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WASHINGTON, SATURDAY, MARCH 4, 1939

No. 44

Senate

(Legislative day of Monday, February 27, 1939)

The Senate met at 11:30 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, in whose keeping are the destinies of men and nations, incline Thine ear and hearken unto our prayer on behalf of the people of these United States, that we may prove ourselves ever mindful of Thy favor and glad to do Thy will. Save us from vain discourses and confusions, from pride and arrogancy, and from every evil way. Grant to us discernment in our own eyes by taking us into Thy service, humble us by laying bare before us our littleness and our sin, and then exalt us by revealing Thyself to us as our Counseled, our Father, and our Friend.

Bestow upon the Members of the Congress Thy special blessing, open their eyes to receive new light, open their ears that they may hear the voices that are calling for a world made new by the power of love, and do Thou send them forth this day as springs of strength and concord to this people whom they have pledged themselves to serve. Through Jesus Christ our Lord. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed a bill (H. R. 4630) making appropriations for the Military Establishment for the fiscal year ending June 30, 1940, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. LEWIS. I suggest the absence of a quorum and ask for a roll call.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Brown	Davis	Gursey
Andrews	Bulow	Donahay	Murphy
Ashurst	Bush	Fowler	Myrick
Austin	Byrnes	Frazier	Myrdal
Bailey	Casper	George	Herring
Blandford	Cesspy	Hart	Hill
Barbour	Chaves	Gibson	Holman
Barkley	Clark, Idaho	Gillette	Holt
Biggs	Clark, Miss.	Hoag	Horn
Brown	Connally	Green	Jackson, Calif.
Brough	Danaber	Gussey	Jackson, Colo.

King	Wood	Root	Thomas, Utah
La Follette	Miller	Reynolds	Townsend
Lee	Minton	Russell	Trotter
Lewis	Murray	Schwartz	Truman
Nease	Norris	Sheppard	Vandenberg
Logan	Norris	Shipstead	Van Nuys
Lucas	O'Mahony	Stark	Watson
McDowell	Overton	Smith	Walsh
McCarran	Pepper	Stewart	White
McClellan	Pritchett	Tamm	Wiley
McKinney	Radcliffe	Thomas, Okla.	

Mr. LEWIS. I announce that the Senator from California (Mr. Downey) and the Senator from Montana (Mr. Wheeler) are detained from the Senate because of illness.

The Senator from Virginia (Mr. Byrd) is detained on public business.

The VICE PRESIDENT. Ninety-one Senators having answered to their names, a quorum is present.

SOIL CONSERVATION AND DOMESTIC ALLOTMENT, AND AGRICULTURAL ADJUSTMENT ACTS—PROPOSED AMENDMENTS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Agriculture, transmitting suggested amendments to the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry.

PETITIONS

The VICE PRESIDENT laid before the Senate the following joint memorial of the Legislature of Colorado, which was ordered to lie on the table:

Senate Joint Memorial 11

Whereas there is now pending in the Congress of the United States legislation which will provide for the taxing of the incomes of employees of all State, county, city, school district, and other political subdivisions of the States by the Federal Government; and whereas there is now pending in the Congress of the United States a bill which provides for the reciprocal taxation of the incomes of all Federal employees within the jurisdiction of the several States; and

Whereas it is to the best interest of the people of the State of Colorado that said measures be enacted into law; Now, therefore,

be it Resolved by the Senate of the Thirty-second General Assembly of the State of Colorado (the House of Representatives concurring) that the Colorado General Assembly hereby urges the Congress of the United States to enact into law measures providing for the reciprocal taxation of the incomes of State and Federal employees by the States and the Federal Government; be it further

House of Representatives

SATURDAY, MARCH 4, 1983

The House met at 12 o'clock noon.

The Chairman, Mr. James E. Montgomery, D-D, offered the following prayer:

Most gracious Lord of mankind, Thou wert my father God. In Thee they didst give them light in darker times, and in perplexity guidance. O blessed is the nation whose God is the Lord. Today we seek to do homage to it because of its ideals. Our soul bears the footprints of thy glorious revelations, and we thank Thee for them. These sacred old truths and values in our case by defining the right of God and man; may we ever lose their luster with the breath of life. O breathe upon this great people the unceasing will to serve thee, the desire to do thy will, the strength for the noblest, truest works which bring in their train all earthly good. We love and cherish our household and rejoice that by Thy merciful presence we were released from the逋ignant sins. Great indeed is the truth that a wise and just government may be so strong that tyrants and their cohorts may never be able to loosen the freest foundations of our democracy. Preserve us from all revolutionary passions and the rolling tides of war; constrain us to use the sword of justice through the medium of moral truths shall be the primal force. Through Christ our Savior. Amen.

COMMEMORATIVE CEREMONY IN HONOR OF THE ONE HUNDRED AND FORTY-FIFTH ANNIVERSARY OF THE COMMENCEMENT OF THE FIRST CONGRESS OF THE UNITED STATES UNDER THE CONSTITUTION

ODDS OF PROCESSION

The House of Representatives will convene at 12 o'clock noon and will be called to order by the Speaker. Mr. Speaker William E. Ruckelshaus.

Prayer by the Chaplain of the House, Rev. James Eberle Morris, D-D.

Arrival of the Senate, presided by the Vice President of the United States, the Honorable John Nance Garner, and the Secretary and Sergeant at Arms of the Senate.

The following officials and guests of honor will be admitted to the level of the Vice President, who will assume the Speaker's chair as the Presiding Officer of the joint session of the two Houses of Congress.

The Speaker of the House will take the seat at the left of the Presiding Officer.

The following officials and guests of honor will be admitted by the Doorkeeper and admitted to the seats assigned to them, in the following order:

The Chief Justice and Associate Justices of the Supreme Court of the United States.

The Ambassador, the Minister, and the Charge d'Affaires of Foreign Governments.

The General, the Admirals, the Officers of the United States Army, the Chief of Naval Operations of the United States Navy, the Major General Commandant of the United States Marine Corps, and the Commandant of the United States Coast Guard.

The Commissioners of the District of Columbia and the specially invited guests.

The members of the President's Cabinet.

The President of the United States, presided by the Joint Committee on Arrangements of the Senate and the House of Representatives.

Miss Gladys Swarthout—Musical selection (America).

The Vice President and Presiding Officer will receive Representative Sam Brooks, of New York, Director of the Joint Committee on Arrangements, who will read the commemorative resolution adopted by the two houses of Congress to observe the anniversary of the one hundred and fifth anniversary of the commencement of the First Congress of the United States under the Constitution.

Representative Brooks will present the Honorable WILLIAM H. BLOOM, of the State of New York, Chairman of the House Committee on Arrangements of the House of Representatives.

Address by the Speaker of the House of Representatives.

The Vice President and Presiding Officer will recognize the Honorable ROBERT REEVES, chairman on the part of the House of Representatives.

Representative Brooks will present the Honorable KIRK THOMAS, President pro tempore of the Senate.

Address by the President pro tempore of the Senate.

Mr. John Charles Thomas—Musical selection.

The Vice President and Presiding Officer will recognize the Honorable ADAM W. EASTMAN, chairman on the part of the Senate.

Senator EASTMAN will present the Chief Justice of the United States.

Address by the Chief Justice of the United States.

The Vice President and Presiding Officer will present the President of the United States.

Address by the President of the United States.

Mr. George Bush, President, and Mr. John Charles Thomas—The Chair Occupied Banquet.

Benediction by the Chaplain of the Senate, Rev. EDWARD THOMAS PHILLIPS, D-D.

The Vice President and Presiding Officer will then declare the joint session adjourned.

The assembly will kindly remain seated until the anticipated guests have arrived.

The Joint Committee on Arrangements will escort the Presidents of the United States and the members of his Cabinet from the Hall of the House.

The Doorkeeper will escort the invited guests from the Hall of the House in the following order:

The Chief Justice and the Associate Justices of the Supreme Court of the United States.

The Ambassador, the Minister, and the Charge d'Affaires of Foreign Governments.

The General of the Armies, the Chief of Staff of the United States Army, the Chief of Naval Operations of the United States Navy, the Major General Commandant of the United States Marine Corps, and the Commandant of the United States Coast Guard.

The Commissioners of the District of Columbia and the specially invited guests.

The House of Representatives will remain to session.

The Doorkeeper, Mr. Joseph J. Bascott, announced the Vice President and the Senate of the United States.

The Vice President took the chair at the right of the speaker's desk. The Members of the Senate took the seats reserved for them.

The Speaker relinquished the gavel to the Vice President, who as the presiding officer of the joint session of the two Houses, assumed the responsibility of presiding over the session.

The Doorkeeper announced the following guests, who were admitted to the seats assigned to them:

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The Chief Justice and the Associate Justice of the Supreme Court of the United States.

The members of the Cabinet, the ministers, and the chiefs d'affaires of foreign governments.

The Chief of Staff of the United States Army, the Chief of Naval Operations of the United States Navy, the Major General Commandant of the United States Marine Corps, and the Commandant of the United States Coast Guard.

The Commissioners of the District of Columbia and the specially invited guests.

The members of the President's Cabinet.

The members of the United States, presided by the Joint Committee on Arrangements of the Senate and the House of Representatives.

Miss Gladys Swarthout—Musical selection (America).

Mr. BLOOM read the concurrent resolution, as follows:

House Concurrent Resolution 4, Seventy-ninth Congress.

Resolved by the House of Representatives (the Senate concurring) That the First Congress of the United States under the Constitution began and held at the city of New York on Wednesday, March 4, 1789, and that the First Congress assembled on the Hall of the House of Representatives at 12 o'clock P.M. on Monday, March 4, 1789.

That the concurrent resolution of the Members of the House of Representatives and the Members of the Senate shall be appropriate for the observance of the anniversary of the First Congress of the United States, particularly in its importance to make suitable arrangements for fitting and proper exercises for the joint session of the two Houses of Congress.

That instructions to attend the session be extended to the Presidents of the United States, the Vice Presidents, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps, the Attorneys General, the Board of Regents, the Major General Commandant of the United States Marine Corps, the Commandant of the United States Coast Guard, the Commissioner of the Senate, and such other persons as the Joint Committee on Arrangements shall designate.

That the President of the United States is hereby invited to address the American people at the joint session of the Congress in commemoration of the one hundred and fifth anniversary of the First Congress of the United States under the Constitution.

Adopted February 1, 1983.

Mr. BLOOM, a Representative from the State of New York, presented the House Concurrent Resolution 4, BLOOM, Speaker of the House of Representatives.

ADDRESS BY THE SPEAKER OR THE MEMBER OF REPRESENTATIVES

The Honorable WILFRED H. EASTMAN, Speaker of the House of Representatives, delivered the following address:

I find very deeply my great good fortune in being the spokesman of a wise and benevolent people, of that portion I am privileged to welcome you to this Hall on this memorable occasion.

A mere century and a half is relatively a short span of time in the history of a world that has known the reign of the most powerful nation on earth, it assumes a vastly more comprehensive significance.

