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ARTHUR DUNN
LAWYER
130 WEST 42ND STREET
NEW YORK 18

per

APR 13 1945
April 11th, 1945.

Dear Mrs. Roosevelt:

I believe you will find the enclosures of interest as they relate to the poll tax and the contests of election of 68 Members of the House from the seven poll tax States.

I think you will be especially interested in the New York Post clipping about value of votes in the Assembly quoting from "Arithmetic or Revolution".

I would appreciate knowing whether you have ever read my book "Arithmetic or Revolution" which you ordered several months ago. Your opinion of "Arithmetic or Revolution" would be very much appreciated.

Sincerely yours,


ARTHUR DUNN

AD:MG
ENC.

Mrs. Eleanor Roosevelt,
The White House,
Washington, D.C.

Reprinted from *The Nation*, April 7, 1945

Unseat the Poll-Taxers!

BY J. MITCHELL MORSE

FIRST the Georgia legislature voted three to one to keep the poll tax; then it voted three to one for repeal. One thing that helped it change its mind was a telegram to Governor Arnall promising that if the tax were repealed a campaign to unseat Georgia's ten Congressmen would be dropped. The telegram was signed by Arthur Dunn of New York, counsel to the Southern Electoral Reform League, on behalf of Moss A. Plunkett of Roanoke, Virginia, president of the league. This organization of liberal Southerners is continuing a campaign against the sixty-nine Representatives from the seven remaining poll-tax states. It has formally notified them of intention to contest their election, and has presented more than a thousand pages of evidence to the House Elections Committee to show that their election was unconstitutional. The last of the law's delays will run out toward the middle of May, and the sixty-nine must then appear before the committee and show cause why they should not be unseated. They have not yet presented any evidence in their own behalf. Their time for doing so will expire about April 7—the date is indefinite because the sixty-nine replied to the notice of contest at different times; after that they will have thirty days in which to prepare briefs, and then they must stand trial, evidence or no evidence, briefs or no briefs.

According to the letter of the law their situation is desperate, but all the human factors are on their side. The Elections Committee is divided into three sections to facilitate its work; the chairman of the first section is Thomas G. Abernethy of Mississippi, one of the accused; the chairman of the second section is Ed Gossett of Texas, one of the accused; the chairman of the third section is Hugh Peterson of Georgia, who was originally one of the accused. Of the other members of the committee, three are among the accused and eleven are Republicans; only eight are Democrats from non-poll-tax states. In few actions are the accused so well represented on the bench.

However, there is good constitutional ground for contesting the seats of poll-tax Representatives. The Fourteenth Amendment is known chiefly as the dull matrix of that many-faceted diamond the "due-process" clause, but it contains other diamonds also, among them this one discovered by Mr. Dunn:

... when the right to vote at any election for the choice of electors for President and Vice-President of the

would be entitled to only twenty-three Representatives instead of sixty-nine. Their legislatures would have to call special elections, either redistricting the states to make a smaller number of districts or providing for the election of all their Representatives at large.

There doesn't seem to be much chance that the Elections Committee will go so far to uphold the Constitution. One Congressman told Dunn, "We're like a club up here in matters of this kind, so I think your contest is going to die in committee." Dunn replied that it was "a matter of the Constitution against Congressional courtesy." Representative Woodrum of Virginia, who favors repeal of the poll tax, told Dunn that it could be achieved only by public pressure. Dunn and Plunkett believe their action may be effective in creating pressure for a federal anti-poll-tax law.

The idea of enforcing the penalty provided in the Fourteenth Amendment was first put forth by Dunn in a book "Arithmetic or Revolution?" published in 1934. ¹⁹⁴³ Carter Glass's newspaper, the Lynchburg, Virginia, *Daily Advance*, once called the seventy-two-year-old Dunn a "carpetbagger," which shows what century it lives in, but as a matter of fact his mother was a Virginia slaveholder and a relative of Governor Henry Alexander Wise, who refused to reprieve John Brown. Dunn himself was, if anything, more conservative than Glass until 1933. He studied economics at Princeton, accepting as eternal laws of nature the pre-machine-age theories of Adam Smith, Malthus, and Ricardo. After graduation he became a corporation lawyer with offices at 25 Broad Street, across the street from the New York Stock Exchange. His social views were just what you would expect: he voted for Herbert Hoover against Al Smith and against Roosevelt—in fact, the only time he deviated from the straight G. O. P. line was in 1912, when he voted for Theodore Roosevelt as a Progressive.

