

THE ROLE OF THE REPUBLICAN
MINORITY DURING THE "HUNDRED DAYS"
OF THE NEW DEAL IN 1933

by

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INTRODUCTION

The voters were in an ugly mood as the presidential campaign of 1932 neared. The ever-deepening depression, the lengthening bread lines in the cities, the angry mob of farmers in the countryside, the apparent immobility of the national government—all combined to produce a despair unique in American history.

In a spirit far from jubilant, the Republican convention in Chicago renominated Herbert Hoover. Not to run him again would have been a dismal confession of failure. The platform indulged in extravagant praises of Republican anti-depression policies and half-heartedly promised to repeal the Eighteenth Amendment and return control of liquor to the states. The Democratic convention, which also met in Chicago, pushed aside Alfred E. Smith, the Democratic candidate in 1928, and nominated Franklin D. Roosevelt on the third ballot. The platform assailed the so-called "Hoover depression," and urged repeal of the prohibition amendment.

In the campaign that followed, Roosevelt assumed the offensive. In all he traveled about 25,000 miles. His radiant personality, his golden speaking voice, and his optimism

created the picture of a vigorous and hopeful individual, in glaring contrast to the weary man in the White House who had struggled with the depression with no apparent success.

The result was an overwhelming victory, in which the Democratic ticket received nearly twenty-three million popular votes against sixteen million for the Republicans; in the electoral college, the vote was 472 to 59. The congressional victory was equally sweeping: the Democrats carried the House by a wide margin, 313 to 117, and the Senate by 59 to 36.

The situation worsened in the months between the election and installation of the new administration. The nation's banking system revealed signs of alarming weakness as runs on banks became increasingly frequent and the hoarding of men set in on a large scale. By Inauguration Day virtually every bank in the United States had been closed or placed under restrictions by proclamation of state governors. A situation of virtual collapse of the financial structure prevailed.

In such conditions the new President delivered his inaugural address. In a high, ringing voice, he assured the American people:

This great nation will endure as it has endured, will revive and will prosper. So first of all, let me assert my firm belief that the only thing we have

to fear is fear itself—nameless, unreasoning, unjustified terror which paralyzes needed efforts to convert retreat into advance.

He went on to promise an immediate special session of Congress. He expressed confidence that the lawmakers would pass the necessary recovery legislation. If ordinary powers were found to be inadequate to deal with the situation, he would ask Congress for "broad executive power to wage a war against the emergency, as great as the power that would be given to me if we were in fact invaded by a foreign foe." He called for "action, and action now."

Roosevelt moved decisively. Invoking powers granted by the Trading with the Enemy Act of 1917, he proclaimed a nationwide banking holiday, March 6-10, 1933, preliminary to opening most of the banks on a sounder basis.¹ He then summoned the Seventy-third Congress to convene in special session on March 9 to cope with the national emergency.² The members stayed at their desks for the so-called "Hundred Days" (March 9 - June 16, 1933), grinding out an unprecedented amount of legislation. Roosevelt's program was sparked by three R's—relief, recovery, and reform—and the Hundred Days Congress responded by passing many essentials of the New Deal

¹Samuel I. Rosenman (ed.). The Public Papers and Addresses of Franklin D. Roosevelt. Vol. II: The Year of Crisis, 1933 (New York, 1938), pp. 24-26. Hereafter cited as Public Papers of FDR.

²Ibid., p. 17.

"three R's." Because legislation was passed or approved as a matter of course or routine by the Democratic Majority, the Majority has been labeled a "rubber-stamp" agency. The Republican Minority, however, has been rarely noted, much less labeled, and if thought of, considered a probable shadow of the rubber-stamp set. It is my purpose, therefore, to bring this shadow to light by describing the part played by the members of the Republican Minority with regard to ten major legislative enactments of the Hundred Days' Congress. These major bills are: the Emergency Banking Act, the Economy Act, the Agricultural Adjustment Act, the Federal Emergency Relief Act, the Tennessee Valley Authority Act, the National Industrial Recovery Act, the Emergency Relief Act (reforestation act), the Truth in Securities Act, the Glass-Steagall Banking Act, and the Emergency Railroad Transportation Act.

The Republican Minority in the Seventy-third Congress was comprised of one hundred and fifty-three members. One hundred and sixteen men and one woman took their seats on the Republican side of the House of Representatives, while 36 men were counted among the Senators. A New York business man, Bertrand H. Snell, conservatively cautious and conspicuously anti-New Deal, was stage manager in the House as Minority Floor Leader.³ His make-up men, were Robert Luce (Mass.),

³Arthur M. Schlesinger, Jr., The Age of Roosevelt, Vol. II: The Coming of the New Deal (Boston, 1958), p. 480.

Conference Chairman, Harry L. Englebright (Calif.), Whip, and Assistant Whips, Joseph L. Hooper (Mich.), James Wolfenden (Pa.) and Joseph W. Martin, Jr. (Mass.)⁴ In the Senate stood Oregon's Charles L. McNary, cautiously pro-New Deal,⁵ with Simeon D. Fess (Ohio), Assistant Minority Floor Leader, and Arthur H. Vandenberg (Mich.), Whip, at his side.⁶ Leading men, supporting actors, and bit-part players, as well as mob-scene cast were ready within Republican wings, and the role of the Republican Minority was uncurtained.

⁴Edward P. Herring, "First Session of the 73d Congress," American Political Science Review, XXVIII (February 1934), 66.

⁵Schlesinger, II, 480.

⁶Herring, American Political Science Review, XXVIII, 66.

CHAPTER I

FROM SHADOW TO SAVIOR

As shadow, savior, antagonist, advocate, the Republican Minority acted and reacted. In the early days of March, Republicans forgot they were Republicans and Democrats forgot they were Democrats as they met to save the banking structure of the nation.¹ After one such meeting, House Minority Leader, Bertrand Snell, admitted to the "terrible" banking situation and promised immediate acceptance of the Administration's proposals.²

The following day, half an hour before Congress assembled, a rough-draft form of the Emergency Banking bill was completed.³ It authorized the Chief Executive to close banks, issue currency, and place insolvent banks in the hands of conservators.⁴

¹Raymond Moley, After Seven Years (New York, 1939), p. 151.

²New York Times, March 9, 1933, p. 1.

³Note in Public Papers of FDR, II, 46.

⁴Text of The Emergency Banking Act of 1933 in John A. Lapp, The First Chapter of the New Deal (Chicago, 1933), pp. 188-97.

Gathering as the Minority of a Committee of the Whole House on the State of the Union, the congressmen on the Republican side of the aisle applauded the words of Bertrand Snell who smelled fire and said this paper could put it out.⁵ Herbert Hoover had cautioned the Minority to "subject all proposals to the scrutiny of constructive debate,"⁶ but Robert Luce voiced Republican realization that, "Judgment must be waived . . . argument . . . silenced . . . without criticism lest we do harm by delay."⁷

Only Louis T. McFadden (Pa.), saw harmful "centralization" couched in the "dictatorial" remedy. He called for an audit of the Treasury Department and the Federal Reserve banks. Yet, he agreed to support the bill, if, in reality, it represented "the ideas of the new administration—the New Deal."⁸

Forty minutes after its initial reading by Henry B. Steagall (D. - Ala.), Chairman of the Banking and Currency

⁵U. S., Congressional Record, 73d Cong., 1st Sess., March 9, 1933, LXXVII, Part 1, 76.

⁶"The Role of the Republican Party in Opposition" (Letter to Everett Sanders, Chairman of the Republican National Committee, February 27, 1933), in Herbert Hoover, Addresses Upon the American Road, 1933-1938 (New York, 1938,) p. 37

⁷U. S., Congressional Record, 73d Cong., 1st Sess., March 9, 1933, LXXVII, Part 1, 79.

⁸Ibid., 80.