One hundred and fifty years ago this day there assembled in the city of New York the First Congress of the United States, the first Congress of the new United States. A mere statement of that incident carries only a reflection of the years that have passed, but in terms of what that occasion meant there have been no more arrestive events in the history of modern civilization. The political, social, and economic forces that have shaped our country since that day have been set in motion, and the course of our history has been set.

The political, social, and economic forces that have shaped our country since that day have been set in motion, and the course of our history has been set.

This anniversary conjures up a picture of reverie and retrospection, many solemn and yet joyful moments, including the membership of the First Congress and us to the present, the members of the Second Congress, the third, the fourth, and lasting centuries in their search for a decent and stable form of government that would combine into a compact of union the peace and security of peoples.

The First Congress, presided over by George Washington, Mr. Paul du Sable, the voyage of Columbus, the Napoleonic wars, Magna Carta, the Declaration of Independence, the establishment of our Constitution illustrate a few of the milestones

that mark the milestones of man on the journey from chaos to order.

Today we may find the temper to forge advances in the realms of religion, science, discovery, warfare, and the industrial arts and for our compensation on government, and particularly our own Government.

The progress made within the framework of this generation more far off and distant than can present hour of the necessity of reappreciating the soundness and durability of our democratic form of government, and if it yet remains to us to do so, let us do so with the same spirit and vigor as other great nations of the world, as I believe to be the case, then it is our solemn duty to take every needful step and to assume every required vigilance to preserve for our posterity the form and essence of a justly balanced and representative government for freedom and justice. This obligation does not bear upon us as of selfish national concern for our own people alone, although that should always be our primary interest, but in addition thereto, it carries a profound responsibility to all the other nations of the world and the Western Hemisphere, who have learned the profound and wisdom of our founders by adopting in substance the theory of government that God has not yet created any one nation who errant or benevolent, who is not destined to serve as a model to others to govern their hearts and minds and conscience and property and lives of every citizen under His jurisdiction. Democracy asserts the inalienable right of the people themselves, through orderly processes and under the protection of law, to determine their own destiny, and in their legally chosen representatives, the means and measures by which they are to be prospered and protected in the search for security and happiness.

That describes the purpose of the American people as enshrined in the first article of our National Constitution. It is to protect the sanctity of our freedom, and the sheet anchor of all our liberties, possessing even this great anniversary the affection and reverence of our citizens. There are evidences of the permanence of our institutions, and the ability of all to support and sustain the pillars of this temple of freedom. We may have been too tolerant of some of their recent machinations of subversive terrorist. We have been too lenient with those who would seek to restrict the range of freedom of speech, but it may be only fair to acknowledge at such groups that they take counsel of their prudence best by going one step less far, it will be too late to sweep the width and intricacy of all our problems.

After such fragmentary observations of our situation and attitude the time and occasion close our attention back to our fundamental law which witnesses this legislative assembly. We are still officially celebrating the legislative session. On this occasion we are gathered here to pay tribute to our representatives and to the memory of their existence which have fully justified the praise bestowed upon it by Mr. Gladstone, which we should never tire of remembering, in these words:

"The British Constitution is the most subtle organism that has ever existed. It is the result of a long process of growth, of gradual evolution, of successive additions, of changes, of improvements, of corrections, of the treasury of its existence have fully justified the praise bestowed upon it by Mr. Gladstone, which we should never tire of remembering, in these words:

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would we as this Congress obtain if we could see and hear many of those sturkards of the long ago who so enthralled the admiration of their partners and captivated the fidelity of the masses? What a stimulus of the intellect to perceive the close connection and alliance between the writer—author of one of the best extant histories.

For 150 years our Representatives and Senators have come into these Chamber placed their parts in the drama of representative government, made their contribution of service and sacrifice, and developed, and there are seen no more—either "locked by the pallid assassin with the inverted torch to deposit" or returned to the walls of private life from whence they came. They served their day.

To my brethren in both branches of Congress this should be enshrined as an occasion of solicitude to the best interests of our Republic. Despite the limitations of our institutions and individualities, and notwithstanding the fact that our numbers were few, we nobly responded up to the full needs of the hour—sacrificing, we are the embassies of our constitutions and the symbols of representative government. May we this day find the grace to renew the prayer of Daniel, "O Lord, make us to know our end; and the measure of our stay upon the earth."

It therefore, I shall be loathful to wish of God that this structure stand fast from the time of its erection until it is then known that on that day the throne of the United States of America stands free. That day will come, and when it does, we shall see our original sovereignties and glory growing over every steep and narrow in the affluence of the great body of the people, present and future, who have been the pillars of the strength of the world. And all here assembled, whether belonging to public or to private interests, let us all unite in the cause of the freedom and independence of the liberty and happiness of the country, who in one voice and common purpose that the compact and the walls and arks of our nation may stand strong and resolute, now to be erected when it may require her!

God save the United States of America!

The VICE PRESIDENT.—The Chair recognizes the gentleman from New Mexico.

MR. RAYBURN.—A Representative from the state of Texas, presented the Honorable Key Pittman, President pro tempore, of the Senate.

BY THE PRESIDENT PRO TEMPORE OF THE SENATE

The Honorable Key Pittman, President pro tempore of the Senate, delivered the following address:

Mr. President, Mr. Chief Justice, Mr. Speaker, and Members of the House of Representatives and the United States Senate, this is my privilege to present to you the Honorable Key Pittman, who is celebrated in behalf of a remarkable body. This recognition is honored by the President of the United States and by the Chief Justice of the United States as heads of the other two great independent departments of our Government.

With the same frankness with which I present him before the size and comprehensive address by the distinguished Speaker of the House of Representatives with regard to the organization, the composition, and the services of Congress. There is little more to be said than that I do. I would be glad to have your personal aid in introducing the welfare, site, and patriotic services of the Honorable Key Pittman and the United States Senate throughout their entire history. The Congress and the people of the country are deeply grateful to him from our President and the Chief Justice of the United States.

When we realize what has been accomplished in the last 150 years, that period is exceedingly brief. When we consider, however, that the Constitution of the United States, which has continued without interruption and without change, except to greater strain past, 150 years may be deemed, in the history of governments, a very long period of time. In fact, I assume to assert that no other government has enjoyed the same permanence and stability.

The fundamental principles of our Government, embodied in its great Constitution and its Bill of Rights, have remained unchanged. The right and power of our citizens under their

Constitution to govern their own country has not been abdicated, but has been broadened and strengthened. The three separate and independent branches of our Government—legislative, executive, and judicial—have performed their functions in accordance of our law, which has kept us off the rocks of chaos and revolution. Our Congress has held firmly to the principles under which and for which it was created. The Senate and the House of Representatives have always been true to their trust, and have performed the respective functions of their offices, and well, I am sure, endeavor to do their part to protect our institutions and the liberty of our citizens. Their conduct and actions have contributed greatly to the maintenance of a representative form of government under a constitution such as ours.

Again I take the liberty of referring to the minds of our constituents—through the history is well known to those present—the very first election, and our Government was established, and maintained, and maintained in the year 1789, at that time consisted of only 4,000,000 people. These citizens were scattered over a pioneer country whose area was larger than that of Great Britain, France, Germany, and Italy combined. There were no railroads, no telegraphs, there were few roads, and such as did exist were at times almost impassable. Our citizens were independent sovereignties, jealous of their rights and fearful of domination by a central government. This jealousy and fear was a natural obstacle to the successful organization and adoption of a constitution to be established under a constitution. That it was ever accomplished is the highest tribute that could be paid to the greatness and patriotism of our fathers of that day.

On the 4th of July, 1776, the creation, adoption, and ratification of our Constitution is recorded in the histories of every country.

On yesterday I picked up a rusty old volume, written by George Washington, Esq., and found the following page which to me are far more expressive than any language I could use relative to what actually took place upon the organization of the First Congress and the election of the first President and the first Vice President. I find from:

From the Journal of the First Congress, the first session of the First Congress, begun at the city of New York, March 4, 1789.

And then the Journal goes on:

Wednesday, March 4, 1789.—This being the day for the election of the Vice President, the following Members of the Senate appeared and took their seats:

Price New Hampshire, John Langdon and Pauline Winslow, from Connecticut, William D. Johnston and Oliver Ellsworth, from Massachusetts, and Robert Morris, from Pennsylvania.

And from day to day the Senate adjourned, awaiting the arrival of a census. The Senators were dragging their way through the muddy roads among the mud and over the Allegheny and the mountains.

And then I find this record:

Monday, April 6: Richard Henry Lee, from Virginia, then appearing, took his seat, and formed a quorum of the whole Senate.

The credentials of the Members present being read and ordered to be laid on the Senate president's desk, by ballot, to the choice of a Vice President.

The balloting was suspended, and the Vice President was chosen by ballot, the Senate president presiding, to the choice of a Vice President of the United States.

The language will be continuing to one not familiar with the procedure. From March 4 until April 6, when Richard Henry Lee took his seat, there being no quorum, the Senate could take no action. Until the ballots were counted it could not be officially determined who was elected Vice President.

The result of the Members present being read and ordered to be laid on the Senate president's desk, by ballot, to the choice of a Vice President. What was chosen was "Vice President pro tempore." Mr. Langdon was so designated in the record of the proceedings. The Vice President pro tempore assumed the office. The office is now designated President pro tempore.

As named in the Constitution.

This is the simple, yet dramatic statement of the organization of the United States Senate. Then followed the Journal record of the counting of the electoral votes which resulted in the election of George Washington President and John Adams Vice President. It is but a short statement, and, as it has probably been read by very few people, I believe it will be of interest to our citizens. I quote it:

"Resolved, That Mr. Ellsworth, whose the House of Representatives has been requested to act as chairman in arranging for the use of opening the certificates and counting the electoral votes of the several states, be directed to do so, and Vice President of the United States, and that the House be now ready, in the Senate Chamber to proceed, in the presence of the members of the Senate, to count the electoral votes, and appointed one of their members to sit at the desk's table to make a list of the names of the electors and to name the persons to whom the votes of the several states are to be given for their members for the purpose of the election."

On the 1st of April, 1789, reported that he had convened the members; and Mr. Ellsworth, whose the House of Representatives has been requested to act as chairman in arranging for the use of opening the certificates and counting the electoral votes of the several states, and Vice President of the United States, and that the House be now ready, in the Senate Chamber to proceed, in the presence of the members of the Senate, to count the electoral votes, and appointed one of their members to sit at the desk's table to make a list of the names of the electors and to name the persons to whom the votes of the several states are to be given for their members for the purpose of the election."

The Senate in a session reported to be the Nation's most effective club. In some respects it may be just that, but in many other respects it is an club. But if I might in my imagination create an estimate which because of the small size of the Senate, and the fact that it is a club, and that the members are all men of high rank, and that the Vice President has had much and eminent the votes of the states for President and Vice President of the United States.

