955 Sessions.

He was elected State Senator in 1956 from the District composed of Crook, Deschutes, Jefferson and Lake Counties.

Both parents were Oregon school teachers as are his two sisters, and he was a school board member for many years.

He belongs to the Elks, Odd Fellows, Lions, Grange and other civic organizations.

If nominated and elected he will bring to the Court a wealth of ability, experience and background. There is no substitute for experience, ability and common sense in government.

OVERHULSE FOR SUPREME COURT COMMITTEE

Walter J. Pearson, Chairman

Sumner C. Rodriguez, Secretary

(This information furnished by Overhulse for Supreme Court Committee)

Nonpartisan**GORDON SLOAN****For Judge of the Supreme Court, Position No. 3**

Gordon Sloan, a Judge of the Supreme Court of Oregon, has an outstanding record as a Judge, lawyer and citizen. He is a young, vigorous, dedicated Judge. He was Vice President of the Oregon State Bar; a member of its Board of Governors and Board of Bar Examiners. Active in community life, was Chairman of Astoria School Board. Married and father of two teen-age children. His home town newspaper, the Astorian Budget, says of him: "Sloan is well learned in the law, is of excellent character and stainless reputation, has a sober and judicious mind and in all respects is, in our opinion, well qualified for a post on the State's highest tribunal."

RETAIN JUSTICE SLOAN COMMITTEE

Harvey DeArmond
Orval Thompson
Al Flegel
Wendell Wyatt
Edgar Smith

Moe Tonkon
Lamar Tooze
Rev. Roy Fedje
Mrs. Clyde Gideon
Mrs. Warren McMinimee

Dr. Joseph P. Brennan
John Kilkenny
Kenneth J. O'Connell
Anthony Yturri
William Walsh

J. O. Bailey, Chairman

Donald S. Richardson, Vice Chairman

(This information furnished by Retain Justice Sloan Committee)

Nonpartisan**JASON LEE****For Judge of the Supreme Court, Position No. 7**

JASON LEE—SEVENTEEN YEARS LEGAL EXPERIENCE. HUMANITARIAN WORKER. A VETERAN.

JASON LEE believes that judicial proceedings should be a prompt, orderly search for truth in the interests of justice—rather than a contest using technicalities, delay and surprise for the chief weapons.

JASON LEE is qualified by 17 years legal experience. He loves the law and believes that special attention must be given to reducing the long delay in disposing of cases brought before the Oregon Supreme Court. Truly, **“JUSTICE DELAYED IS JUSTICE DENIED.”**

In November, 1955, JASON LEE wrote to the late Chief Justice Vanderbilt of New Jersey, who overcame congested court dockets in his state. **JASON**

(Concluded on following page)

(This information furnished by Nonpartisan Jason Lee for Justice Committee)

LEE has studied his methods and believes that similar reforms can be made in Oregon.

JUDICIAL ADMINISTRATION IS IMPORTANT TO YOU as well as lawyers and judges. With the delay that now exists, the custody of your child might be at issue for years; your injury case might be delayed when you most need the money; your witnesses might die or move away before a new trial was granted.

THOSE ARE SERIOUS PROBLEMS THAT MIGHT AFFECT YOU. To help solve these problems, JASON LEE needs your help in being elected to Position No. 7 of the Oregon Supreme Court. He will lend his industry and initiative to help reduce that delay.

The venerable incumbent of Position No. 7, now 73 years of age, will be 79 at the end of another term. He is loved and respected by all members of the bench and bar. However, as stated by the 1956 Oregon State Bar Judicial Administration Committee:

"Unfortunately, the judicial robe affords no shield against the deprivations of the years and to this phenomenon judges are susceptible with others."

The incumbent, born in 1885, has made contributions from his salary which entitle him to retire at \$8,000 per year for life. A former Justice, who retired at age 70, as reported by The Oregonian, recently told a group in Portland that compulsory retirement at age 70 is needed to reduce the backlog of Supreme Court cases.

JASON LEE, 43 years of age, trustworthy and energetic, is admitted to practice before the U. S. Supreme Court, Oregon Supreme Court, U. S. Court of Claims, U. S. Tax Court, and the U. S. Court of Appeals, 1st, 5th and 10th Circuits.

Educated in Oregon schools, JASON LEE worked his way through the U. of O. School of Law and graduated in 1939. His wife Dorothy, is formerly of North Dakota, and they have three children, Pat, Betsy and Jason, Jr.

JASON LEE practiced law in Eugene before joining the Armed Forces. After World War II he was an attorney with the U. S. Department of Justice in Washington, D. C., and with the U. S. Attorney's office in Portland. He practiced law in Multnomah County before moving to Salem.

JASON LEE is a member of Rotary, Oregon State Grange, A.F. & A.M., Shrine, Y.M.C.A., Sons of Norway, Izaak Walton, Chamber of Commerce, and the Marion County Historical Society.