Committee, H. R. 1491 passed through House hands without referral to Committee, amendment, voice vote, or Republican reproach.⁹

The ideas of the New Deal as expressed in the Banking measure were introduced into the Senate by Duncan U. Fletcher (D. - Fla.), Chairman of the Committee on Banking and Currency, as S. 1.¹⁰

Republican response and action, though not as swift as in the House, was, in like manner, soft and shadowed. Intra-party discord had been stifled two days earlier with the aid of Charles McNary. David Reed (Pa.), carrier of the "big stick" for the conservative Republican force, was persuaded to lay it aside and abide by party will which pressed him to abandon his resolution to oust Roosevelt Republicans from Committee ranks. And men such as Robert M. LaFollette, Jr., (Wis.), Hiram Johnson (Calif.), and George W. Norris (Nebr.) were welcomed into the Minority roll call to emerge protagonists from the Republican wings.¹¹

After an hour long examination by the Committee on banking and currency the unamended bill was ignored in favor

⁹Ibid., 76-81.

¹⁰Ibid., 50.

¹¹New York Times, March 8, 1933, p. 9.

of H. R. 1491.¹²

During floor debate it was Reed who willingly "postponed . . . petty criticisms" of the Bank Bill, realizing the measure's "resulting confidence."¹³ It was LaFollette who, fearing the settlement of a banking dictatorship in "liquid-bank" cities like New York, to the "strangulation" of small areas lamented, "The Government places its credit at the command of the strong, and, I judge, hopes they will deal wisely and gently by the weak."¹⁴ To Arthur H. Vandenberg the strongest of commanders seemed to be the Comptroller of the Currency, whose control rendered the Vandenberg "aye" more reluctant:

Although disbelieving completely in the summary liquidation theory upon which it (H. R. 1491) seems chiefly to be built, solely because this critical moment does require a forward march, I shall vote, reluctantly, "aye."¹⁵

However, reluctantly, Republicans responded 23 to 5 in favor of the first enactment of the Hundred Days, with progressives William E. Borah (Ida.), Robert D. Carey (Wyo.), Porter H. Dale (Vt.), Gerald P. Nye (N. D.) and

¹²U. S., Congressional Record, 73d Cong., 1st Sess., March 9, 1933, LXXVII, Part 1, 54.

¹³Ibid., 59.

¹⁴Ibid., 64-65.

¹⁵Ibid., 52, 62.

Robert M. LaFollette, Jr., alone remembering that the role of the opposition is to oppose.¹⁶ By eight in the evening, H. R. 1491 was Public Law, and it seemed the President was indeed the Master puppeteer to both countrymen and Congress.¹⁷

On March 10, a draft of the Roosevelt "economy" bill was delivered at the portals of the House of Representatives for Democratic approval.¹⁸ The party control denied deliberation and virtually demanded favorable decisions.¹⁹ However, his own received it not. Party bosses cringed as the Minority membership crossed the aisle 69 strong, and shadow turned savior, breathed life into H. R. 2820.²⁰

The bill "to maintain the credit of the United States Government" allowed the President to reorganize and reduce government debts in two ways: first, by a cut in veteran compensation (Title I), and, second, by a slice-up of government salaries (Title II).²¹

¹⁶Ibid., 66-67.

¹⁷Lawrence H. Chamberlain, The President, Congress and Legislation (New York, c. 1946), Note, p. 324.

¹⁸U. S., Congressional Record, 73d Cong., 1st Sess., March 10, 1933, LXXVII, Part 1, 172.

¹⁹Herring, Presidential Leadership: The Political Relations of Congress and the Chief Executive (New York, 1940), p. 55.

²⁰U. S., Congressional Record, 73d Cong., 1st Sess., March 11, 1933, LXXVII, Part 1, 218.

²¹Text of An Act to Maintain the Credit of the United States Government in Lapp, pp. 200-215.

During the two-hour, equally divided debate on March 11, Republican time and temper were controlled by economy-minded John Taber (N. Y.).²² He yielded first, to a triumverate of tormentors, Gerald J. Boileau (Wisc.), Gardner R. Withrow (Wisc.) and William Lemke (N. D.).

Lemke pleaded the cause of the disabled veteran tossed about in Title I in the hands of "international bankers (who) continue to clip the coupons from their war-profit bonds."²³ Representatives Boileau and Withrow decried presidential power being expanded through the desertion of congressional duty and courage. To Boileau the delegation of such duty to the Executive was enigmatic.²⁴ And Withrow questioned congressional qualms over the casting of "yea" or "nay," concluding, "cast . . . votes to declare the President dictator, and close up the doors of Congress and go home."²⁵ Presenting too, the statistics of sordidly budgeted New York State of the Roosevelt gubernatorial reign, Withrow wondered how American ills could be healed by the same hand.²⁶

But the twelve economy advocates of the Minority did

²²U. S., Congressional Record, 73d Cong., 1st Sess., March 11, 1933, LXXVII, Part 1, 200.

²³Ibid., 203.

²⁴Ibid., 202.

²⁵Ibid.

²⁶Ibid., 202-203.

not wonder. To Walter G. Andrews (N. Y.), Fred A. Britten (Ill.) and Bertrand Snell, the necessity of stabilizing the country's economy with Roosevelt rules, surpassed class, party or re-election.²⁷ Frederick Lehlbach (N. J.) and Harold McGugin (Kan.) especially attacked the faithlessness of the Democrats.²⁸ The gentleman from Kansas, a member of the Committee on Economy, which had studied the measure, chided the Democrats for being "afraid to trust the President,"²⁹ and Lehlbach promised to back the President no matter how many Democrats did not.³⁰ Representative William Connery (Mass.), in particular, did not, as he demanded a recommittal of the bill to Committee in hopes of never hearing of it again. His motion met defeat by a vote of 90 to 272.³¹ In general, 92 of the Majority voiced a "nay" opinion,³² the Assistant Floor Leader, two members of the Steering Committee, and four Party Whips numbered among them.³³

²⁷Ibid., 207, 210, 216.

²⁸Ibid., 211, 212.

²⁹Ibid., 212.

³⁰Ibid., 211.

³¹Ibid., 217.

³²Ibid., 217-18.

³³Herring, American Political Science Review, XXVIII, 72.

In the Senate chamber S. 233 was abandoned in favor of H. R. 2820,³⁴ and on March 13, 14 and 15 debate ensued with L. J. Dickinson (Ia.), Robert M. LaFollette, Jr., Arthur H. Vandenberg and Henry D. Hatfield (W. Va.) being especially enamored of the faults of Title I. Both Dickinson and LaFollette acted to amend the act through substitution. LaFollette called for a fifteen percent reduction in veterans' compensation, since reduction of government salaries were to be that amount.³⁵ This idea was rejected,³⁶ as was the Dickinson plan for a flat cut of \$124,000,000 in veteran compensations.³⁷ Vandenberg bemoaned the disintegration of veteran legislation of the last twelve years as "grossly unjust,"³⁸ and Hatfield studied every section of Title I with the decision that, "There has never been introduced in the Halls of Congress a more sweeping measure or one which so ruthlessly destroys a series of constructive acts."³⁹ He brought forth court decisions, medical records and tear-provoking thoughts of "gray-haired veterans and . . . widows"⁴⁰ as if to echo

³⁴U. S., Congressional Record, 73d Cong., 1st Sess., March 13, 1933, LXXVII, Part 1, 276.

³⁵Ibid., March 15, 1933, LXXVII, Part 1, 444.

³⁶Ibid., 448.

³⁷Ibid., 462

³⁸Ibid., March 13, 1933, LXXVII, Part 1, 272.

³⁹Ibid., March 15, 1933, LXXVII, Part 1, 447.