The following is the vote of each State for each candidate. After the recording of this vote, we find the following record in the Journal:

"Whereas it appears that George Washington, Esq., was elected President of the United States, and Vice President of the United States of America,

By—Madison, from the House of Representatives; thus addressed:

"Mr. President, I am directed by the House of Representatives to inform the Senate that the election of George Washington, Esq., as President of the United States, and Vice President of the United States should be made by each senator and in such manner as will be most agreeable to his judgment."

And so we resolve:

"Whereas the Honorable Charles Thomson, Esq., of New Jersey, George Washington, Esq., of his election to the office of President of the United States, and Mr. Jefferson, from the House of Representatives, and Mr. Madison, from the Senate, have tendered their addresses to the Vice President of the United States.

What a glorious record! How wonderful it is that as few men, acting with another small body of men in the House of Representatives, can be expected to do, and with such certainty, achieve victory, safety and soundly manage the greatest government in the world!

The next step upon the part of the Senate was the inauguration of the Vice President. It is interesting to see how many steps were taken in the administration and geographical history of America. I take pride in the broad accomplishment of his intellectual processes, as well as the depth of his moral foundations which are a part of his character. He has risen from rags to riches, and I am sure, whatever capacity he has chosen to employ in his high post, service I present to you the Chief Justice of the United States.

ADDRESS BY THE CHIEF JUSTICE OF THE UNITED STATES

The Honorable Charles Evans Hughes, Chief Justice of the United States, delivered the following address:

Mr. President, Mr. Vice President, Mr. Speaker, Members of the Senate and House of Representatives, members of the Diplomatic Corps, ladies and gentlemen:

I thank you sincerely from the depths of my heart for your kind words.

Gentlemen of the Senate and House of Representatives, the most significant fact in connection with this anniversary is that after 150 years, notwithstanding the vicissitudes of territory, the changes in population, the growth of cities, and profound economic changes, despite direct attack and subversive influences, there is every indication that the vastly preponderant sentiment of the American people is that our form of government shall be preserved.

We have done our distinct duty as governmental servants to testify to our unity of aim in maintaining that form of government in accordance with our solemn pledge. We are here not as masters but as servants, not to glory in our power, but to work earnestly to the execution of the principles laid down by our ancestors, the people of the United States and to win the world and respect by the world.

Mr. John Charles Thomas sang God Bless Our Native Land. The VICE PRESIDENT. The Chair recognizes the Senator from Kentucky, Mr. Bradley.

MR. BRADLEY. Mr. President, since the 4th day of March 1789, 1,124 men and women have served in the House of Representatives. One thousand three hundred and eighty-four men and twenty women have served in the United States Senate. The number of Senators who have served in both is 661. The total number of those who have served in the Chamber of all the Presidents is 551. The number of Vice Presidents who have served in the Senate is 16. The number of Vice Presidents who have served in the House of Representatives is 16. There have been 62 Speakers of the House of Representatives. There have been 18 Associate Justices of the Supreme Court. There have been 11 Chief Justices of the United States.

The Senate in a session reported to be the Nation's most effective club. In some respects it may be just that, but in many other respects it is an club. But if I might in my imagination create an estimate which because of the small size of the Senate, and the fact that it is a club, and that the members are all men of high rank, and that the Vice President has had much and eminent the votes of the states for President and Vice President of the United States.

The Supreme Court of the United States and the Chief Justices who have presided over it have rendered profound influence upon the political, social, and economic history of America, and will undoubtedly continue to do so as the completest of all the great institutions of our nation.

It is a great honor and no less a pleasure, to present to you today the eleventh Chief Justice of the United States Supreme Court. He has already served longer than four of the other eight, and will doubtless continue to do so as the completest of all the great institutions of our nation.

And so we resolve:

"Whereas the Honorable Charles Thomson, Esq., of New Jersey, George Washington, Esq., of his election to the office of President of the United States, and Mr. Jefferson, from the House of Representatives, and Mr. Madison, from the Senate, have tendered their addresses to the Vice President of the United States.

What a glorious record! How wonderful it is that as few men, acting with another small body of men in the House of Representatives, can be expected to do, and with such certainty, achieve victory, safety and soundly manage the greatest government in the world!

The next step upon the part of the Senate was the inauguration of the Vice President. It is interesting to see how many steps were taken in the administration and geographical history of America. I take pride in the broad accomplishment of his intellectual processes, as well as the depth of his moral foundations which are a part of his character. He has risen from rags to riches, and I am sure, whatever capacity he has chosen to employ in his high post, service I present to you the Chief Justice of the United States.

ADDRESS BY THE CHIEF JUSTICE OF THE UNITED STATES

The Honorable Charles Evans Hughes, Chief Justice of the United States, delivered the following address:

Mr. President, Mr. Vice President, Mr. Speaker, Members of the Senate and House of Representatives, members of the Diplomatic Corps, ladies and gentlemen:

I thank you sincerely from the depths of my heart for your kind words.

Gentlemen of the Senate and House of Representatives, the most significant fact in connection with this anniversary is that after 150 years, notwithstanding the vicissitudes of territory, the changes in population, the growth of cities, and profound economic changes, despite direct attack and subversive influences, there is every indication that the vastly preponderant sentiment of the American people is that our form of government shall be preserved.

We have done our distinct duty as governmental servants to testify to our unity of aim in maintaining that form of government in accordance with our solemn pledge. We are here not as masters but as servants, not to glory in our power, but to work earnestly to the execution of the principles laid down by our ancestors, the people of the United States and to win the world and respect by the world.

CONGRESSIONAL RECORD—HOUSE

MARCH 4

The right to be safe against unmerciful searches and seizures. Read your newspapers and injure our friends and our households are still safe.

Freedom to assemble and present the Congress for a review of grievances and the right to publish the truth bring daily proof to every Senator and every Representative that that right is at the height of an unmeasured popularity.

Freedom of speech—yes, that too, is unmeasured, for never has there been so much freedom of every subject as in the land of freedom where because of the inflexions of our laws of libel and slander goes unheeded except by the good sense of the American people. Any person is constitutionally entitled to speak his mind and to let it be known, and the law will not stand in the way to one in exemption.

The SPEAKER. Without objection, the proceedings in the House today will be included in the Journals of this date.

There was no objection.

ACKNOWLEDGMENT

The SPEAKER. Without objection, the House will stand adjourned until 12 o'clock Monday.

There was no objection.

Accordingly at 1 o'clock and 45 minutes p. m. the House adjourned until Monday, March 6, 1933, at 12 o'clock noon.

Committee Hearings.—The Committee on Merchant Marine and Fisheries, the House of Representatives, in its session on Tuesday, March 6, 1933, at 10 a. m., on social security legislation in the West Bankruptcy and Rehabilitation of the Negro Canal and the Panama Canal, and the increase in the arrest of emigrants, is to be held in the House Chamber, and the same is to be open to the public.

Freedom of religion.—That essential of the rights of mankind everywhere goes back also to the origins of representative government. Where discrimination is made in the law it is to be remedied in any way it can be circumvented or altered, so that we by our patrimony, by our alliance, by assisting the attitude of the people who called their skirts together and passed by on the other side, help to implement in those who today practice religion, or any other?

The answer to that is "no." As in the days of the First Congress of the United States it was "no."

Now for the first time since that day the Nation seems to have become sensible. We believe in the other freedoms of the Bill of Rights, the other freedoms that are inherent in the right of free choice by free men and women. That measure demonstrates that we believe in the right of self-government, in direct action of the people, and democracy exercised by representatives chosen by the people themselves.

In this great hall have assembled the present members of the Government of the United States of America—of the Executive, of the Legislative, and of the Judicial. Our fathers rightly believed that this Government which they set up would seek as a while to act as a whole for the good government of the Nation. It is in the same spirit that we act and shall continue to act, so far as to carry on their cause. May God continue to guide our steps.

Miss Elizabeth Swett and Mr. John Charles Thomas sang the Star-Spangled Banner.

—(An enunciation.)

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—(An enunciation.)

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—(An enunciation.)

CONGRESSIONAL RECORD—HOUSE

MARCH 4

Corp. the Commandant of the United States Coast Guard, the Commissioners of the District of Columbia, and the specially invited guests, the Vice President and the Senate retires.

Freedom to assemble and present the Congress for a review of grievances and the right to publish the truth bring daily proof to every Senator and every Representative that that right is at the height of an unmeasured popularity.

Freedom of speech—yes, that too, is unmeasured, for never has there been so much freedom of every subject as in the land of freedom where because of the inflexions of our laws of libel and slander goes unheeded except by the good sense of the American people. Any person is constitutionally entitled to speak his mind and to let it be known, and the law will not stand in the way to one in exemption.

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COMMITTEE HEARINGS

SUBJECTS OF WHICH HEARINGS

(Monday, March 4, 1933)

Public hearings will continue Monday evening, March 4, 1933, at 10 a. m., on social security legislation in the West Bankruptcy and Rehabilitation of the Negro Canal and the Panama Canal.

Committee Hearings.—The Committee on Merchant Marine and Fisheries will hold public hearings in room 208, Old House Office Building, Washington, D. C., at 10 a. m. on the bills and dates listed below:

COMMITTEE ON THE PANAMA CANAL

(Monday, March 4, 1933)

There will be a hearing before the Special Subcommittee on Bankruptcy and Rehabilitation of the Committee on the Judiciary at 10 a. m. Monday, March 6, 1933, on the bill "An Act to provide for an amendment to the Bankruptcy Act of 1933, to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1933, and acts amendatory thereto and supplementary thereto, now H. R. House Office Building.

(Wednesday, March 22, 1933)

Beginning at 10 a. m. on Wednesday, March 22, 1933, there will be a hearing before the Subcommittee No. 4 of the Committee on the Judiciary on House Joint Resolution 176, declaring the conservation of petroleum deposits underlying submerged lands adjacent to and along the coast of California, Oregon, and Washington, as a national emergency of the United States of America, essential for national defense, maintenance of the Navy, and regulation and protection of interstate and foreign commerce; requiring the Secretary of the Interior to take such action as may be necessary to effect such declared emergency; and authorizing appropriate judicial proceedings to assert, ascertain, establish, and maintain the right and interest of the United States of America in such reserves and to collect trespasses.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(Thursday, March 2, 1933)

There will be a meeting of the Committee on Interstate and Foreign Commerce on Tuesday, March 7, 1933. Business to be considered: Required rate differentials.

There will be a meeting of the Work Subcommittee of the Committee on Interstate and Foreign Commerce at 3 p. m. Tuesday, March 7, 1933, to consider: Contingent Opposition to word "likely" in H. R. 844.

COMMITTEE ON RIVERS AND HARBOURS

(Tuesday, March 7, 1933)

The Committee on Rivers and Harbors will meet Tuesday, March 7, 1933, at 10:30 a. m., to continue hearings on H. R. 473 and H. R. 474, to consider: The work of the commission in connection with the construction of the Atlantic-Gulf Ship Canal across Florida.

COMMITTEE ON COAST, WISCONSIN, AND MICHIGAN

(Tuesday, March 7, 1933)

The Committee on Coast, Wisconsin, and Michigan will meet Tuesday, March 7, 1933, at 10 a. m. in room 113, Old House Office Building.