It took an almost fatal accident to make him a Democrat. On December 21, 1931, he was knocked down by an automobile and injured so severely that it took him five years to recover. He didn't set foot in the financial district for three years. The depression was in full career; the casualty company in which he was insured, one of the largest in the country, paid him \$2,500 in settlement of a \$5,000 policy; a friend, the president of an even larger firm, told him there wasn't a solvent insurance company in the United States; his three sons all Princeton graduates all intelligent young

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... when the right to vote at any election for the
 choice of electors for President and Vice-President of the
 United States, Representatives in Congress, the executive and
 judicial officers of a state, or the members of the legisla-
 ture thereof, is denied to any of the male inhabi-
 tants of such state, being twenty-one years of age, and
 citizens of the United States, or in any way abridged,
 except for participation in rebellion, or other crime, the
 basis of representation therein (i.e., in Congress) shall be
 reduced in the proportion which the number of such male
 citizens shall bear to the whole number of male citizens
 twenty-one years of age in such state.*

After the decennial census of 1940 the Seventy-seventh
 Congress was required by the same amendment to deter-
 mine the number of Representatives to which each state
 was entitled by its population. This it did. It allotted nine
 to Alabama, seven to Arkansas, seven to Mississippi, six to
 South Carolina, ten to Tennessee, twenty-one to Texas, and
 nine to Virginia. In all these states payment of a poll tax is a
 prerequisite for voting. The following table shows the aver-
 age percentages of possible voters who actually voted in the
 last three elections:

	Poll-Tax States	Non-Poll-Tax States
1940.....	23 per cent	73 per cent
1942.....	5 " "	39 " "
1944.....	21 " "	60 " "

Such figures, says the Southern Electoral Reform League,
 indicate that the poll tax abridges the right to vote. As a
 matter of fact, when the Virginia tax was provided for at
 the state constitutional convention of 1901, Senator Carter
 Glass was very frank about its undemocratic purpose:

The chief purpose of this convention is to amend the
 suffrage clause of the existing constitution. It does not
 require much prescience to foretell that the alterations
 which we shall make will not apply to "all persons and
 classes without distinction." We were sent here to make
 distinctions. We expect to make distinctions. We will
 make distinctions.

In 1939 the Virginia Supreme Court of Appeals held that
 the poll tax was primarily intended, not to produce revenue,
 but to limit the suffrage (*Campbell v. Goode*, 172 Va. 463,
 2 S. E. (2d) 456).

If the penalty were enforced, the seven poll-tax states

* The word "male" was made superfluous by the Nineteenth Amendment,
 but has been allowed to stand.

...Congressional minority...
 ...of Virginia, who favors repeal of the poll tax,
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 country, paid him \$2,500 in settlement of a \$5,000 policy;
 a friend, the president of an even larger firm, told him
 there wasn't a solvent insurance company in the United States;
 his three sons, all Princeton graduates, all intelligent young
 men, were all unemployed; two of them voted the Socialist
 ticket in 1932. Thus Dunn, who had always been an em-
 ployer, saw the depression as if through the eyes of a man
 out of work. The corporation lawyer began for the first time
 to doubt that Adam Smith was the Messiah. On May 31,
 1934, following doctor's orders, he started out on a leisurely
 automobile trip that lasted two and a half years, covered
 42,000 miles, and took him through forty-four states and a
 part of Canada. He had no time-table, no fixed itinerary; he
 stopped wherever he felt like it, staying sometimes a day,
 sometimes a week, looking around and asking questions. He
 saw the New Deal at work, and was converted.