⁴⁰Ibid., 445-47.

the warning of James Couzens (Mich.) who had said:

I hope that any Member of this body who has the nerve to walk out of this Chamber after having voted for this iniquitous measure will hang his head in shame for having approved an increase of 1,000 to 1,800 percent in interest rates for the money lender while he would take away from the veterans 45 to 50 percent of their small allowances.⁴¹

Senator Arthur R. Robinson (Ind.) and the Honorable William E. Borah alone uncovered Title II and cuts in government salaries, and then only for a swift showing and sad appraisal,⁴² while Frederick Steiwer (Ore.) and Dickinson shouted of the shame and sham of congressional activity and responsibility:⁴³

Instead of making an effort to see whether or not Congress could function in the matter, it is simply asked that we transfer to the Executive department the legislative authority of this body for fixing compensation. . . .⁴⁴

Senators Simeon D. Fess, Arthur Capper (Kan.), and Daniel O. Hastings (Del.) stood hopefully with the measure⁴⁵ insisting that "The existing order changeth; the new deal is

⁴¹Ibid., March 14, 1933, LXXVII, Part 1, 346.

⁴²Ibid., 350, 336-37.

⁴³Ibid., 344; Ibid., March 15, 1933, LXXVII, Part 1, 459.

⁴⁴Ibid. J. Dickinson, Ibid.

⁴⁵U. S., Congressional Record, 73d Cong., 1st Sess., March 14, 1933, LXXVII, Part 1, 317, 319, 322, 327-331.

is at hand."⁴⁶

During the fight for economy, existing order had indeed disappeared from the Democratic ranks of the Lower House and the Republican Minority had handed in a new deal victory. In the Senate, where amendment was allowed,⁴⁷ Republican members amended fruitlessly, argued furiously and finally with the exception of nine "nays," said "amen" to the act "to maintain the credit of the United States Government," H. R. 2820.⁴⁸

⁴⁶Daniel O. Hastings, Ibid., 331.

⁴⁷Herring, American Political Science Review, XXVII, 80.

⁴⁸U. S., Congressional Record, 73d Cong., 1st Sess., March 15, 1933, LXXVII, Part 1, 471.

CHAPTER II

FROM ADVOCATE TO ANTAGONIST

Four acts served to change this Cinderella coach of Republican-Roosevelt relationship into the reality of a huge, most unsatisfactory, pumpkin, the seeds of which reeked offensively. Such seeds were the Agricultural Adjustment Act,¹ the Federal Emergency Relief Act,² the Tennessee Valley Authority Act,³ and the National Industrial Recovery Act.⁴

Of the four, the act which hardened the core of the Republican heart into regarding the New Deal enactments of 1933 a holocaust of legislation was the first, H. R. 3835, proposing to place agricultural products on a price parity with other items such as possessed in the 1909-1914 period, or, in regards to tobacco, the 1919-1929 period. Farm prices would be raised through reduction of acreage of basic farm products and through a managed marketing of them by the Secretary of Agriculture. Farmers would be given payments

¹H. R. 3835. Approved May 12, 1933.

²H. R. 4606. Approved May 12, 1933.

³H. R. 5081. Approved May 18, 1933.

⁴H. R. 5755. Approved June 16, 1933.

and benefits, the cost of such being procured through a tax levied upon all processors of the products concerned.⁵

The Agricultural Adjustment bill was presented in the House on March 16 with Presidential admission that this was a "new and untrod path."⁶ The path proved a painful one for Republicans in Senate and House, in Progressive and Conservative corners. Recalled Joseph W. Martin, Jr., (appointed "assistant" House leader by Bertrand Snell)⁷ "We had to struggle to stay alive under the onslaught of this host. In our opposition . . . self-preservation often became an end in itself."⁸ On March 20 the bill was reported out of the Committee on Agriculture by Hampton P. Fulmer (D. - S. C.)⁹ and the following day Republican ranks were ruffled when a gag-rule resolution was presented allowing for a debate not exceeding four hours with no point of order or motion, except to recommit, entertained.¹⁰

⁵Text of The Agricultural Adjustment Act of 1933 in Lapp, pp. 227-40.

⁶Public Papers of FDR, II, 74.

⁷Joseph W. Martin, Jr., My First Fifty Years in Politics (New York, 1960), p. 73.

⁸Ibid., p. 66

⁹U. S., Congressional Record, 73d Cong., 1st Sess., March 20, 1933, LXXVII, Part 1, 646.

¹⁰U. S., Congressional Record, 73d Cong., 1st Sess., March 21, 1933, LXXVII, Part 1, 665.

Bertrand Snell sniffed at what he considered a "castor oil" rule, the passage of which would prove the House of Representatives afraid of itself. He protested the creation of tax collectors from an "army of deserving Democrats" pleading the right for Minority movement in amendment as his followers stood to applaud.¹¹

Although the resolution was approved,¹² debate ensued for five and one-half hours¹³ with twenty-six Republicans taking the floor, but half of that number playing more than a walk-on part. To the Mid-western farm representatives, Gerald J. Boileau, Fred C. Gilchrist (Ia.), and James A. Frear (Wis.), the passage of the pending measure seemed just and right since both the Democratic and Republican party platforms were pledged to farm relief. The leader of the country, they conceded, knowing that 435 representatives could not prepare a complicated measure such as the farm bill, had placed power in the able hands of the Secretary of Agriculture, Henry A. Wallace.¹⁴ The new path must be trod upon.

¹¹Ibid., 667-68.

¹²Ibid., 671.

¹³Chamberlain, p. 256.

¹⁴U. S., Congressional Record, 73d Cong., 1st Sess., March 21, 1933, LXXVII, Part 1, 680, 686-87, 688.

To other Republican eyes this new path was seen as a smooth road to Russia, with the hand of Henry A. Wallace directing traffic. A terrible tzar was the new Secretary to Joseph W. Martin, Jr., Ray P. Chase (Minn.), and James M. Beck (Pa.):¹⁵

Just as the Russian dictator controls the unhappy farmers of Russia, so, precisely, the Secretary of agriculture is now lifted up on a supreme throne of power and made the most powerful official of the Government, measured by practical effects, by the power thus conferred upon him.¹⁶

The power thus conferred upon him, that of taxing the processors of the agricultural goods enumerated in the measure especially, was propounded unfair by Charles A. Eaton (N. J.), Fred A. Britten, Charles L. Gifford (Mass.) and Allen T. Treadway (Mass.).¹⁷ Representative Eaton reminded the Democrats that they had voted down a two percent sales tax excluding food and clothing, but could now force a thirty percent tax on the necessities of life.¹⁸ And the gentleman from Illinois leered at the lobbyist farm leaders helping to defame Democratic platforms and the creed of Democracy for the crea-

¹⁵Ibid., 668, 676-77; Ibid., March 22, 1933, LXXVII, Part 1, 754.

¹⁶Ibid., 755

¹⁷Ibid., March 21, 1933, LXXVII, Part 1, 699, 692; Ibid., March 22, 1933, LXXVII, Part 1, 750, 733-35.

¹⁸Ibid., March 21, 1933, LXXVII, Part 1, 699.

tion of a Central government tax-collecting machine and a true despotism.¹⁹ Charles Gifford posed as an echo of these ideas,²⁰ as did constitutionally schooled James M. Beck to those of Allen Treadway who proved the protagonist of the tax versus Constitution query.²¹ Labelling the tax provision as one based upon "indefinite and general rules which no one can interpret and which no two persons would interpret in the same way," he pointed to the decision of Chief Justice, William Howard Taft in the case of Hampton & Co. versus the United States, which declared an "intelligible principle" the basis upon which the person so authorized may be permitted by Congress to fix rates.²²

U. S. Guyer (Kan.) and William Lenke condemned the measure as a mad method of "war upon natural law, the law of commerce, and of supply and demand,"²³ resulting in "price-fixing" and "permanent enslavement" of the American farmer and his family.²⁴ The idea of farm mortgage relief was considered by the Kansas man, but quickly crushed by his fellow

¹⁹Ibid., 692.

²⁰Ibid., March 22, 1933, LXXVII, Part 1, 750.

²¹Ibid., 754-55, 735.

²²Ibid., 735.

²³Ibid., 738.