COMMITTEE ON INDEMNITIES AND RETALIATION

(Wednesday, March 8, 1933)

There will be a meeting of the Committee on Indemnities and Retaliation at 10 a. m. on Wednesday, March 8, 1933, for the building at 20-22½ st. on Wednesday, March 8, 1933, for the

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CONGRESSIONAL RECORD—HOUSE

public consideration of H. R. 4100 and H. R. 4448, and on private bills H. R. 4203, H. R. 4314, H. R. 4327, and H. R. 4354.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

(Thursday, March 3, 1933)

The Committee on Merchant Marine and Fisheries will hold public hearings in room 208, Old House Office Building, Washington, D. C., at 10 a. m. on Thursday, March 3, 1933, on the bill H. R. 4307 to amend the provisions of the Shipping Act, 1936, and the Interstate Shipping Act, 1933, to allow coastwise carriage by water in interstate commerce, and for other purposes.

The Committee on Merchant Marine and Fisheries will hold public hearings in room 218, Old House Office Building, Washington, D. C., at 10 a. m. on the bills and dates listed below:

(Thursday, March 14, 1933)

H. R. 133, H. R. 162, continuation of a Negrasang Canal; H. R. 202, additional facilities for Panama Canal; H. R. 267, construction of a Mexican Canal.

In holding the bills to be considered on March 14, 1933, House Joint Resolution 119, 73d Congress, makes a committee to study and report on the feasibility of constructing the Mexican Canal. This is no advice all interested parties that House Joint Resolution 119, 73d Congress, makes a committee to study and report on the feasibility of constructing the Mexican Canal.

This is no advice all interested parties that House Joint Resolution 119, 73d Congress, makes a committee to study and report on the feasibility of constructing the Mexican Canal; H. R. 210 (Blane), relative to the construction of a Negrasang Canal; H. R. 232 (Blane), relative to the construction of a Negrasang Canal; H. R. 261 (Blane); need for additional pack ice station at Punta Gorda, Fla.; "Freeport," relative to the construction of a Mexican Canal.

(Thursday, March 21, 1933)

H. R. 337, H. R. 338, H. R. 374, relating to studies for Panama Canal construction force.

(Thursday, March 21, 1933)

H. R. 141, H. R. 161, H. R. 182, Congressional Panama Canal bills.

COMMITTEE ON THE PUBLIC LANDS

(Wednesday, March 15, 1933)

There will be a meeting of the Committee on the Public Lands on Wednesday, March 15, 1933, at 10 a. m. in room 208, Old House Office Building, to consider H. R. 2794, to establish John Muir National Monument Park, Calif., to transfer thereof to the State of California, and to make it in the General Grant National Park, and for other purposes.

(Thursday, March 23, 1933)

There will be a meeting of the Committee on the Public Lands on Thursday, March 23, 1933, at 10 a. m. in room 208, Old House Office Building, to consider H. R. 2794, to establish John Muir National Monument Park, Calif., to transfer thereof to the State of California, and for other purposes.

(Thursday, March 23, 1933)

There will be a meeting of the Committee on the Public Lands on Thursday, March 23, 1933, at 10 a. m. in room 208, Old House Office Building, to consider H. R. 2794, to establish John Muir National Monument Park, Calif., to transfer thereof to the State of California, and for other purposes.

COMMITTEE ON FOREIGN AFFAIRS

(Thursday, March 7, 1933)

There will be a meeting of the Committee on Foreign Affairs on Thursday, March 7, 1933, at 10 a. m., to continue hearings on S. 1232, claimed expenses in connection with last year's and death of naval employees who died while serving in executive offices abroad. House Resolution 187, requesting the President to furnish the House of Representatives information in regard to service of certain American property in Mexico.

EXECUTIVE COMMUNICATIONS, ETC.

(Thursday, March 7, 1933)

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows: H. R. 479, a communication from the President concerning compensation of members of the House of Representatives; S. 1232, claimed expenses in connection with last year's and death of naval employees who died while serving in executive offices abroad. House Resolution 187, requesting the President to furnish the House of Representatives information in regard to service of certain American property in Mexico.

COMMITTEE ON APPROPRIATIONS

(Thursday, March 7, 1933)

Under clause 3 of rule XXIV, the Committee on World War Veterans' Liquidation was discharged from its jurisdiction. H. R. 480, a communication from the President giving a grant to Joseph E. Williams, and the same was referred to the Committee on Naval Affairs.

For the Navy Department for the fiscal year 1939 (H. Doc. No. 180); to the Committee on Appropriations and ordered to be printed.

441. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Navy Department for the fiscal year 1939 (H. Doc. No. 181); to the Committee on Appropriations and ordered to be printed.

442. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the fiscal year 1939 to remain available for the Department of State (H. Doc. No. 182); to the Committee on Appropriations and ordered to be printed.

443. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Supreme Court of the United States for the fiscal year 1939 (H. Doc. No. 183); to the Committee on Appropriations and ordered to be printed.

444. A communication from the President of the United States, transmitting a schedule of claims allowed by the Comptroller of the Treasury (H. Doc. No. 184); to the Committee on Appropriations and ordered to be printed.

445. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Army for the fiscal year ending June 30, 1938, for the War Department, for Army transportation (H. Doc. No. 185); to the Committee on Appropriations and ordered to be printed.

446. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Civil Aeronautics Authority for the fiscal year 1939 (H. Doc. No. 186); to the Committee on Appropriations and ordered to be printed.

447. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Bureau of Reclamation for the fiscal year 1939 (H. Doc. No. 187); to the Committee on Appropriations and ordered to be printed.

448. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Corps of Engineers for the fiscal year 1939 (H. Doc. No. 188); to the Committee on Appropriations and ordered to be printed.

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450. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Corps of Engineers for the fiscal year 1939 (H. Doc. No. 190); to the Committee on Appropriations and ordered to be printed.

451. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Department of the Treasury to pay claims for damages by eddies or damage incident to the operation of vessels of the United States Coast Guard (H. Doc. No. 191); to the Committee on Appropriations and ordered to be printed.

452. A communication from the President of the United States transmitting an estimate of appropriations submitted by the Department of Justice to pay a claim for damages to sea persons or damage to or loss of privately owned property caused by the actions of the Federal Bureau of Investigation (H. Doc. No. 192); to the Committee on Appropriations and ordered to be printed.

453. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Bureau of Reclamation for the fiscal year 1939 (H. Doc. No. 193); to the Committee on Appropriations and ordered to be printed.

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455. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Bureau of Reclamation for the fiscal year 1939 (H. Doc. No. 195); to the Committee on Appropriations and ordered to be printed.

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457. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Bureau of Reclamation for the fiscal year 1939 (H. Doc. No. 197); to the Committee on Appropriations and ordered to be printed.

458. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Bureau of Reclamation for the fiscal year 1939 (H. Doc. No. 198); to the Committee on Appropriations and ordered to be printed.

459. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Bureau of Reclamation for the fiscal year 1939 (H. Doc. No. 199); to the Committee on Appropriations and ordered to be printed.

460. A communication from the President of the United States, transmitting a supplemental estimate of appropriation

CHANGE OF REPERIENCE

(Under clause 3 of rule XXIV, the Committee on World War Veterans' Liquidation was discharged from its jurisdiction.

H. R. 480, a communication from the President giving a grant to Joseph E.

Williams, and the same was referred to the Committee on Naval Affairs.

Well here they ~~are~~ ^{are} ~~beginning~~ ^{beginning} of the Confederation
 time called "the critical period of American history".
 But for crisis - in this case a crisis of peace -
 there would have been no Union; you the
 members of the Senate and the House, you the
 Chief Justice and I the President of the
 United States would not be here on this
 day of March, a century and a half later.

It is well to remember that from March
 1781 to almost 1789 the Thirteen States
 existed as a nation by the sole thread of
 Congressional government, held without an
 Executive or a judicial branch. This
 unusual assembly of representatives, however,
 was compelled to act not by a majority but
 by States, and in the more important
 functions by the requirement that nine
 States must consent to the action.

In ~~the~~ actual authority the Congress of the
 Confederation were principally limited to the
 fields of external relations and the national
 defense. The fatal defect was of course
 the lack of power to raise revenue for the
 maintenance of the system, and our ancestors

may be called at the least optimistic if they believed that Southern sovereign Republics would promptly pay over to the Confederation even the small sums which were assessed against them for the general maintenance of the Congress and its functions.

Furthermore, the effect of the existing methods of transportation and communication retarded the development of a truly national government far more greatly than we realize today — and that was true throughout the first half century of our union. You have heard the phrase "the bone and bungy age". Do we not in herculean effort have who had to spend weeks on the rough highways before they could establish a government of the Congress, not in recognition of inferiority on the part of those who perform could not visit their neighbors in other states and visualize at first hand the problems of the whole of an infant nation.

We use it rather to explain the
delays and the local antagonisms and jealousies which bestow early paths.

and we use it perhaps to bewilder our
citizens of today that the automobile, the
railroad, the airplane, the electrical impulse
over the wires and through the ether have to
no citizen an excuse for sectionalism, for
obeying in the exactions of the public
business or for a failure to diminish a
full understanding of the acceleration of
the processes of civilization. ~~Salvation lies~~

While fundamentals of government can
properly be maintained, the processes ought
to speed up with the greater speed of
human contacts which have kept pace
with an amazing run of invention unparalleled
in the history of mankind.

Thus the crisis which faced the new
nation through its lack of national founders was
recognized so early as 1783, but the
~~Every~~ slowness of contacts prevented a
sufficient general perception of the danger
until 1787 when the confederation Congress
issued a call for the holding of a Constitutional
Convention in May.

We are furnished with ^{the} immortal document

which issued from that convention; of the ratification of it by sufficient states to give it effect; of the action of the ^{Confederation} Congress which terminated its own existence in calling all the first Federal Congress to assemble on March 4⁻ 1789.

We find in the months delay before a quorum could be attained; of the counting of the ballots unanimously cast for General Washington; of his ratification, his triumphal progress from New York to New Jersey; and of his inauguration as first President on April 30⁻.

So ended the crisis. So, from a society of thirteen republics was born a nation with the attributes of nationality and the framework of permanence.

I believe that it has been held by the Supreme Court that the ^{Authority of the} Constitution ended on March 3, 1789. Therefore the Constitution went into effect the next day.

That Constitution was based on the theory of representation government, two of ~~the~~ the three branches of its government being chosen

by the people, directly in the case of the House of Representatives, by elected delegates in the case of Senators, and by elected electors in the case of the President and Vice-President. It is true that in many States the franchise was greatly limited, yet the cardinal principle of free choice by the body politic prevailed. I replace again the words "free choice" because until a very few years ago this fundamental, or perhaps I should call it this ideology of democracy, was in the ascendancy throughout the world, and nation after nation was broadening its practice of what the American Constitution had established here so firmly and so well.