He began to write down his impressions, and a conversa-
 tion with a newspaper editor led to the production of a daily
 column, "The Compass," which eventually was syndicated to
 seventy papers. This continued until the fall of 1936, when
 he came out for Roosevelt. When that happened, 90 per cent
 of the newspapers dropped his column and Dunn discon-
 tinued it. By that time he was back in New York and had
 resumed his law practice, which he still continues. In 1944
 he organized the Parents and Wives of Fighting Americans,
 Inc., to agitate for a quick federal ballot for service men; it
 has since developed a broad liberal program and is now an
 ally of the Southern Electoral Reform League in the fight
 against the poll tax.

Moss Plunkett, president of the Southern Electoral Re-
 form League, must be equally incomprehensible to those who
 think of reformers in the terms of a J. N. Darling cartoon.
 His family has been in Virginia for three hundred years,
 slaveholders, Revolutionary patriots, and Confederate patri-
 ots. He himself saw action at Chateau Thierry, Belleau
 Wood, and St. Mihiel. Yet he works for progressive causes!
 It was largely due to his efforts that the Virginia legislature
 last year provided funds to double the salaries of grammar-
 school and high-school teachers in the state, which then aver-
 aged \$14 a week.

Dunn and Plunkett are not alone in their fight. They have
 the active support of the National Committee to Abolish the
 Poll Tax, the National Association for the Advancement of
 Colored People, and the C. I. O. But they are cheered most
 of all by the fact that a number of youth organizations, on
 their own initiative, are conducting a campaign to have their
 members' parents write a million letters to Congress.

Washington Memo

By Charles Van Devander and William O. Player Jr.

A Voting Plan That Assures That Only Democracies Can Be in United Nations

Washington, Apr. 6.

The principle that each sovereign nation, regardless of size or importance, should have an equal voice in the Assembly (lower body) of the proposed World Organization was set forth at Dumbarton Oaks. It is based on the democratic theory that every nation is equal in the field of ideas and debate—with which the Assembly will concern itself—if not on the level of action, which is the function of the Security Council (upper body), which the big powers will dominate.

We'd judge that support of this principle has been strengthened by the violent reaction against suggestions that Russia and the U. S. each be allotted three votes—a reaction which led President Roosevelt to withdraw this country's request for extra votes and thereby undermine Russia's position.

But if the principle of one vote per nation SHOULD be abandoned, there'd be many different proposals as to how each country's relative weight could be determined.

Votes might then be apportioned in accordance with population, for instance, or by some gauge of military prowess, or by the statistics of annual steel production.

The most interesting suggestion along this line that we've seen would determine representation on a combination of the factors of population and democracy. Appropriately enough, it comes from a man who devotes a large share of his time and energy to the poll tax repeal movement in an effort to improve the practice of democracy in this country.

Arthur Dunn, New York lawyer and counsel for the Southern Electoral Reform League, advanced this plan more than a year ago in his book: "Arithmetic or Revolution." Here's the way he put it:

"Each nation shall be entitled to one vote for each million secret ballots cast in the election since 1930, in which the highest number of electors voted. The limit, however, is to be 60 votes for any one nation. This assures that only democracies can be members of the United Nations and that the votes of each will be in proportion to the extent of the exercise of the democratic process. This will stimulate the use of the ballot."

Dunn tells us that Russia, having cast 95,000,000 votes in one election, would be assured of the maximum of 60 votes under this plan. The U. S. now could claim only 50—but if the poll tax were removed it would be easy for this country to get 60 votes by polling 60,000,000 voters in the 1946 election. The United Kingdom would have 15 votes, Canada 4, New Zealand 1, and Australia 2.



NO FORCED SALE

9th 3 MILES 1st RACES

Paris, Apr. 6 (AP) — Lt. Gen. Simpson's 9th Army fought three miles past the Weser River today and into the streets of the Pied Piper town of Hamelin, 23 miles from Hannover. On the 9th's right flank Lt. Gen. Hodges' 1st Army opened a powerful new attack which carried 22 miles eastward close to the upper reaches of the river.

The British 2d Army of Lt. Gen. Dempsey north of Minden was across the Weser at three or more places and fighting over the north German plains within 35 miles of the great naval base of Bremen.

The 9th crossed the Weser at several places northwest as well as south of Hamelin and deepened its original bridgehead to three miles. This drive threatened imminently to outflank Hannover from the south. The Germans were in flight toward the Elbe, last river before Berlin.