²⁴Ibid., 747.

congressman from the industrial East, Charles Gifford,²⁵ to be incorporated into the measure by Senate hands, legislative hands "necessary," confessed Charles A. Eaton, "to give the bill a semblance of sanity."²⁶ The Agricultural Adjustment measure passed the House on March 22 by a 315 to 98 "yea" and "nay" count, the Minority casting 39 "yeas" and 73 "nays" upon this seed to be nourished by the Senators.²⁷

And while the House Republicans raged, Charles L. McNary (Oreg.), Minority Leader and ranking Minority member of the Senate Committee on Agriculture and Forestry, watered the seed in announcing that he would strive to stabilize the bill by limiting relief to cotton and wheat.²⁸ The Senate Committee conducted hearings on H. R. 3835²⁹ and during them Charles L. McNary and George W. Norris provided the voice of the seven-membered Minority³⁰ in attempts to scrutinize, stabilize, and simplify the measure.

²⁵Ibid., 739, 750.

²⁶Ibid., March 21, 1933, LXXVII, Part 1, 699-700.

²⁷Ibid., March 22, 1933, LXXVII, Part 1, 765.

²⁸New York Times, March 23, 1933, p. 1.

²⁹March 17, 24, 25, 27, 28, 1933.

³⁰Other members were Arthur Capper, Peter Norbeck (S. D.), Lynn J. Frazier (N. D.), Henry D. Hatfield, and Bronson Cutting (N. M.).

To Secretary Henry A. Wallace both men lamented the cause of the processor who was bound by a staggering licensing system to stay within the limits of the bill.³¹ And the plight of the country's consumer taxed \$800,000,000 was not forgotten,³² but the problem of the farmer "on the bottom of the pyramid" occupied a majority of the Minority time.³³ Francis J. Clair, president of the National League for Economic Stabilization, proposed to allow farmer retainment and control of the crop by the individual.³⁴ John A. Simpson, president of the National Farmer's Union, on the contrary, conceived of a plan whereby the Secretary of Agriculture would store the surplus and license grain operators, controlling crops while guaranteeing the "cost-of-production" to the individual farmer.³⁵ Both plans were presented and probed and hearings concluded, but Republican committee men studied further with Senator McNary in ninety minute meetings on April 5, 6, and 7.³⁶

³¹U. S., Congress, Senate, Committee on Agriculture and Forestry, Hearings, on H. R. 3835, Agricultural Adjustment Act, 73d Cong., 1st Sess., 1933, pp. 13-15, 18.

³²Ibid., p. 36.

³³Ibid., p. 60.

³⁴Ibid., p. 207.

³⁵Ibid., p. 169.

³⁶U. S., Congressional Record, 73d Cong., 1st Sess., April 7, 1933, LXXVII, Part 2, 1403.

On April 7 when John H. Bankhead (D. - Ala.) proposed a consideration of committee amendments on the Senate floor, McNary urged that discussion and action be postponed until April 10, allowing Republicans the weekend to prepare their reaction.³⁷

Minority reaction crystallized in the form of amendments to the committee-amended conclusion, with offerings especially from Robert D. Carey, George W. Norris, and Lynn J. Frazier.³⁸ Rebuttal crystallized in the figure of David A. Reed, conservative strong-man, with Arthur H. Vandenberg and Simeon D. Fess among his shadows.

Of the eighty-five amendments offered by both sides of the aisle, two aroused congressional tempers to the tenderest of degrees. These were the "cost-of-production" amendment (Amendment 83) authored by John A. Simpson and offered by George W. Norris, and an inflation amendment authorizing the issuance of greenbacks, alteration of the dollar's gold content, and remonetization of silver (Amendment 85)³⁹ presented

³⁷Ibid.

³⁸Ibid., April 10, 1933, LXXVII, Part 2, 1412; Ibid., April 12, 1933, LXXVII, Part 2, 1548, April 20, 1933, LXXVII, Part 2, 1982; Ibid., April 10, 1933, LXXVII, Part 2, 1447, April 12, 1933, LXXVII, Part 2, 1537, April 18, 1933, LXXVII, Part 2, 1886, April 19, 1933, LXXVII, Part 2, 1942, April 28, 1933, LXXVII, Part 3, 2561.

³⁹Text of Inflation of the Currency and Devaluation of Gold Content (Thomas Amendment) in Lapp, pp. 251-55.

by Elmer Thomas (Okla.).

On April 12 Senator Norris explained the "cost-of-production" plan amid the questioning of Senator Fess about price determination of different grades of products (Secretary Wallace was to decide the issue.), the ramblings of Senator Vandenberg concerning the price-fixing idea of the entire "Ph. D." product, and the rantings of Senator Reed envisioning poor mothers unable to purchase milk for starving babies only because "milk and their products" are in the clutches of the agricultural czar.⁴⁰

When a Democratic step was taken by Joseph T. Robinson (Ark.) for immediate adjournment with action on amendment 83 after a thirty-minute debate the next day, Senator McNary retaliated with a Republican step of protest until a ninety-minute debate was agreed upon.⁴¹

On April 21, Senator David A. Reed turned protagonist toward what he thought an American tragedy, the omnibus amendment of Elmer Thomas concerning currency. And while he did so, vehemently denying a filibuster, a round-robin attack

⁴⁰U. S., Congressional Record, 73d Cong., 1st Sess., April 12, 1933, LXXVII, Part 2, 1548-66; Administrative authors of the bill were Henry A. Wallace, Rexford G. Tugwell, Assistant Secretary of Agriculture, and Mordecai Ezekiel, economic advisor in the department of agriculture, members of the "brain trust."

⁴¹Ibid., 1568.

signed by the conservative Republican core of the House and Senate was in preparation.⁴² Senators David Reed and Fredric C. Walcott (Conn.) and House Leader Bertrand Snell and Representative Robert Luce, ranking Minority member of the Banking and Currency Committee which amended the measure, signed this statement denouncing the amendment as against "the most elementary principles of sound monetary credit and financial policies."⁴³ It represented the first and only party attack by Republicans against the Roosevelt administration.⁴⁴ Democrats denounced Republicans and Democrats as Republicans denounced Democrats and Republicans and the Thomas Amendment was offered on April 22 and brought to the floor for debate on April 24, with Senator Reed shouting, "I do not want to take poison because the Nation is ill, and the Senator is offering financial poison to the people of America."⁴⁵ The poisonous potion passed four days later with progressive Republican ranks tasting it and finding it to be good.⁴⁶

Other amendment offerings accepted by both parties

⁴²New York Times, April 22, 1933, p. 1.

⁴³Ibid.

⁴⁴Ibid.

⁴⁵U. S., Congressional Record, 73d Cong., 1st Sess., April 22, 1933, LXXVII, Part 2, 2170; Ibid., April 24, 1933, LXXVII, Part 2, 2229.

⁴⁶Ibid., April 28, 1933, LXXVII, Part 3, 2551-52.

included three presented by Lynn Frazier, one asking that premiums paid wheat farmers for protein content in their product not be placed under the processing tax, another demanding that processing tax data be made public so as to further protect the consumer from deception.⁴⁷ The North Dakota senator urged also, on senate floor as in committee room, a "reasonable profit" be received by the Nation's "preserver of new wealth," a profit beyond the "cost-of-production." And, in spite of Norris protests that the idea was another "monkey-wrench" in the bill's side, a foolish whim defeated in Committee, the amendment was agreed upon.⁴⁸

Robert D. Carey appeared briefly to plead for a leasing plan in substitute for the Administration allotment plan, with a lease of 50,000,000 acres of farm land and a ten-percent manufacturers' tax on processed cereals and cotton. His amendment, though accepted by conservatives of his party, failed passage,⁴⁹ and on April 28 the Agricultural Adjustment Act, including a provision for farm mortgage relief,⁵⁰ passed

⁴⁷U. S., Congressional Record, 73d Cong., 1st Sess., April 10-11, 1933, LXXVII, Part 2, 1447, 1473; Ibid., April 18, 1933, LXXVII, Part 2, 1886.

⁴⁸Ibid., April 13, 1933, LXXVII, Part 2, 1632-36.