The safety of the system of representative democracy is in the last analysis based on two essentials: first that at frequent periods the ~~existing~~ ^{existing} ~~legislature~~ is replaced by a newly elected one; when men choose a new Congress and a new President; and second that this choice must be made freely, that is to say without any undue force being

or influence over the writer in the expression of his personal and sincere opinion.

That after all is the greatest difference between what we know as democracy, and those other forms of government which, though they seem new to us, are essentially old, for they revert to those systems of concentrated self perpetuating power

against which the ~~western world successfully~~
~~representative democratic system was~~
successfully launched centuries ago. Today, with many other democracies, the United States will give no encouragement to the belief that our processes are unique, or that we will approvingly watch the return of forms of government which for two thousand years have proved their tyranny and their instability alike.

1400

175

170

160

165

160

110

1340

With the direct control of the ¹⁸⁷⁷ thousand
 of public servants by a free electorate,
 the Constitution has proved that this
 type of government cannot long remain in
 the hands of those who seek personal
 aggrandizement for selfish ends, whether
 they act as individuals, as slaves, or as
 groups. Yet it is therefore in the spirit of
 our system that our elections are ~~positive~~
 positive in their mandate, rather than
 passive in their acquiescence. Many other
 nations envy us the suffrage, the attack,
 the wild over-statements, the falsehood inter-
 mingled gayly with the truth that marks
 our general elections, because they are
 promptly followed by acquiescence in the result
 and a return to easier waters as soon as
 the ballots are counted.

We celebrate the completion of the
 building of the house. But one essential
 was lacking - it had to be made
 habitable. And even in the period of
 the building, those who sat upon stones,
 those who voted to accept it from the

and as the human mind often thinks of
things in the language of the culture
in which it grows; hence, it is
natural, they could never do
this without a knowledge of
the language. William Whewell,
in his History of the Cambridge
University, says that the
University of Cambridge has
done more for the education
of the people of England than
any other University in the
country.

re-instantiated the "justice" of the dark ages?

The taking of private property without due compensation — would we willingly abandon our security against that in the face of the events of recent years?

The right to be safe against unwarrantable searches and seizures — read your newspapers and rejoice that our friends and our households are still safe.

Freedom to assemble and petition the Congress for a redress of grievances — the mail and the telegraph being daily proof to every Senator and every Representative, that that right is but the right of an unrestricted popularity.

Freedom of speech — yes, that too is unshackled, for never has there been so much of it ^{on} either side of every subject — It is indeed a freedom which because of the mildness of our laws of libel and slander, goes unshackled except by the ~~bad~~ bad sense of the American people. My person is constitutionally entitled to criticize and call to account

the highest and the lowest in the land —
 save only ⁱⁿ one exception. For we it noted
 that the Constitution itself protects Senators
 and Representatives and provides that "for
 my speech or debate in either house there
 shall not be questioned in any other
 place"; and that protection is most
 carefully not extended ~~to~~^{to} either the
 Chief Justice or the President.

Freedom of the Press — I take it that
 no sensible man or woman believes that it has
 been curtailed or threatened in that it should
 be. The influence of the printed word will
 always depend on its veracity, and the
 nation can safely depend on the ^{wise} discrimination
 of a reading public which with the
 increase in the general education is able
 to sort truth from fiction. Representative
 Democracy will never tolerate suppression of
 true news at the orbit of government.

Freedom of Religion — That essential of
 the rights of man kind everywhere goes back
 also to the reigns of representative
 Government. What Democracy is snuffed

not those who the right to worship God
in ~~any~~^{own} way is circumscribed or abrogated.
I shall never buy our passiveness, by our
silence, by assuming the attitude of the
Pharisee who folded his arms together
and passed by on the other side, I find
encouragement to those ^{who} today possess no
religion or deny it?

The answer to that is "no", just as
in the days of the first Congress of the
United States it was "no".

Not for freedom of religion alone
does this nation contend by every peaceful
means. We believe in the other freedoms
of the Bill of Rights, the other freedoms
that are inherent in the right of free
choice by free men and women. That
means democracy to us under the Constitution,
not democracy by direct action of the
mob, but democracy exercised by representation
chosen by the people of the nation
~~themselves~~ themselves.

Here in this great hall are assembled
the present members of the government of

the United States of America - the Congress,
the Supreme Court and the Executive. Our
fathers rightly believed ^{that} this government ~~was~~
~~a state created by~~ which they set up would
work as a whole to act as a whole for the
good governing of the Nation. It is
in the same spirit that we are met here
today, 150 years later, to carry on their
task. May God continue to (God upon us
the light of his countenance) guide our steps.

My
FIRST DRAFT

MARCH 4th Speech

Mr. President, Mr. Speaker, Gentlemen of the Supreme Court, Members of the Senate and the House of Representatives, 158

We near the end of a three year commemoration of the founding of the government of the United States. It has been aptly suggested that its successful organizing should rank as the eighth wonder of the world -- for surely the evolution of permanent substance out of nebulous chaos justifies us in the use of superlatives.

Thus, we may increase our oratory and please our vanity by picturing the period of the War of the Revolution as crowded with a unanimous population of ~~unanimous~~ heroes dramatized by the admitted existence of ~~only~~ ^{A handful of} ~~three~~ traitors to fill the necessary role of villains. Nevertheless we are aware today that a more serious reading of history ~~dictates~~ a far less ^{ing} ~~pleasant~~ scene.

It should not detract from our satisfaction in the result to acknowledge that a very large number of inhabitants of the thirteen revolting colonies were opposed to rebellion and to independence; that there was constant friction between the Continental Congress and the Commander-in-Chief and his

Generals in the field; that inefficiency, regardless of the
cause of it, was ~~A~~ rule rather than the exception in the
long drawn out war; and finally that there is grave doubt
as to whether independence would have been won at all if
Great Britain herself had not been confronted ~~with~~ wars in
Europe which diverted her attention to ~~the~~ maintaining ^{and} her own
existence in the nearer arena.

We can at least give thanks in the first chapter ~~that~~
all was well that ended well, and we can at least give thanks
to those outstanding figures who strove against great odds
(A) for the maintenance of the national ideal ~~— (was more full~~
(A) well that thirteen independent sovereignties would hang ~~—~~
separately if they did not hang together ~~)~~

The opening of the new chapter in 1783 discloses very
definitely that assurance of continued independence could
be guaranteed by none. ~~that~~ dissension and
discord were so widely distributed among the thirteen new
~~states~~ ~~that it was~~ the impossibility ~~of setting up~~

Insert A for the maintenance of the national ideal which
 their vision and courage had created,
(Omit balance of paragraph)

Insert B be guaranteed by him. The years between the
 victory at Yorktown and the establishment of
 government under the Constitution have rightly
 been called the critical period of American
 history because dissension and discord were
 inevitable under a Confederation so loosely
 held together.

(Omit balance of page 2 and page 3)

-3-

a union more strong or permanent than that loose-end, shaky
debating society provided for under the Articles of Confederation.

That ~~it~~^{we} survived for six years is more a tribute to ~~the~~^{the} ~~ability~~^{of the} ~~United~~^{founding} ~~Constitu~~^{Constitu} ~~tion~~^{tion} ~~to do nothing~~^{to do nothing} ~~especially~~^{especially}, and to the exhaustion that

followed the end of the War rather than to any outstanding ~~ability~~^{ability}.

statesmanship or even leadership. Again, we can properly

say of the period of Confederation, that all was well that

ended well.


156

170

75

400

~~well have~~ ^{been} ~~right,~~ those years been called "the critical period of American history." But for crisis - in this case a crisis of peace - there would have been no Union; you the members of the Senate and the House; you the Chief Justice and I, the President of the United States, would not be here on this 4th of March, a century and a half later.

~~Benn 2~~
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In actual authority the Congresses of the Confederation were principally limited to the fields of external relations and the national defense. The fatal defect was of course the lack of power to raise revenues for the maintenance of the system; and our ancestors may be called at the least optimistic if they

believed that thirteen sovereign Republics would promptly pay over to the Confederation even the small sums which were assessed against them for the annual maintenance of the Congress and its functions.

Furthermore, the effect of the existing methods of transportation and communication retarded the development of a truly national government far more greatly than we realize today - and that was true throughout the first half century of our union. You have heard the phrase the "horse and buggy age." We use it not in derogation of the men who had to spend weeks on the rough highways before they could establish a quorum of the Congress, not in implication of inferiority on the part of those who perforce could not visit their neighbors in other States and visualize at first hand the problems of the whole of an infant nation.

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While fundamentals of government can properly be maintained, the processes seem to speed up with the greater speed of human contacts which have kept pace with an amazing sea of inventions unparalleled in the history of mankind.

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Recd.
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The safety of the system of representative democracy is in the last analysis based on two essentials: first, that at frequent periods the voters must choose a new Congress and a new President; and second, that this choice must be made freely, that is to say without any undue force against or influence over the voter in the expression of his personal and sincere opinion.

That after all is the greatest difference between what we know as democracy, and those other forms of government which, though they seem new to us, are essentially old ^A for they revert to those systems of concentrated self perpetuating power against which the representative democratic system was successfully launched ^{several} centuries ago.

Today, with many other democracies, the United States will give no encouragement to the belief that our processes are outworn, or that we will approvingly watch the return of forms of government which for two thousand years have proved their tyranny and their instability alike.

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And so there came about that tacit understanding that "to the Constitution would be added a Bill of Rights. Well and

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B74
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FIRST DRAFT

MARCH 4th Speech

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Thus, we may increase our oratory and please our vanity by picturing the period of the War of the Revolution as crowded with a unanimous population of ~~unanimous~~ heroes dramatized by the admitted existence of only two or three traitors to fill the necessary role of villain, nevertheless we are aware today that a more serious reading of history proves a far less pleasant scene.

It should not detract from our satisfaction in the result to acknowledge that a very large number of inhabitants of the thirteen revolting colonies were opposed to rebellion and to independence; that there was constant friction between the Continental Congress and the Commander-in-Chief and his

-2-

Generals in the field; that inefficiency, regardless of the cause of it, was ~~a~~ rule rather than the exception in the long drawn out war; and finally that there is grave doubt as to whether independence would have been won at all if Great Britain herself had not been confronted by wars in Europe which diverted her attention to maintaining her own existence in the nearer arena.

We can at least give thanks in the first chapter that all was well that ended well and we can at least give thanks to those outstanding figures who strove against great odds for the maintenance of the national ideal -- who knew full well that thirteen independent sovereignties would hang separately if they did not hang together.

The opening of the new chapter in 1783 discloses very definitely that assurance of continued independence could be guaranteed by none. The very fact that dissension and discord were so widely distributed among the thirteen new states was ~~proving~~ proven by the impossibility of setting up

-3-

a union more strong or permanent than that loose-and-easy
debating society provided for under the Articles of Confederation.
That it survived for six years is more a tribute to its
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-15-

FIRST DRAFT

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ADDRESS OF THE PRESIDENT
ON THE OCCASION OF THE 150TH ANNIVERSARY
OF CONGRESS
MARCH 4, 1939

Mr. President, Mr. Speaker, Gentlemen of the Supreme court, Members of the Senate and the House of Representatives:

We near the end of a three year commemoration of the founding of the government of the United States. It has been aptly suggested that its successful organizing should rank as the eighth wonder of the world -- for surely the evolution of permanent substance out of nebulous chaos justifies us in the use of superlatives.