JASON IS JUDGE ADVOCATE OF HIS AMERICAN LEGION POST, and past state president of the Sons and Daughters of Oregon Pioneers. He has worked in Boy Scout projects, March of Dimes, etc., and received the Oregon State Jaycee Distinguished Service Award for his community services.

Endowed with high intelligence and kindly outlook, Jason Lee will bring credit to the Court and his profession. He will work diligently for prompt, equal justice for all.

BALLOT SLOGAN: SEVENTEEN YEARS LEGAL EXPERIENCE. HUMANITARIAN WORKER. A VETERAN.

NONPARTISAN JASON LEE FOR JUSTICE COMMITTEE
Rev. James Matthew Alley, Chairman

**Statement Opposing Nomination
of Jason Lee
For Judge of the Supreme Court, Position No. 7**

In an effort to bring about his election to the office of Supreme Court judge, Mr. Lee sponsors the statement that Judge George Rossman, present Supreme Court judge, is not performing his full duty. Any candidate, who, in an effort to gain office, seeks to mislead the voters, thereby calls into question his fitness for the office.

The following facts show the volume of work performed annually by Judge Rossman. The data was taken from the Oregon Reports, which are the official printed records of the Oregon Supreme Court. They are open to all.

The Court consists of seven judges. In 1957 Judge Rossman wrote 42 opinions. In that year the total number that came from the Court was 194. Therefore, Judge Rossman produced better than 1/5th of the total.

In 1956, when the Court produced 208 opinions, Judge Rossman wrote 38 of them—almost 1/5th. In 1947 and 1948, when he was Chief Justice, the percentage was virtually the same.

Mr. Charles A. Sprague, publisher of The Oregon Statesman, on March 8, 1958, referring to the three older members of the Supreme Court, Judges Lusk, Brand and Rossman, wrote:

"Dropping them summarily would rob the court of its ablest talent, and of judges who carry a full share of the load of work on the court. As to productivity the record for the three is as follows:

	Total Opinions Written by Supreme Court	Number by Rossman, Lusk and Brand
1955	181	63
1956	208	109
1957	194	104

"The explanation for the heavy work load by the older justices lies in the fact that there have been numerous changes in the court's membership in recent years. Until new members get into stride they rarely are able to turn out the number of opinions as do the veterans. ***

"The scoreboard on opinions is by no means an adequate test of a judge's production. ****"

In 1937 an attack was made upon the United States Supreme Court under the veil of a purported attempt to speed up the judicial processes by appointing new judges, if a judge with ten years' experience remained on the court after reaching the age of 70. The majority of a United States Senate committee reported adversely to the bill, and said:

"The facts indicate that the courts with the oldest judges have the best records in the disposition of business."

As a judge remains longer in office and gains thereby from the breadth of his experience, his value in the administration of justice becomes greater, especially if he retains good health and mental alertness, as has Judge Rossman. The State and the litigants obtain the benefit of his ripe experience.

BRYAN GOODENOUGH, Salem, Oregon
Former Supreme Court Reporter,
Former member of Board of Governors of the
Oregon State Bar.

(This information furnished by Bryan Goodenough)

Nonpartisan

GEORGE ROSSMAN

For Judge of the Supreme Court, Position No. 7



The unusual capacity of Judge Rossman for judicial service has been widely recognized. The following are especially worthy of mention:

In 1942 the Judicial Section of the American Bar Association elected Judge Rossman chairman of that Section, a recognition of merit which has come to only one other Pacific Coast judge.

In May, 1948, the American Bar Association Journal printed a sketch of Judge Rossman's career which included the following:

"Judge Rossman is a towering Lincolnian figure in any group of men, with a marked kindliness and an ingrained deference for others' views even when disagreeing with them. He has a rugged capacity for hard work, arrives at his office at the Court before eight o'clock in the morning, takes a little time for

lunch, and leaves about five o'clock to spend many of his evenings on his opinions. His fairness and impartiality are attested by lawyers and people of all political faiths. For his diligence and capacity as a jurist and as Chief Justice, his progressive leadership of the judicial system of his State, his devoted services to the work of our Association and the organized Bar, and his staunch and sturdy qualities as a citizen and servant of his community, Judge Rossman enjoys the abiding respect and the hearty affection of his colleagues and co-workers, of the lawyers of his State and many other States, and of the people of Oregon—a great son of the Pacific Northwest."

Since the above was published, Judge Rossman was elected president of the Board of Trustees of Pacific University, and last year the University of Chicago awarded him its Alumni Medal for distinguished service to the common welfare. A few years ago he was made a member of the Board of Fellows of the Institute of Judicial Administration (New York), which performs, without charge, service of inestimable value to the enlightened administration of justice.

Judge Rossman is worthy of re-election for another term on the Supreme Court.