⁴⁹Ibid., April 28, 1933, LXXVII, Part 3, 2553-58.

⁵⁰The measure had passed the House on April 12, 1933, with only 12 "nays."

with progressive support.⁵¹

The Senators insisted on their amendments and asked a conference with the House as Charles McNary and Frederic C. Walcott were appointed to protect Republican partialities.⁵²

The House members agreed to a conference on May 3 with John D. Clarke (N. Y.) and Clifford R. Hope (Kan.) as Republican managers.⁵³ Seven days later Republican hope died when the Norris-Simpson "cost-of-production" plan was stifled. The House would not receive it and the Senate agreed to House refusal as progressive Republicans lamented over the withered fruit of their labors that lay upon the "new path" of socialism.⁵⁴

The second act bearing the stigma of socialism and breeding signs of Republican discontent in both chambers was H. R. 4606, which created the Federal Emergency Relief Administration and authorized the Reconstruction Finance Corporation to provide relief funds by issuing bonds in the amount of \$500,000,000 directly to the States with the approval of

⁵¹U. S., Congressional Record, 73d Cong., 1st Sess., April 28, 1933, LXXVII, Part 3, 2562.

⁵²Ibid.

⁵³Ibid., May 3, 1933, LXXVII, Part 3, 2814-15.

⁵⁴Ibid., May 9, 1933, LXXVII, Part 3, 3079; Ibid., May 10, 1933, LXXVII, Part 3, 3121.

the President.⁵⁵

On March 27 Democratic Senators Robert Wagner (N. Y.), and Edward P. Costigan (Colo.), joined with Robert LaFollette, Jr. to introduce the relief measure, S. 812, into the Senate.⁵⁶ Two days later the bill was reported with amendments by Duncan U. Fletcher and a Democratic stampeding process began. However, Charles McNary blocked immediate consideration of the measure, with the Senate adjourning forty-five minutes after assembling.⁵⁷ McNary did not explain his opposition during the session, but it was reported later that Republicans considered the bill a "public dole" and would attack it on that ground.⁵⁸ The next day the measure was debated with the only Republican ground-holder being Simeon D. Fess who propounded before the 55-17 vote⁵⁹ that:

[My colleagues] are starting on a policy which they will never be able to abandon, and the time will come when most people will rue the inauguration of the policy that the Federal Government is responsible for unemployment and therefore should supply the wherewithal to take the place of unemployment.⁶⁰

⁵⁵Text of Federal Emergency Relief Act in Lapp, pp. 218-21.

⁵⁶U. S., Congressional Record, 73d Cong., 1st Sess., March 27, 1933, LXXVII, Part 1, 859.

⁵⁷Ibid., March 29, 1933, LXXVII, Part 1, 946.

⁵⁸New York Times, March 30, 1933, p. 9.

⁵⁹U. S., Congressional Record, 73d Cong., 1st Sess., March 30, 1933, LXXVII, Part 1, 1042.

⁶⁰Ibid., 1036.

Fifteen of the 17 "nays" were cast by Republicans on March 30 in the first "substantial" Minority opposition.⁶¹

On April 3 when the House received the message that S. 812 had passed, Minority opposition formed in a resolution by Allen Treadway asserting that the bill be returned to the Senate with the message that introduction of a revenue bill by that body constituted an "infringement of the privileges of the House."⁶² After a further disagreement between Bertrand Snell and James F. Byrnes (D. - S. C.) the resolution was referred to the Judiciary Committee on April 4,⁶³ and on that day David J. Lewis (D. - Md.) introduced a bill similar to S. 812, H. R. 4606, which was given over for consideration to the Committee on Banking and Currency.⁶⁴

And it did consider it in five-day hearings,⁶⁵ during which Republican distress was viewed by Carroll L. Beedy (Me.) and voiced by Robert Luce.⁶⁶

⁶¹New York Times, March 31, 1933, p. 4.

⁶²U. S., Congressional Record, 73d Cong., 1st Sess., April 3, 1933, LXXVII, Part 1, 1131.

⁶³Ibid., April 4, 1933, LXXVII, Part 2, 1207.

⁶⁴Ibid., 1240

⁶⁵April 11, 12, 13, 14, 18, 1933.

⁶⁶Other members were Edward L. Stokes (Pa.), John B. Hollister (Ohio), Jesse P. Wolcott (Mich.), Peter A. Cavicchia (N. J.), James W. Wadsworth, Jr. (N. Y.) and James Simpson, Jr. (Ill.)

While the Committee man from Maine hinted at the necessity of State responsibility,⁶⁷ the gentleman from Massachusetts attacked destruction of States' sovereignty and responsibility while parading wayward Republican Pinocchios:

So far as I know, Mr. Beck and myself are the only Democrats remaining in this body. I will admit it Mr. Wadsworth (Republican committee member from New York). I am speaking of those in the United States who believe in the Federal form of government and who believe that State responsibility was the greatest gift that the fathers gave to this Nation. . . .⁶⁸

He questioned Senators Wagner and Costigan, appearing before the Committee, concerning the freedom of the Reconstruction Finance Corporation, not to be restrained by either the Committee on Appropriations or the tax-paying people of the United States.⁶⁹

Minority qualms were not to be restrained either, for, two days after the end of the hearings, they materialized into a supplement of the committee conclusion, that supplement signed by all but Jesse Wolcott and Peter Cavicchia.⁷⁰

The Minority grimaced at the generalities of the

⁶⁷U. S., Congress, House, Committee on Banking and Currency, Hearings, on H. R. 4606, Federal Emergency Relief Act, 73d Cong., 1st Sess., 1933, p. 13.

⁶⁸Ibid., pp. 7, 90.

⁶⁹Ibid., pp. 7, 22.

⁷⁰April 20, 1933. Presented by Robert Luce.

gift-giving idea, couched in the creation of a new administrator, complete with Bureau and monies with which to lessen State responsibility and sacrifice.⁷¹

Signposts of disaster were painted by Representatives Luce, Hollister and Beedy, each emblazoned with the socialistic idea of government gift-giving,⁷² as the Federal Emergency Relief measure was debated for two hours, with Robert Luce allotting Republican time.⁷³ William Lemke stood alone on the over-worked axiom that termination of starving children necessitated the passage of the relief bill.⁷⁴

Explaining that he did not wish to see the President pressured by salary-grabbers, Carroll L. Beedy offered, and heard accepted, an amendment fixing the yearly salary of the Administrator at a sum not to exceed \$8,500.⁷⁵ Democratic minds would not accept an amendment by John B. Hollister, however, providing that States repay relief money received from the Federal Government, so that Uncle Sam would not be

⁷¹U. S., Congress, House, Committee on Banking and Currency, Minority Report, on H. R. 4606, Federal Emergency Relief Act, Report No. 46, Part 2, 73d Cong., 1st Sess., 1933, pp. 1-3.

⁷²U. S., Congressional Record, 73d Cong., 1st Sess., April 21, 1933, LXXVII, Part 2, 2107, 2113-14, 2117-18.

⁷³Ibid., 2105.

⁷⁴Ibid., 2117.

⁷⁵Ibid., 2121-22.

a gift-giving relative.⁷⁶ Even when Representative Luce re-offered the idea,⁷⁷ his friends across the aisle refused to listen and taunted him for calling the bill communistic.⁷⁸

A parlor game of personality pokes and insult ensued, as for example between James W. Mott, Republican of Oregon, and David J. Lewis, Democratic congressman from Maryland:

MOTT: Can the gentleman inform us what assurance any particular state . . . would have under the circumstances of getting anything under this bill?

LEWIS: The gentleman tempts me to repeat a classic rebuke: "O, thou of little faith." When the time comes that the administrators of the laws of my country cannot be trusted with a fund as sacred as this, let us tear down the American flag and forget we are Americans.

MOTT: May I inquire if that is the best answer the gentleman can give.