Thus, we may increase our oratory and please our vanity by picturing the period of the War of the Revolution as crowded with a unanimous population of heroes dramatized by the admitted existence of a handful of traitors to fill the necessary role of villain. Nevertheless, we are aware today that a more serious reading of history depicts a far less pleasing scene.

It should not detract from our satisfaction in the result to acknowledge that a very large number of inhabitants

of the thirteen revolting colonies were opposed to rebellion and to independence; that there was constant friction between the Continental Congress and the Commander-in-Chief and his Generals in the field; that inefficiency, regardless of the cause of it, was the rule rather than the exception in the long drawn out war; and finally that there is grave doubt as to whether independence would have been won at all if Great Britain herself had not been confronted with wars in Europe which diverted her attention to the maintainance of her own existence in the nearer arena.

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The opening of the new chapter in 1783 discloses very definitely that assurance of continued independence could be guaranteed by none. Dissension and discord were so widely

distributed among the thirteen new states that it was impossible to set up a union more strong or permanent than that loose-end, shaky debating society provided for under the Articles of Confederation. That we survived for six years is more a tribute to the ability of the Confederation Congress gracefully to do nothing and to the exhaustion that followed the end of the War, rather than to any outstanding statesmanship or even leadership. Again, we can properly say of the period of Confederation, that all was well that ended well.

Those years have rightly been called "the critical period of American history." But for crisis - in this case a crisis of peace - there would have been no Union: you the members of the Senate and the House; you the Chief Justice and Associate Justices and I, the President of the United States, would not be here on this Fourth of March, a century and a half later.

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Franklin Roosevelt

The original reading copy

ADDRESS OF THE PRESIDENT
Delivered at the Capitol before a Joint Session of the Congress
On the occasion of the 150th Anniversary of Congress
March 4, 1939, 12.30 P. M., E. S. T.

MR. VICE PRESIDENT, MR. SPEAKER, GENTLEMEN OF THE SUPREME COURT, MEMBERS OF THE SENATE AND OF THE HOUSE OF REPRESENTATIVES, GENTLEMEN OF THE DIPLOMATIC CORPS:

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Franklin D. Roosevelt Library
TRANSCRIPT MHT TO SPERRY
RECORDED AND TO RELEASED INTO A CIRCLED LOCATION AND IS REVERSED
This is a transcript made by the White House stenographer from his shorthand notes taken at the time the speech was made. Underlining indicates words extemporaneously added to the previously prepared reading copy text. Words in parentheses are words that were omitted when the speech was delivered, though they appear in the previously prepared reading copy text.

To the administration that could be done and used in
the defense against the mechanized and technological
military forces and their subsequent effects and
actions -- below add to release notes and in most blocks
words enclosed in brackets transcribing to political add
activities to our enemies threatening to political add
activities to our self of an efficient
and effective and organized and moral and just
political add to defend add interests of which
basically related to national security a new world of
life of nations to further a to ourselves besides add to
our own we ourselves finally to elect members add
that a vigorous program to gather support from a wide variety
of groups and
in particular two main points for blocks of
add to reduce ourself very a just settlement of these add
because now before you have never had to arm yourself
now stand add consequences of any war, modified or
add has already been mentioned add needed political influence
and add beliefs add of interest and has been all-referred
other add now, to ensure add to ourselves, especially

rather than the exception in the long (drawn out) eight years of the war; and finally that there is grave doubt as to whether independence would have been won at all if Great Britain herself had not been confronted with wars in Europe which diverted her attention to the maintenance of her own existence in the nearer arena.

We can at least give thanks that (in) the first chapter -- the Revolution -- that in that chapter all was well that ended well; and we can at least give thanks to those outstanding figures who strove against great odds for the maintenance of the national ideal which their vision and courage had created.

The opening of the new chapter in 1783 discloses very definitely that assurance of continued independence could be guaranteed by none. Dissension and discord were so widely distributed among the thirteen new states that it was impossible to set up a union more strong or permanent than that loose-end, shaky, debating society provided for under the Articles of Confederation. That we survived for six years is more a tribute to the ability of the Confederation Congress gracefully to do nothing and to the exhaustion of the Nation that followed the (end of the) War, rather than to any outstanding statesmanship or even leadership during the first of those years. So, again, speaking truthfully and frankly, we can properly say of the period of Confederation, that all was well that ended well.

Those years have rightly been called "the critical period of American history." But for crisis - in this case a crisis of peace - there would have been no Union: you the members of the Senate and (the) House; you the Chief Justice, (and) the Associate Justices and I, the President of the United States, we would not be here on this Fourth of March, a century and a half later.

It is well to remember that from 1781 to 1789 the thirteen original States existed as a nation by the single thread of Congressional government, and without (an Executive or a Judicial branch) the Judicial or an Executive branch. This annual assembly of representatives, moreover, was compelled to act not by a majority but by States, and in the more important functions by the requirement that nine States out of the thirteen must consent to the action.

In actual authority the Congresses of the Confederation were principally limited to the fields of external relations and the national defense. The fatal defect was of course the lack of power to raise revenue for the maintenance of the system; and our ancestors, our predecessors, may be called at the least optimistic if they believed that thirteen sovereign Republics would promptly pay over to the Confederation, voluntarily, even the small sums (which) that were assessed against them for the annual maintenance of the Congress and its functions.

Furthermore, the effect of the existing methods

of transportation and communication retarded the development of a truly national government far more greatly than we realize today - and that was true throughout the first half century of our union. You have heard the phrase the "horse and buggy age." We use it not in derogation of the men who had to spend weeks on the rough highways before they could establish a quorum of the Congress, not in implication of inferiority on the part of those who perforce could not visit their neighbors in other states and visualize at first hand the problems of the whole of an infant nation.

We use it rather to explain the tedious delays, (and) the local antagonisms and jealousies which beset our early paths. (and) We use it perhaps to remind our citizens of today (that) the automobile, the railroad, the airplane, the electrical impulse over the wire and through the ether leave to no citizen of the United States an excuse for sectionalism, for delay in the execution of the public business or for a failure to maintain a full understanding of the acceleration of the processes of civilization. (Applause)

Thus the crisis which faced the new nation through its lack of national powers was recognized as early as 1783, but the very slowness of contacts prevented a sufficient general perception of the danger until 1787 when the Congress of the Confederation issued a call for the holding of a Constitutional Convention (in) that May.

We are familiar with the immortal document which

issued from that convention; of the ratification of it by sufficient states to give it effect; of the action of the Confederation Congress which terminated its own existence in calling on the first Federal Congress to assemble on March 4th, 1789.

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I believe that it has been held by the Supreme Court that the authority of the Articles of Confederation ended on March 3, 1789. Therefore, the Constitution went into effect the next day.

That Constitution was based on the theory of representative government, two of the three branches of its government being chosen by the people, directly in the case of the House of Representatives, by elected Legislatures in the case of the (Senators) Senate, and by elected electors in the case of the President and the Vice President. It is true that in many States the franchise was greatly limited, yet the cardinal principle of free choice by the body politic prevailed. I emphasize the words "free choice" because until

a very few years ago this fundamental, or perhaps in more modern language I should call it this ideology of democracy, until a few years ago was in the ascendant throughout the world, and nation after nation was broadening its practice of what the American Constitution had established here so firmly and so well.

The safety of the system of representative (democracy) government is in the last analysis based on two essentials: First, that at frequent periods the voters must choose a new Congress and a new President; and second, that this choice must be made freely, that is to say without any undue force against or influence over the voter in the expression of his personal and sincere opinion.

That after all is the greatest difference between what we know as democracy, and those other forms of government which, though they seem new to us, are essentially old -- for they revert to those systems of concentrated self-perpetuating power against which the representatives of the democratic system (was) were successfully (launched several) striving many centuries ago.

Today, with many other democracies, the United States will give no encouragement to the belief that our processes are outworn, or that we will approvingly watch the return of forms of government which for two thousand years have proved their tyranny and their instability alike.
(Applause)

Yes, with the direct control of the free choosing of public servants by a free electorate, (the) our Constitution has proved that (this) our type of government cannot long remain in the hands of (those) any who seek personal aggrandisement for selfish ends, whether they act as individuals, as classes, or as groups.

It is therefore in the spirit of our system that our elections are positive in their mandate, rather than passive in their acquiescence. Many other nations envy us the enthusiasm, the attacks, the wild over-statements, the falsehood gaily intermingled (gaily) with the truth that marks our general elections. Yes, they envy us because (they) all of these things are promptly followed by acquiescence in the result and (a) the return to calmer waters as soon as the ballots are counted.

We celebrate today the completion of the building of the constitutional house. But one essential was lacking -- for the structure called the house had to be made habitable. And even in the period of the building, those who put stone upon stone, those who voted to accept (it) the structure from the hands of the builders knew that life within the house needed other things for its inhabitants. Without those things, indeed, they could never be secure in their tenure, happy in their toil (and) or in their rest.

And so there came about that tacit understanding that to the Constitution would be added a Bill of Rights.

Well and truly did the first Congress of the United States fulfill that first unwritten pledge; and the personal guarantees thus given to our individual citizens have established, we trust for all time, what has become as ingrained in our American natures as the free elective choice of our representatives itself.

In that Bill of Rights lies another vast chasm between our representative democracy and those reverisons to personal rule which have characterized these (recent) later years.

Jury trial -- do the people of our own land ever stop to compare (that) the blessed right of ours with some processes of trial and punishment which of late have re-incarnated the so-called "justice" of the dark ages?

The taking of private property without due compensation -- would we willingly abandon our security against that in the face of the events of recent years?

The right to be safe against unwarrantable searches and seizures -- read your newspapers and rejoice that our firesides and our households are still safe. (Applause)

Freedom to assemble and petition the Congress for a redress of grievances -- why, the mail and the telegraph bring daily proof to every Senator and every Representative that that right is at the height of (an) unrestrained popularity. (Applause -- laughter)

Freedom of speech -- yes, that too is unchecked

(laughter -- applause) for never in all history has there been so much of it on every side of every subject. It is indeed a freedom which because of the mildness of our laws of libel and slander, goes unchecked except by the good sense of the American people. Any person -- any person is constitutionally entitled to criticize and call to account the highest and the lowest in the land -- save only in one exception. For be it noted that the Constitution of the United States itself protects Senators and Representatives and provides that "for any speech or debate in either house they shall not be questioned in any other place." (Applause drowned out the last few words) And I know also that that immunity is most carefully not extended (to) either to the Chief Justice of the United States or the President. (Laughter)

Freedom of the press -- I take it that no sensible man or woman believes that it has been curtailed or threatened or that it should be. The influence of the printed word will always depend on its veracity, and the nation can safely rely on the wise discrimination of a reading public which with the increase in the general education is well able to sort truth from fiction. Representative democracy will never tolerate suppression of true news at the behest of government. (Applause)

Freedom of religion -- that essential of the rights of mankind everywhere goes back also to the origins of repre-

sentative government. Where democracy is snuffed out, where it is curtailed, there, too, the right to worship God in one's own way is circumscribed or abrogated. Shall we by our passiveness, by our silence, by assuming the attitude of the Levite who pulled his skirts together and passed by on the other side, shall we thus lend encouragement to those who today persecute religion or deny it?