Lt. Gen. Patton's 3d Army on the central Thuringian plain was closest to the capital—130 miles away.

The destruction of the German army continued. The 9th and 3d Armies alone captured 25,658 Germans yesterday. The day before 32,615 prisoners were taken.

Prized cities fell, including Bielefeld (pop. 128,700), Minden (28,000) on the Weser, Muelhausen (36,000) on the approaches to Berlin and Leipzig; the Dutch linen center of Almelo (35,621); Herford (36,000), Detmold (16,000), Bad Oeynhausen (8,000) and Nehlem (11,000).

Canadians Back in Arnhem

At the north end of the front,

Secret V-2 Rockets Seized

With U. S. 1st Army, Mar. 3 (Delayed by Censorship) (AP) — Tankmen of the 3d Armored Division have captured a great war prize—a train loaded with secret V-2 weapons. It was the first time the Allies had found the jet-propelled and radio-controlled rockets intact.

fourths across Germany to within 70 miles of Leipzig, concentrated on consolidating gains and

THE POINT OF VIEW

Prevention At the Source

To the Editor of The Courier-Journal.

It has been noticed that the basic theory has not been included among those advocated for flood control. To eliminate any evil such as this, it is necessary that the trouble be coped with at its source and in its primary stage of development and prior to the time that it has multiplied and created a force beyond control. In this connection measures taken to control rainfall as soon as it reaches the earth would be far better than trying to control it after it has reached the river where flood damage is caused.

Much of our land is gullied, sheet eroded without cover of vegetation and forests. When there is rainfall, there is little to prevent its speeding rapidly down slope and hills until it reaches the main stream where flood waters are created quickly and constitute a hazard beyond control. It is, therefore, obvious that this rainfall must be slowed at its source of accumulation. This not only prevents floods, but slowing water run-off decreases erosion and provides more water for crops during periods of drought.

Conservation of forests and wildlife areas, planting cover crops that no land be fallow, terracing slopes and construction of water diversion should be the primary practice of flood control as these practices will slow the drainage from uplands. Until these practices are followed floods will remain a hazard in the lowlands and the higher areas will continue to lose our principal wealth, the soil.

ROSCOE SMITH, Conservation Aide,
Hardin County Soil
Conservation District,
Elizabethtown, Ky.

The Work Over

To the Editor of The Courier-Journal.

Our beloved President, and the world's greatest public figure, Franklin Delano Roosevelt, could not have passed away in a more fitting place than at the Warm Springs Foundation for infantile paralysis, for which he had done so much.

Roosevelt really saved Britain and Russia from the Germans, who were only twenty miles away from England and forty miles from Moscow.

Roosevelt handled the greatest depression these United States ever had magnificently. Americans will long remember him as the helping hand, the great American with the brilliant brain, the champion who brought security to many a household, the President who set one precedent after an-

needed rest and relaxation, was to close his eyes in death.

God even let the sun stand still in order that Joshua could fulfill his commission. God will do anything within the bounds of reason to help our new leader complete this unfinished task if he will but live and lead the American people in accordance with His holy wishes.
R. W. HAMILTON,
Oak Ridge, Tenn.

The Attributes of All

To the Editor of The Courier-Journal.

Many wonderful attributes have been pouring in from all over the world in memory of our modern emancipator, the late and beloved President of the United States, Franklin Delano Roosevelt.

I might add that he had the leadership of a Moses, the human kindness, humility, courage and gallantry of a Lincoln, the spirit and tact of a Woodrow Wilson, the personality and sense of humor of a Will Rogers and last but not least, the wisdom of a Solomon.
MICHAEL COHEN,
Louisville.

A Thought for Fala

To the Editor of The Courier-Journal.

I am a lover of dogs, and I admit without apology. I do not mean that I believe in making a nuisance of dogs or in losing one's sense of proportion in fondness for them. But I have a genuine affection and respect for these humble creatures, the instinctive companions and adorers of mankind. In a paraphrase of the words of Robert Burns, I may call them "my poor earth-born companions and fellow mortals."