LEWIS: (No reply.)⁷⁹

And Knute Hill of Washington contended concerning the Republican leaders, "'Whom the gods would destroy they first make mad.'"⁸⁰

Along with his conservative fellows, Robert Luce was discovering the onslaught of "emergency legislation" to be madness personified, personified into armies of administra-

⁷⁶Ibid., 2119-20.

⁷⁷Ibid., 2128.

⁷⁸Ibid., 2119.

⁷⁹Ibid., 2124-25.

⁸⁰Ibid., 2127.

tors, coordinators and agents, collectivism resulting in, "invasion of personal liberties, transfer of duties from the States to the nation, governmental financing of joint activities—the three great avenues toward centralized control, with autocracy just beyond."⁸¹ When he moved to destroy the relief measure by recommitment to the Senate with the once-defeated Hollister amendment attached, the New Dealers would not hear it, nor would the Mid-western Republican wing.⁸² The bill passed from the House with 74 "yeas" from Republican rows and a request for conference with the Senate.⁸³

Two days earlier, on May 1, the measure had been accepted after Minority Leader, Charles McNary had been assured that it and the already passed Senate bill were of like nature.⁸⁴ The Senators agreed to conference, sending Peter Norbeck to share Republican representation with the House's Robert Luce.⁸⁵

⁸¹Robert Luce, Legislative Problems: Development, Status, and Trend of the Treatment and Exercise of Lawmaking Powers (Boston, 1935), p. 677.

⁸²U. S., Congressional Record, 73d Cong., 1st Sess., April 21, 1933, LXXVII, Part 2, 2128.

⁸³Ibid., 2129; Ibid., May 3, 1933, LXXVII, Part 3, 2777.

⁸⁴Ibid., May 1, 1933, LXXVII, Part 3, 2610.

⁸⁵Ibid., May 3, 1933, LXXVII, Part 3, 2790; Ibid., 2777.

Although the Senate accepted the report immediately upon its return on May 8, before House acceptance, Minority Men, Joseph W. Martin, Jr. and Robert Luce, rebelled against acceptance of still another Democratic rule, an order that the report be considered with no points of order allowed against it.⁸⁶ Said Martin, "I hope the Democratic Party does not intend to stultify itself . . . by this extreme method of getting a few patronage jobs."⁸⁷

The third seed of Republican discontent, H. R. 5081, establishing the Tennessee Valley Authority to develop water power at Muscle Shoals, Alabama, in order to manufacture fertilizer and create electrical power,⁸⁸ sprang from the hopes of President Roosevelt as nurtured by the activities of independent Republican, George W. Norris.⁸⁹

For twelve years Norris introduced and reintroduced his plan into congressional halls, through which it passed in June, 1928, only to be vetoed by President Calvin Coolidge

⁸⁶Ibid., May 8, 1933, LXXVII, Part 3, 2967;
Ibid., May 9, 1933, LXXVII, Part 3, 3085-93.

⁸⁷Ibid., 3087.

⁸⁸Text of The Tennessee Valley Authority Act, in Lapp, pp. 302-18.

⁸⁹Stephen K. Bailey, and Howard D. Samuel, Congress At Work (New York, c. 1952), p. 194.

then, and Herbert Hoover two years later.⁹⁰ Approval of it came on May 18, 1933, with father, George Norris, receiving the pen with which it was signed.⁹¹

Congressional acceptance and aid was asked by President Roosevelt in an April 10 message,⁹² and on April 11 the Nebraska Senator submitted his idea to the Committee on Agriculture and Forestry.⁹³ As that Committee reported the measure back after a twelve minute executive session, another Committee, the House Committee on Military Affairs was hearing Minority opposition to a like idea.⁹⁴

To Committee witness John Taber, the development of a fertilizer plant as proposed by the bill, appeared as a duplication of available facilities, a duplication that would require Government bonds at the expense of industry.⁹⁵ And Charles Eaton judged the proposal of the Government in compe-

⁹⁰George W. Norris, Fighting Liberal: The Autobiography of George W. Norris (New York, 1945), p. 267.

⁹¹Ibid., (illustration facing p. 270).

⁹²Public Papers of FDR, Vol. II, pp. 122-23.

⁹³U. S., Congressional Record, 73d Cong., 1st Sess., April 11, 1933, LXXVII, Part 2, 1460.

⁹⁴New York Times, April 13, 1933, p. 2.

⁹⁵U. S., Congress, House, Committee on Military Affairs, Hearings, on H. R. 5081, Muscle Shoals, 73d Cong., 1st Sess., 1933, pp. 47-48.

tion with the power and fertilizer industries as "the open door . . . to . . . a modified form of sovietism."⁹⁶

Three of the eight Minority Committee members offered opinions,⁹⁷ repetitions of witnesses Taber and Eaton. Congressman from Connecticut, Edward Goss, to the consternation of Judson King, director of the National Popular Government League, compared Government regulation in Russia to the bill's proposed regimentation of American power.⁹⁸ Thomas C. Cochran (Pa.) complemented his idea with a warning about the moral obligation of the Federal Government toward the private citizen investor who suffers financial ruin if the Government becomes a "business man."⁹⁹ And W. Frank James (Mich.), committee member for many years, complained that nothing had been done with previously invested money for the development of fertilizer in the area, concluding to Wendell Willkie, President of the Commonwealth & Southern Power Corporation, that the program was "all just language."¹⁰⁰

⁹⁶Ibid., p. 68

⁹⁷Members who did not contribute significantly were Harry C. Ransley (Pa.), Vincent Carter (Wyo.), Walter G. Andrews, Theodore Christianson (Minn.), and Donald H. McLean (N. J.).

⁹⁸Hearings, on H. R. 5081, Muscle Shoals, 73d Cong., 1st Sess., 1933, p. 367.

⁹⁹Ibid., p. 175.

¹⁰⁰Ibid., p. 176, 234.

When the Committee issued a report on April 20, the Minority membership included a four-page presentation of its views on the injustice of the ideas behind the language, W. Frank James and Theodore Christianson not among the signers. With statistical evidence they pointed to the individual rendered powerless by power holders (administrators) who knew not what they or the bill were to accomplish.¹⁰¹ They contended first, that government manufacture of fertilizer would interfere with more than 800 companies; secondly, that the Government was already in competition with 41 private enterprises; thirdly, that if the President were allowed to authorize the construction of transmission lines in the area \$400,000,000 in investments would be lost; and fourthly, that the testimony received failed to clarify generalities into particulars.¹⁰²

On April 20 Lister Hill (D. - Ala.) introduced H. R. 5081,¹⁰³ and from April 22 until the measure's passage on April 25, Minority members concerned themselves not with the

¹⁰¹U. S., Congress, House, Committee on Military Affairs, Minority Report, on H. R. 5081, Muscle Shoals, contained in Report No. 48, Pages 15-18, 73d Cong., 1st Sess., 1933, pp. 15-18.

¹⁰²Ibid.

¹⁰³U. S., Congressional Record, 73d Cong., 1st Sess., April 20, 1933, LXXVII, Part 2, 2055.

particulars of the legislation, but instead, with its soviet-sectional philosophy, and with the peculiarities of the "rain-bow-chasing" personalities of the legislative Majority.

A House rule allowed for six hours equally-divided debate without the right of amendment, W. Frank James controlling the Republican replies.¹⁰⁴ Minority member, Joseph W. Martin, Jr. attacked the gag-rule idea first and the Soviet idea secondly, Allen Treadway and Charles Eaton repeating his ideas, complete with flowery phrase.¹⁰⁵ Charles Eaton declared:

We have had cruelties and oppressions and outrages originating amongst us. We have had villainies without limit . . . we have this one great, vital thing, called American, and you are now going to attempt to make it over in three months, by a series of legislative enactments The patient is very sick . . . but this great patient is a vital thing, and if . . . you do not try to cure him by a thousand violent experiments and quack nostrums his vast innate recuperative resources will assert themselves.¹⁰⁶

Two New York Representatives, John Taber and Daniel A. Reed, spoke for five minutes each in concluding the Republican responses of the 22nd, merely to echo one another as to their shock at seeing this game of presidential "political hypocrisy," executive squandering of money at the expense of

¹⁰⁴Ibid., April 22, 1933, LXXVII, Part 2, 2181.