The answer to that is "no" today, just as in the days of the first Congress of the United States it was also "no". (Applause)

Not for freedom of religion alone does this nation contend by every peaceful means. We believe in the other freedoms of the Bill of Rights, the other freedoms that are inherent in the right of free choice by free men and women. That means democracy to us under the Constitution, not democracy by direct action of the mob; but democracy exercised by representatives chosen by the people themselves.

Here, in this great hall, are assembled the present members of the government of the United States (of America) -- the Congress, the Supreme Court and the Executive. Our fathers rightly believed that this government which they set up would seek as a whole to act as a whole for the good governing of the nation. It is in the same spirit that we are met here, today, 150 years later, met to carry on their task. May God continue to guide our steps. (Prolonged applause)

FOR THE PRESS

FOR THE PRESS

FOR THE PRESS

March 4, 1939.

C A U T I O N: The following address of the President, to be delivered before a Joint Session of the Congress, MUST BE HELD FOR RELEASE UNTIL DELIVERY BEGINS (Expected about 12.30 P.M., E.S.T., March 4th, 1939).
PLEASE SAFEGUARD AGAINST PREMATURE RELEASE.
STEPHEN EARLY,
Secretary to the President.

MR. PRESIDENT, MR. SPEAKER, GENTLEMEN OF THE SUPREME COURT,
MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES:

We near the end of a three year commemoration of the founding of the government of the United States. It has been aptly suggested that its successful organizing should rank as the eighth wonder of the world -- for surely the evolution of permanent substance out of nebulous chaos justifies us in the use of superlatives.

Thus, we may increase our oratory and please our vanity by picturing the period of the War of the Revolution as crowded with a unanimous population of heroes dramatized by the admitted existence of a handful of traitors to fill the necessary role of villain. Nevertheless, we are aware today that a more serious reading of history depicts a far less pleasing scene.

It should not detract from our satisfaction in the result to acknowledge that a very large number of inhabitants of the thirteen revolting colonies were opposed to rebellion and to independence; that there was constant friction between the Continental Congress and the Commander-in-Chief and his generals in the field; that inefficiency, regardless of the cause of it, was the rule rather than the exception in the long drawn out war; and finally that there is grave doubt as to whether Independence would have been won at all if Great Britain herself had not been confronted with wars in Europe which diverted her attention to the maintenance of her own existence in the nearer arena.

We can at least give thanks that in the first chapter all was well that ended well; and we can at least give thanks to those outstanding figures who strove against great odds for the maintenance of the national ideal which their vision and courage had created.

The opening of the new chapter in 1783 discloses very definitely that assurance of continued independence could be guaranteed by none. Dissension and discord were so widely distributed among the thirteen new states that it was impossible to set up a union more strong or permanent than that loose-end, shaky debating society provided for under the Articles of Confederation. That we survived for six years is more a tribute to the ability of the Confederation Congress gracefully to do nothing, and to the exhaustion that followed the end of the War, rather than to any outstanding statesmanship or even leadership. Again, we can properly say of the period of Confederation, that all was well that ended well.

Those years have rightly been called "the critical period of American history." But for crisis -- in this case a crisis of peace -- there would have been no Union: you the members of the Senate and the House; you the Chief Justice and Associate Justices and I, the President of the United States, would not be here on this 4th of March, a century and a half later.

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Furthermore, the effect of the existing methods of transportation and communication retarded the development of a truly national government far more greatly than we realize today -- and that was true throughout the first half century of our union. You have heard the phrase the "horse and buggy age." We use it not in derogation of the men who had to spend weeks on the rough highways before they could establish a quorum of the Congress, not in implication of inferiority on the part of those who performe could not visit their neighbors in other states and vizualize at first hand the problems of the whole of an infant nation.

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Today, with many other democracies, the United States will give no encouragement to the belief that our processes are outworn, or that we will approvingly watch the return of forms of government which for two thousand years have proved their tyranny and their instability alike.

With the direct control of the free choosing of public servants by a free electorate, the Constitution has proved that this type of government cannot long remain in the hands of those who seek personal aggrandizement for selfish ends, whether they act as individuals, as classes, or as groups.

It is therefore in the spirit of our system that our elections are positive in their mandate, rather than passive in their acquiescence. Many other nations envy us the enthusiasm, the attacks, the wild over-statements, the falsehood intermingled gaily with the truth that marks our general elections, because they are promptly followed by acquiescence in the result and a return to calmer waters as soon as the ballots are counted.

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In that Bill of Rights lies another vital choice between our representative democracy and those reverberations to personal rule which have characterized these recent years.

Jury trial -- do the people of our own land ever stop to compare that blessed right of ours with some processes of trial and punishment which of late have re-instantiated the "justice" of the dark ages?

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Here in this great hall are assembled the present members of the government of the United States of America -- the Congress, the Supreme Court and the Executive. Our fathers rightly believed that this government which they set up, would seek as a whole to act as a whole for the good governing of the nation. It is in the same spirit that we are met here, today, 150 years later, to carry on their task. May God continue to guide our steps.

FOR THE PRESS

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March 3, 1939.

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STEPHEN EARLY,

Secretary to the President.

MR. PRESIDENT, MR. SPEAKER, GENTLEMEN OF THE SUPREME COURT,
MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES:

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Here in this great hall are assembled the present members of the government of the United States of America -- the Congress, the Supreme Court and the Executive. Our fathers rightly believed that this government which they set up would stand as a whole to act as a whole for the good governing of the nation. It is in the same spirit that we are met here, today, 150 years later, to carry on their task. May God continue to guide our steps.

Gentlemen of the Diplomatic Corps:

(cont'd) STATEMENTS FILE

ADDRESS OF THE PRESIDENT
ON THE OCCASION OF THE 150TH ANNIVERSARY
OF CONSTITUTION
MARCH 4, 1939

5

Mr. Vice President, Mr. Speaker, Gentlemen of the Supreme

court, Members of the Senate and the House of Representatives,

We near the end of a three year commemoration of the

founding of the government of the United States. It has

been aptly suggested that its successful organizing should

rank as the eighth wonder of the world -- for surely the

evolution of permanent substance out of nebulous chaos

justifies us in the use of superlatives.

Thus, we may increase our oratory and please our vanity by picturing the period of the War of the Revolution as crowded with a unanimous population of heroes dramatized by the admitted existence of a handful of traitors to fill the necessary role of villain. Nevertheless, we are aware today that a more serious reading of history depicts a far less pleasing scene.

It should not detract from our satisfaction in the result to acknowledge that a very large number of inhabitants

and opposed to
and to independence; that there was constant friction between
the Continental Congress and the Commander-in-Chief and his
Generals in the field; that inefficiency, regardless of the
cause of it, was the rule rather than the exception in the
88 - (decent) eight years of the
long drawn out war; and finally that there is grave doubt
as to whether independence would have been won at all if
Great Britain herself had not been confronted with wars in
Europe which diverted her attention to the maintenance of
her own existence in the nearer arena.

Revolution -
not chapter

N We can at least give thanks that (~~in~~) the first chapter --
all was well that ended well; and we can at least give thanks
to those outstanding figures who strove against great odds
for the maintenance of the national ideal which their vision
and courage had created.

The opening of the new chapter in 1783 discloses very
definitely that assurance of continued independence could
be guaranteed by none. Dissension and discord were so widely

distributed among the thirteen new states that it was impossible to set up a union more strong or permanent than that loose-and, shaky, debating society provided for under the Articles of Confederation. That we survived for six years is more a tribute to the ability of the Confederation

Congress gracefully to do nothing and to the exhaustion¹ of the Nation

that followed the (end of the) War, rather than to any outstanding statesmanship or even leadership. Again, we can properly say of the period of Confederation, that all was well that ended well.

Those years have rightly been called "the critical period of American history." But for crisis - in this case a crisis of peace - there would have been no Union: you the members of the Senate and (the) House; you the Chief Justice, (and) Associate Justices and I, the President of the United States, ^{/ we/} would not be here on this Fourth of March, a century and a half later.

It is well to remember that from 1781 to 1789 the thirteen original States existed as a nation by the single thread of Congressional government, and without *the Judicial or an Executive branch.* *(an Executive or a Judicial branch)* This annual assembly of representatives, moreover, was compelled to act not by a majority but by States, and in the more important functions by the requirement that nine States *(13, out of thirteen)* must consent to the action.

In actual authority the Congresses of the Confederation were principally limited to the fields of external relations and the national defense. The fatal defect was of course the lack of power to raise revenue for the maintenance of the system; and our ancestors may be called at the least optimistic if they believed that thirteen sovereign Republics would promptly pay over to the Confederation even the small sums *(which)* *that* were assessed against them for the annual maintenance of the Congress and its functions.

Furthermore, the effect of the existing methods of transportation and communication retarded the development of a truly national government far more ~~greatly~~ than we realize today - and that was true throughout the first half century of our union. You have heard the phrase the "horse and buggy age." We use it not in derogation of the men who had to spend weeks on the rough highways before they could establish a quorum of the Congress, not in implication of inferiority on the part of those who perforce could not visit their neighbors in other states and ~~visualize~~ at first hand the problems of the whole of an infant nation.

We use it rather to explain the tedious delays, ~~(and)~~ the local antagonisms and jealousies which beset our early paths.
~~(and)~~ We use it perhaps to remind our citizens of today ~~(that)~~ the automobile, the railroad, the airplane, the electrical impulse ^{of the United States} over the wire and through the ether leave to no citizen ~~an excuse~~ for sectionalism, for delay in the execution of the public business or for a failure to maintain a full understanding of the accelerati

of the processes of civilization.

⑥ (Applause)

Thus the crisis which faced the new nation through its lack of national powers was recognized as early as 1783, but the very slowness of contacts prevented a sufficient general perception of the danger until 1787 when the Congress of the Confederation issued a call for the holding of a Constitutional Convention (^{that} in) May.

We are familiar with the immortal document which issued from that convention; of the ratification of it by sufficient states to give it effect; of the action of the Confederation Congress which terminated its own existence in calling on the first Federal Congress to assemble on March 4th, 1789.

We know of the month's delay before a quorum could be attained; of the counting of the ballots unanimously cast for General Washington; of his notification; of his triumphal journey from Mount Vernon to New York; and of his inauguration as first President on April 30th.

So ended the crisis. So, from a society of thirteen republics was born a nation with the attributes of nationality and the framework of permanence.

I believe that it has been held by the Supreme Court that
the authority of the Articles of Confederation ended on March 3, 1789.
Therefore, the Constitution went into effect the next day.