BRYAN GOODENOUGH

(This information furnished by Bryan Goodenough)

**Statement Opposing Nomination
of George Rossman
For Judge of the Supreme Court, Position No. 7**

I am 72 years old and have been an Oregon voter for 41 years.

For many years I have admired Justice Rossman. He has made great contributions to the law of Oregon. Born in 1885, he is now 73 years of age, and has been a member of the Oregon Supreme Court since 1927.

However, since World War II a serious backlog of cases has accumulated in the Supreme Court. It is urgent that this congestion be cleared. People's rights are being lost by procedural delay.

Year by year that backlog has continued to grow. As a taxpayer, I believe that the candidate for this position should be a more vigorous person who is able to shoulder the work load and forestall the expense of additional manpower.

The Oregon State Bar Judicial Administration Committee has studied the matter of judicial retirement and stated:

"It is generally conceded that the productive capacity of an individual tends to decline markedly after he has passed some critical mark of age or well-being."

The Committee recommended study of mandatory retirement of judges, and, concerning the Judges Retirement Act stated:

"It was partially in recognition of this fact that the legislature several years ago enacted the Judges' Retirement Act (now ORS 1.310 to 1.380) to encourage the timely retirement of judges from the respective Oregon Courts and to provide for their economic protection thereafter."

During the first 7 years of his Supreme Court career, Justice Rossman wrote an average of 34 decisions per year. For the 7 years from 1949 to 1955, inclusive, as reported by a committee of the Oregon State Bar his average annual output has been less than half that number of cases. The Supreme Court is not a place for retirement.

Retired Oregon State Supreme Court Justice J. O. Bailey is reported by the Oregonian to have stated recently that compulsory retirement is needed to reduce the backlog of Supreme Court cases, which may result in delay of as much as three years. He suggested retirement at age 70 as he had done.

Justice Rossman has made contributions from his salary which entitle him to retire and receive \$8,000 per year for the rest of his life whether he is re-elected or not. There are further benefits for the security of his wife.

In fairness to the Justice, who has earned the right to retire, and the public, whose rights are being impaired, a candidate should be nominated for Position No. 7, who will make a special effort to reduce the backlog of cases in the Oregon Supreme Court.

MINNIE WINKLEMAN
410 N. W. 18th Avenue
Portland, Oregon

**Statement Opposing Nomination
of George Rossman
For Judge of the Supreme Court, Position No. 7**

I have read the Elector's Statement of Bryan Goodenough in behalf of Justice George Rossman and I take exception to his accusation that the facts contained in the statement of MINNIE WINKLEMAN are misleading.

Justice Rossman is to be commended for his outstanding production in 1956-57. Those statistics were not available to MINNIE WINKLEMAN at the time that she filed her Elector's Statement and they are a creditable showing.

I know that all the facts contained in the Elector's Statement of MINNIE WINKLEMAN are true and accurate, and I file this statement to reassure the voters of that accuracy.

Mr. Goodenough has quoted from the editorial statement of Charles A. Sprague, publisher of the Oregon Statesman and former Governor of Oregon. I feel that the following excerpt from his editorial should also be called to the attention of the voters:

"Retired Justice J. O. Bailey stirred up comment in legal circles over the state with a talk before a group of lawyers in Portland last Tuesday. The former justice recommended compulsory retirement of Supreme Court justices and suggested age 70 as the cut-off date. Bailey himself retired at that age in 1950. He cited cases of older justices who in election years would write 30 opinions but in other years only 13 or 14 . . .

"The heavy backlog of cases pending in the Supreme Court and the consequent delay, running to years, when decisions may be had has prompted previous criticism of the Supreme Court. Calls for relief have proposed adding to its membership, or creation of an intermediate appeals tribunal. In this connection some have put blame on the older justices, attributing the slowdown to their slowdown.

"Whether Judge Bailey was hitting specially at Justice Rossman or not we do not know. (Judge Rossman, who is a candidate for reelection, celebrates his 73 birthday today)."

I am 70 years old and have been an Oregon voter for 45 years. I know that Jason Lee, who is now the same age as Justice Rossman was when he became a member of the Supreme Court 30 years ago, will perform commendable service if elected to the Oregon Supreme Court.

BERTHA C. GATCHELL
585 Third
Gervais, Oregon



INDEX

	Page
Bowe, Samuel M., Supreme Court Judge, Position No. 3	5
Gatchell, Bertha, Statement opposing George Rossman	13
Goodenough, Bryan, Statement opposing Jason Lee	10
Lee, Jason, Supreme Court Judge, Position No. 7	8
Overhulse, Boyd R., Supreme Court Judge, Position No. 3	6
Rossman, George, Supreme Court Judge, Position No. 7	11
Sloan, Gordon, Supreme Court Judge, Position No. 3	7
Winkleman, Minnie, Statement opposing George Rossman	12

462

68

BULK MAILING
U. S. Postage

PAID

Portland, Oregon
Permit No. 815