¹⁰⁵Ibid., 2176, 2193, 2196.

¹⁰⁶Ibid., 2196.

veterans and their dependents.¹⁰⁷ So boring was the day's spectacle that only 35 of the House members had remained to hear and see it.¹⁰⁸

When debate continued, the Minority repeated itself, but now succumbed to a personality pricking of a Democratic Majority at the hand of Charles Eaton. W. D. McFarlane (D. - Tex.) inquired as to whether Eaton had been employed by the General Electric Company, and thus resulted this drivellish exchange between Eaton and Marion A. Zioncheck (D. - Wash.):

EATON: Oh, I resent that contemptible kind of attempt to hold a man up here and pry into his personal business. Nobody would do it unless he were saturated with that miserable, abominable personal-attack stuff which has been the Democratic policy. . . for the past three years, and especially during the recent campaign. Why, yes. What size shoe does the gentleman wear?

ZIONCHECK: No. 9, and I am proud of it. It is a plain answer. I do not try to evade any question. What size do you wear?

EATON: No. 10, and I am proud of it. If the gentleman's head was as big as his feet he would amount to something.¹⁰⁹

Eaton continued his show by introducing two editorials, one by William Randolph Hearst, the other by Arthur Krock. Both protesting the rubber-stamp, "cowardly and incompetent" Congress.¹¹⁰

¹⁰⁷Ibid., 2200, 2203.

¹⁰⁸Bailey and Samuel, p. 227.

¹⁰⁹U. S., Congressional Record, 73d Cong., 1st Sess., April 24, 1933, LXXVII, Part 2, 2278.

¹¹⁰Ibid.

Two of the nine Republican debaters, John Taber and Harold McGugin, interjected the Norris bill into the House display. To both it seemed a deadlier pill to swallow than the Hill bill, since it provided for more bonds, more construction, and more presidential power.¹¹¹ Seventeen Republicans accepted H. R. 5081 on April 25, while 89 did not.¹¹²

S. 1272 was presented to the Senate chamber by George Norris three days later, only to be laid aside for three days more until the passage of the Federal Emergency Relief legislation.¹¹³ When the measure was discussed on the first three days of May, it was, of course, Roosevelt Republican, George Norris who explained and amended successfully. Although the Hill bill was passed in lieu of the Nebraska gentleman's brain child,¹¹⁴ the breath of the brain child put life into the Tennessee Valley Authority, for Senator Norris' provisos ruling out commercial production of fertilizer and allowing more authority for the building of transmission lines, lived in the final accepted measure.¹¹⁵

¹¹¹Ibid., 2275, 2265.

¹¹²Ibid., April 25, 1933, LXXVII, Part 3, 2341.

¹¹³Ibid., April 28, 1933, LXXVII, Part 3, 2563.

¹¹⁴Ibid., May 3, 1933, LXXVII, Part 3, 2809.

¹¹⁵Ibid., May 16, 1933, LXXVII, Part 3, 3374.

Those Republicans not in the progressive corner did not succeed in the Senate, however, providing voice but not vitality toward the passage of the measure. Minority member Arthur H. Vandenberg presented the Representative "sectionalism" refrain for the Senate,¹¹⁶ while Jesse H. Metcalf (R. I.) sang the "socialism" chorus.¹¹⁷

On May 1, Senator Norris, anxious for a vote that day, quickly examined his bill and then compared it to the inferior House-passed proposal. He saw his bill being squeezed out of existence by partners in propaganda, the American Farm Bureau Federation and the Power Trust. He promised that the American "savior of the soil" would benefit from the fertilizer experiment at Muscle Shoals through Government operation. In contrasting his measure with the Hill plan, Senator Norris concluded that if, as the House measure hoped, transmission lines could not be constructed by the board, the three-man directorship would be under the red-tape thumb of the Power Trust and the United States Supreme Court.¹¹⁸ When he proposed an immediate vote on his bill, Senator McNary turned thumbs down, insisting upon further discussion and amendment.¹¹⁹

¹¹⁶Ibid., May 2, 1933, LXXVII, Part 3, 2666.

¹¹⁷Ibid., 2677.

¹¹⁸Ibid., May 1, 1933, LXXVII, Part 3, 2636-38.

¹¹⁹Ibid., 2638.

The following day, Arthur Vandenberg, an Eastern-rights man, moved to exclude the idea of a five percent yearly dividend payment to Alabama and Tennessee, declaring, "This is a prospectus for an industrial empire, and they propose to charge us an admission fee for using Federal resources to create an industrial empire."¹²⁰ The Roosevelt Republicans helped to retain this clause,¹²¹ which again would cause ill will in the heart of the Republican Representative, James A. Frear.¹²²

When an amendment by Frederic C. Walcott was defeated demanding that the board abide by the uniform system of accounting as prescribed by the Interstate Commerce Commission for the District of Columbia,¹²³ the Senate recessed and on May 3 after Republican Simeon Fess decried the measure for destroying private enterprise, H. R. 5081 was passed.¹²⁴

After a conference attended by Representatives James S. Parker (N. Y.) and Carl E. Mapes (Mich.) and Senators McNary and Norris, the Minority gentlemen of the Senate

¹²⁰Ibid., May 2, 1933, LXXVII, Part 3, 2666.

¹²¹Ibid., 2686.

¹²²Ibid., May 17, 1933, LXXVII, Part 4, 3600.

¹²³Ibid., May 2, 1933, LXXVII, Part 3, 2691.

¹²⁴Ibid., May 3, 1933, LXXVII, Part 3, 2809.

accepted the conclusion,¹²⁵ while House men Edward Goss and James Frear attacked it as another lash of the party whip,¹²⁶ and their fellow men with the exception of nine, voted against the report to the Democratic charge of "propaganda."¹²⁷

As the Muscle Shoals bill passed from congressional into presidential hands, Franklin Roosevelt sowed the fourth seed of Republican antagonism in a message to Congress seeking a national industrial recovery program.¹²⁸ Though this seed was watered with Republican trepidation in the House, principally by James Beck and Allen Treadway, it was in the Senate that the seed was stamped by both the right (conservative leader, David Reed) and left (progressive men, Robert LaFollette, Jr. and William Borah) Republican shoes.

In seeking a path to fair competition in trade and industry, and a way to unemployment relief through a public works administration, the President sought a congressional hand from the House Committee on Ways and Means. He asked its members to formulate a plan for the raising of \$220,000,000 yearly to secure the \$3,300,000,000 bond issue upon which the Public Works Program would operate.¹²⁹

¹²⁵Ibid., May 16, 1933, LXXVII, Part 4, 3374.

¹²⁶Ibid., May 17, 1933, LXXVII, Part 4, 3590, 3600.

¹²⁷Ibid., 3599-3600; Propaganda charged by R. A. Green (Fla.).

¹²⁸Public Papers of FDR, II, 202-204.

¹²⁹Ibid., 203.

On the three days following the bill's introduction into Congress, the House Ways and Means Committee conducted public hearings on H. R. 5664.¹³⁰ And during the hearings, as during subsequent House debate, taxation problems caused especial Republican tremor, expressly in the hearts of Committee men, Allen Treadway and James Frear.¹³¹

Less than one quarter of the hearings' testimony was concerned with the more revolutionary idea of the bill, that of industrial regulation through the issuance of codes and licenses.¹³² And only two Republicans, Henry W. Watson (Pa.) and Thomas Jenkins considered it, with Watson wondering about a corporation's two-year freedom from anti-trust laws as provided under the bill,¹³³ and Jenkins hoping that the small business would not suffer because of such freedom from trust regulation.¹³⁴ Both men were told not to worry, to "trust

¹³⁰ May 18, 19, 20, 1933.