That Constitution was based on the theory of representative
government, two of the three branches of its government being
chosen by the people, directly in the case of the House of
Representatives, by elected Legislatures in the case of ^{the (Senate) Senate,}
and by elected electors in the case of the President and the Vice
President. It is true that in many States the franchise was

more working
longer
greatly limited, yet the cardinal principle of free choice by
the body politic prevailed. I emphasize the words "free choice"
because until a very few years ago this fundamental, or perhaps
75 years & until a few years
I should call it this ideology of democracy, was in the ascendant
throughout the world, and nation after nation was broadening its
practice of what the American Constitution had established here
so firmly and so well.

Government

The safety of the system of representative (democracy) is
in the last analysis based on two essentials: First, that at
frequent periods the voters must choose a new Congress and a
new President; and second, that this choice must be made freely,
that is to say without any undue force against or influence
over the voter in the expression of his personal and sincere
opinion.

That after all is the greatest difference between what
we know as democracy, and those other forms of government which,
though they seem new to us, are essentially old -- for they revert
to those systems of concentrated self-perpetuating power against
which the representative ^{of the} democratic system ~~was~~ successfully
~~was~~ ^{striking many} (launched several) centuries ago.

Today, with many other democracies, the United States will
give no encouragement to the belief that our processes are outworn,
or that we will approvingly watch the return of forms of
government which for two thousand years have proved their tyranny
and their instability alike. Q (Applause)

your
With the direct control of the free choosing of public
(the) our
servants by a free electorate, the Constitution has proved that
(this) our
this type of government cannot long remain in the hands of *(those)* ^{any}
who seek personal aggrandisement for selfish ends, whether they
act as individuals, as classes, or as groups.

It is therefore in the spirit of our system that our
elections are positive in their mandate, rather than passive in
their acquiescence. Many other nations envy us the enthusiasm,
the attacks, the wild over-statements, the falsehood ^{gaily said} intermingled
(gaily) with the truth that marks our general elections, because
all of three things
(they) are promptly followed by acquiescence in the result and
(a) the return to calmer waters as soon as the ballots are counted.
thereby

We celebrate *the* completion of the building of the
constitutional house. But one essential was lacking -- for the
house had to be made habitable. And even in the period of the
building, those who put stone upon stone, those who voted to
(it) the structure accept ~~it~~ from the hands of the builders knew that life within
the house needed other things for its inhabitants.

Without those things, indeed, they could never be secure in
their tenure, happy in their toil (^{and}) ~~in~~ their rest.

And so there came about that tacit understanding that
to the Constitution would be added a Bill of Rights. Well and
truly did the first Congress of the United States fulfill that
first unwritten pledge; and the personal guarantees thus given
to our individual citizens have established, we trust for all
time, what has become as ingrained in our American natures as
the free elective choice of our representatives itself.

In that Bill of Rights lies another vast chasm between
our representative democracy and those reverisons to personal
rule which have characterized these ~~recent~~ ^{later} years.

Jury trial -- do the people of our own land ever stop
to compare ~~that~~ ^{the} blessed right of ours with some processes of
trial and punishment which of late have re-incarnated the "justice"
of the dark ages?

The taking of private property without due compensation -- would we willingly abandon our security against that in the face of the events^s of recent years?

The right to be safe against unwarrantable searches and seizures -- read your newspapers and rejoice that ~~our~~ firesides and ~~our~~ households are still safe. (Applause)

Freedom to assemble and petition the Congress for a redress of grievances -- the mail and the telegraph bring daily proof to every Senator and every Representative that that right is at the height of (unrestrained popularity.) (Applause - laughter)

Freedom of speech -- yes, that too is unchecked, for in all history never has there been so much of it on every side of every subject.

It is indeed a freedom which because of the mildness of our laws of libel and slander, goes unchecked except by the good sense of the American people. Any person is constitutionally entitled to criticize and call to account the highest and the lowest in the land -- save only in one exception. For be it noted that the

(Applause drowned out
the last few words.)

of the United States
Constitution itself protects Senators and Representatives and
provides that "for any speech or debate in either house they
shall not be questioned in any other place." *And that immunity*

is most carefully not extended (to) either the Chief Justice *to* *and I*
of the United States *know also* *that that*
or the President. *(Laughter)*

Freedom of the press -- I take it that no sensible
man or woman believes that it has been curtailed or threatened or
that it should be. The influence of the printed word will
always depend on its veracity, and the nation can safely rely
on the wise discrimination of a reading public which with the
increase in the general education is able to sort truth from
fiction. Representative democracy will never tolerate
suppression of true news at the behest of government. *(Applause)*

Freedom of religion -- that essential of the rights of
mankind everywhere goes back also to the origins of representative
government. Where democracy is snuffed out there, too, the right
where it is snuffed out to worship God in one's own way is circumscribed or abrogated.

Shall we by our passiveness, by our silence, by assuming the attitude of the Levite who pulled his skirts together and passed by on the other side, ^{1/6 shall in thus} lend encouragement to those who today persecute religion or deny it?

The answer to that is "no" [↑] just as in the days of the first Congress of the United States it was ^{Peter} "no". (Applause)

Not for freedom of religion alone does this nation contend by every peaceful means. We believe in the other freedoms of the Bill of Rights, the other freedoms that are inherent in the right of free choice by free men and women. That means democracy to us under the Constitution, not democracy by direct action of the mob; but democracy exercised by representatives chosen by the people themselves.

Here, in this great hall, are assembled the present member of the government of the United States ^(of America) --- the Congress, the Supreme Court and the Executive. Our fathers rightly believe that this government which they set up would seek as a whole to act as a whole for the good governing of the nation.

It is in the same spirit that we are met here, today, 150 years
later, ^{met} to carry on their task. May God continue to guide our
steps. (Prolonged applause)

STATEMENTS FILE

FOR THE PRESS

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March 3, 1939.

C A U T I O N: The following address of the President, to be delivered before a Joint Session of the Congress, MUST BE HELD FOR RELEASE UNTIL DELIVERY BEGINS (Expected about 12.30 P.M., E.S.T., March 4th, 1939).
PLEASE SAFEGUARD AGAINST PREMATURE RELEASE.
STEPHEN EARLY,
Secretary to the President.

MR. PRESIDENT, MR. SPEAKER, GENTLEMEN OF THE SUPREME COURT,
MEMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES:

We near the end of a three year commemoration of the founding of the government of the United States. It has been aptly suggested that its successful organizing should rank as the eighth wonder of the world -- for surely the evolution of permanent substance out of nebulous chaos justifies us in the use of superlatives.

Thus, we may increase our oratory and please our vanity by picturing the period of the War of the Revolution as crowded with a unanimous population of heroes dramatized by the admitted existence of a handful of traitors to fill the necessary role of villain. Nevertheless, we are aware today that a more serious reading of history depicts a far less pleasing scene.

It should not detract from our satisfaction in the result to acknowledge that a very large number of inhabitants of the thirteen revolting colonies were opposed to rebellion and to independence; that there was constant friction between the Continental Congress and the Commander-in-Chief and his generals in the field; that inefficiency, regardless of the cause of it, was the rule rather than the exception in the long drawn out war; and finally that there is grave doubt as to whether independence would have been won at all if Great Britain herself had not been confronted with wars in Europe which diverted her attention to the maintenance of her own existence in the nearer arena.

We can at least give thanks that in the first chapter all was well that ended well; and we can at least give thanks to those outstanding figures who strove against great odds for the maintenance of the national ideal which their vision and courage had created.

The opening of the new chapter in 1783 discloses very definitely that assurance of continued independence could be guaranteed by none. Dissension and discord were so widely distributed among the thirteen new states that it was impossible to set up a union more strong or permanent than that loose-end, shaky debating society provided for under the Articles of Confederation. That we survived for six years is more a tribute to the ability of the Confederation Congress gracefully to do nothing, and to the exhaustion that followed the end of the War, rather than to any outstanding statesmanship or even leadership. Again, we can properly say of the period of Confederation, that all was well that ended well.

Those years have rightly been called "the critical period of American history." But for crisis -- in this case a crisis of peace -- there would have been no Union: you the members of the Senate and the House; you the Chief Justice and Associate Justices and I, the President of the United States, would not be here on this 4th of March, a century and a half later.

STATEMENTS FILE

Shortened by Kanner

It is well to remember that from 1781 to 1789 the thirteen original states existed as a nation by the single thread of Congressional government, and without an Executive or a Judicial branch. This annual assembly of representatives, moreover, was compelled to act not by a majority but by states, and in the more important functions by the requirement that nine states must consent to the action.

In actual authority the Congresses of the Confederation were principally limited to the fields of external relations and the national defense. The fatal defect was of course the lack of power to raise revenue for the maintenance of the system; and our ancestors may be called at the least optimistic if they believed that thirteen sovereign republics would promptly pay over to the Confederation even the small sum which were assessed against them for the annual maintenance of the Congress and its functions.

Furthermore, the effect of the existing methods of transportation and communication retarded the development of a truly national government far more greatly than we realize today -- and that was true throughout the first half century of our union. You have heard the phrase the "horse and buggy age." We use it not in derogation of the men who had to spend weeks on the rough highways before they could establish a quorum of the Congress, not in implication of inferiority on the part of those who performe could not visit their neighbors in other states and vizualize at first hand the problems of the whole of an infant nation.

We use it rather to explain the tedious delays and the local antagonisms and jealousies which beset our early paths, and we use it perhaps to remind our citizens of today that the automobile, the railroad, the airplane, the electrical impulse over the wire and through the ether leave to no citizen an excuse for sectionalism, for delay in the execution of the public business or for a failure to maintain a full understanding of the acceleration of the processes of civilization.

Thus the crisis which faced the new nation through its lack of national powers was recognized as early as 1783, but the very slowness of contacts prevented a sufficient general perception of the danger until 1787 when the Congress of the Confederation issued a call for the holding of a Constitutional Convention in May.

We are familiar with the immortal document which issued from that convention; of the ratification of it by sufficient states to give it effect; of the action of the Confederation Congress which terminated its own existence in calling on the first Federal Congress to assemble on March 4th, 1789.

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~~He is going to go good~~

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The safety of the system of representative democracy is in the last analysis based on two essentials: First, that at frequent periods the voters must choose a new Congress and a new President; and second, that this choice must be made freely, that is to say without any undue force against or influence over the voter in the expression of his personal and sincere opinion.

That after all is the greatest difference between what we know as democracy, and those other forms of government which, though they seem new to us, are essentially old -- for they revert to those systems of concentrated self perpetuating power against which the representative democratic system was successfully launched several centuries ago.

Today, with many other democracies, the United States will give no encouragement to the belief that our processes are outworn, or that we will approvingly watch the return of forms of government which for two thousand years have proved their tyranny and their instability alike.

With the direct control of the free choosing of public servants by a free electorate, the Constitution has proved that this type of government cannot long remain in the hands of those who seek personal aggrandisement for selfish ends, whether they act as individuals, as classes, or as groups.

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