I appreciate that humorous saying, "The more I see of some people, the better I like dogs." I have known dogs that were only a little lower than the angels in their sympathy and fidelity. I assume that Fala was in that class, since President Roosevelt found such solace in his companionship. I cannot help feeling that with the members of Mr. Roosevelt's family and his close friends, Fala deserves a few words of condolence. Poor little Fala, I wonder where he is now, in whose care? Will his little heart break when he sees his master's empty place?
ETHEL ALLEN MURPHY,
Louisville.

Would Draft More Men

To the Editor of The Courier-Journal.

I partly agree with Mrs. Emma Sue Stallman in her writing that she would send others to take the place of the infantrymen of Europe after V-E Day.

I do believe more men should be drafted

With the war nearly won and his work well done, I believe God must have thought this man now needs and deserves his well-earned rest.
CLARENCE ZOLLINGER,
Louisville.

The Role of Joshua

To the Editor of The Courier-Journal.

Of all the notables who have fallen before the finish line, there is much in common between the first one and the last one, Moses and Roosevelt.

At a time when the Hebrew children were at low tide, Moses rose to their leadership. He was forced to use severe measures to whip them into line, but he did it and then led them out of Egypt. He led them through the basin of the Red Sea, through the wilderness, over the hills and in plain view of the land of promise. Though he led them from bondage and brought manna down from Heaven, many complained, pulled back or else marched out of step.

At a time when the American people were at ebb tide, Franklin D. Roosevelt rose to their leadership. He, likewise, was forced to abandon kid-glove methods while driving the gold out of hiding and whipping the capitalists into line. But he lashed them as he led them and he made the wayward follow. Out of the bonds of unemployment, away from the pangs of hunger, through the valley of the depression he led them onward into the wilderness of European war clouds and over the rocky hills of World War II he bore the Stars and Stripes, the banner of democracy, to the Mt. Nebo of Axis disintegration. From that craggy peak he was privileged to behold the valley of victory. His eyes were not dimmed by the years of toil and sacrifice. His mission was completed, he smiled, and then passed away.

Many have criticized some of his minor acts, but in the main we all admired him. Americans knock merely to keep themselves reminded of the fact that we live in a land having freedom of speech, where the common man can say whatever he wishes, whenever he pleases, about whom-ever he cares to discuss. But in our hearts we were proud of him. At the polls we refused to let him go. His only escape from the weighty responsibilities which we placed on his shoulders, his only refuge from the unceasing grind of the affairs of state, his only opportunity to get that long-

cannot see. For soldiers, sailors, and other theater should be sent home before the Pacific boys. Surely the boys in the Pacific have gone through as much as anyone else and, as for the infantrymen, I cannot agree with her. There are other outfits that catch as much hell and hard work as any infantryman ever took. What about the engineers and field artillery, always in the thickest of fighting besides moving their heavy equipment?

So why not send the boys home who have the most service in the army regardless where they are or what they are doing? Surely a soldier had no choice in where he was stationed. Many a soldier in the States would rather be over there, but he has no choice. Would he have to stay in years longer than someone who, maybe, had only been in the service a few months?

I say draft more men send them, and give the boys who have been in the longest a break.

VETERAN,
Louisville.

For All Who Died In Service

To the Editor of The Courier-Journal.

At a time like this it is good to remember those who gave their lives in the service of their country. We have lost many brave men who have served their country well. When we pay tribute to the memory of a President who died on the job we should also pay tribute to those thousands of other brave men who died that we might enjoy the fruits of their victory.

It is good to ask God to comfort the families of those many soldiers and sailors who died in the service of their country.

F. H. M.,
Louisville.

Liked Truman's Speech

To the Editor of The Courier-Journal.

Tell it to Ripley that this fearful, moss-back, apoplectic Republican liked President Truman's speech.

HATLER JOHNSON,
Paintsville, Ky.

This came by telegraph from Mr. Johnson yesterday afternoon.—(Editor)

Letters should be brief (rarely above 300 words), preferably typewritten on one side of the paper. The writer's name and address must be signed, to be published only with his consent. The Courier-Journal reserves the right to condense.

APRIL 17, 1945 COURIER JOURNAL
DATED LOUISVILLE KY.

Col. James Roosevelt, Basil
O'Connor, a former law partner
and Henry Hackett, Poughkeeps-
around