¹³¹ Members who did not contribute significantly were Isaac Bacharach (N. J.), Frank Crowther (N. Y.), Harold Knutson (Minn.), Daniel A. Reed, Roy O. Woodruff (Mich.), Thomas A. Jenkins (Ohio), and William E. Evans (Calif.)

¹³² Chamberlain, p. 54.

¹³³ U. S., Congress, House, Committee on Ways and Means, Hearings, on H. R. 5664, National Industrial Recovery Act, 73d Cong., 1st Sess., 1933, p. 105.

¹³⁴ Ibid., p. 263.

Congress."¹³⁵

Evasion, not explanation, prevailed in the Republican path. When Treadway asked Director of the Budget, Lewis Douglas, to express a personal preference as to a tax plan, Douglas promised to do so at a "later date."¹³⁶ And, when Frear requested Henry I. Harriman, President of the United States Chamber of Commerce, to be more specific in the cause of obtaining information, he was answered, "That is your job, not mine." Again, in pleading the case of the poor farmer, a certain victim of the proposed manufacturers' tax, Frear was informed by the "all knowing" Harriman, that "The farmer would not be buying very much and, therefore, would not be paying very much tax."¹³⁷ During House debate, Frear concluded that no one, not even Committee members, seemed to understand the measure clearly.¹³⁸

When H. R. 5755, the amended National Industrial Recovery bill, was debated in the House, three and one-half hours of discussion were allowed the Republicans, under the control of the ranking Minority member of the Committee,

¹³⁵Ibid., pp. 262, 105.

¹³⁶Ibid., p. 38.

¹³⁷Ibid., pp. 145-46.

¹³⁸U. S., Congressional Record, 73d Cong., 1st Sess., May 26, 1933, LXXVII, Part 5, 4293.

Allen Treadway.¹³⁹ Twenty-nine voiced an opinion during that time,¹⁴⁰ with fifteen speaking in excess of three minutes, and of them, ten treating the tax stipulations of Title II.

J. Howard Swick (Pa.), one of the Republican mob-scene, objected to the crushing tax upon the middle class, as did Theodore Christianson,¹⁴¹ while Frear and Jenkins believed that the expressed taxation of corporation dividends would ruin the chances of investment in corporations, and thus manufacturing in America.¹⁴² Isaac Bacharach wished to recommit the bill and substitute within it a two-percent manufacturers' sales tax and Harold McGugin agreed.¹⁴³ Frear recalled that Republican Committeemen, while voting unanimously in agreement with the Democrats on the Public Works bill, had demanded a statement be placed in the report concerning the tax program disagreement.¹⁴⁴ And Allen Treadway, leading tax-spokesman, concluded to Republican applause that:

¹³⁹Ibid., 4201, 4293.

¹⁴⁰Chamberlain, p. 54.

¹⁴¹U. S., Congressional Record, 73d Cong., 1st Sess., May 26, 1933, LXXVII, Part 5, 4233, 4352.

¹⁴²Ibid., 4294, 4323.

¹⁴³Ibid., 4295.

¹⁴⁴Ibid., 4344, 4355.

In the language of the street, the committee did a bum job . . . and I am proud to say that not a Republican member . . . voted for it. . . . I do not wonder that the tax provisions were left blank, [but] since the President sent to the Congress a ready-made bill to be rubber-stamped by his subservient majority, he should have completed the job.¹⁴⁵

Only four of the fifteen Republican debaters disagreed with the conclusion, Pennsylvania's Clyde Kelly foremost among them. Attending to both Titles of the bill, he reasoned that the measure, approved by both the United States Chamber of Commerce and the American Federation of Labor, deserved the approval of the American people as a definite spirit-sustaining, fair-dealing, "little man" measure, being not miraculous, but medicinal.¹⁴⁶

"Moscow-motivated" declared the voice of doom, James M. Beck who thought of the Roosevelt advisors as a "Moscow trained brain-trust," urging the President to become, as economic dictator of America, betrayer of the constitution and individual liberty. He concluded that any of the bill's advocates were selling the American liberties of ancient times for \$3,300,000,000, "a petty price, the 'thirty pieces of silver.'"¹⁴⁷

¹⁴⁵Ibid., 4329.

¹⁴⁶Ibid., May 25, 1933, LXXVII, Part 4, 4218-22.

¹⁴⁷Ibid., 4212-13.

The bill passed from House hands on the following day with a Republican 54-50 reply,¹⁴⁸ but Senate Republicans did not intend a repeat performance.

When the Senate curtain rose on May 26, hearings before its Finance Committee were in their second day,¹⁴⁹ complete with evasive witnesses, the majority of which were preoccupied with the relatively unimportant section nine of Title I concerning Federal control of the oil industry. Kansas Republican, Senator Arthur Capper appeared as a witness on behalf of the Kansas Oil Well Strippers Association,¹⁵⁰ and Louis Titus, Representative of the Independent Petroleum Association of America, admitted to David Reed, most prominent of the Republican Committeemen,¹⁵¹ that the oil industry was not interested in the details of the measure.¹⁵² Senator James Couzens in questioning Donald Richberg, labor-minded author of the bill, found his witness more concerned with the constitutionality than the realities of the proposal.¹⁵³

¹⁴⁸Ibid., May 26, 1933, LXXVII, Part 5, 4372.

¹⁴⁹May 22, 26, 29, 31, and June 1, 1933.

¹⁵⁰U. S., Congress, Senate, Committee on Finance, Hearings, on S. 1712 and H. R. 5755, National Industrial Recovery Act, 73d Cong., 1st Sess., 1933, p. 62.

¹⁵¹Other insignificant members were Daniel O. Hastings, Henry W. Keyes (N. H.), Robert M. LaFollette, Jr. Jesse H. Metcalf, and Frederic C. Walcott.

¹⁵²Hearings, p. 145.

¹⁵³Ibid., pp. 25, 30.

Realities of the proposal however, and hoped-for revision became the concern of the Republican Senators during the floor debate of June 7, 8, and 9, as William Borah, David Reed and Robert LaFollette, Jr. took on the semblance of a responsible Minority with the right of amendment.

To Senator Borah, who offered the first important Republican amendment, the possibility of price-fixing under the proposed codes was dangerously desired by the big-business combine at the expense of the small man and at the death of the anti-trust laws. He offered a subsequently conference-crushed amendment that, "such code or codes shall not permit combinations in restraint of trade, price-fixing or other monopolistic practices."¹⁵⁴

David Reed again proved the protagonist. He offered two important amendments, one in conjunction with and as further amended by David Walsh (D. - Mass.) allowing the President the power of embargo, and the power to compel importers, where imports were restricted, to obtain licenses so as to prevent their violation of presidential regulations. This amendment passed minus the vote of George Norris.¹⁵⁵ The other Reed idea was to eliminate the licensing provisions of

¹⁵⁴U. S., Congressional Record, 73d Cong., 1st Sess., June 7, 1933, LXXVII, Part 5, 5151; Ibid., June 8, 1933, LXXVII, Part 6, 5246.

¹⁵⁵Ibid., 5291-92.

the bill, conservatively considered an un-American section combining the three-branched government and its separation of powers into one man, the President of the United States. Roosevelt Republicans, in particular, rejected the amendment, which failed by a 31-58 vote.¹⁵⁶

Robert M. LaFollette asked that "all returns made under this act after the date of the enactment of the National Industrial Recovery Act shall constitute public records, and shall be open to examination and inspection." The Senate accepted the amendment without conservative backing, by a 56-27 vote.¹⁵⁷

Other Republicans, Gerald Nye, Warren R. Austin (Vt.) and W. Warren Barbour (N. J.), from among the minor of the Minority congressmen, offered clarifying amendments,¹⁵⁸ while Simeon Fess advanced argument and support for his fellow Minority members without amending. When Senator Joel Bennett Clark (D. - Mo.) moved to strike out all of Title I, it was Fess who immediately stood with him with the words, "What has become of the proud boast of America that an individual can organize his industry, employ his own labor, and sell his product in the market." The amendment failed to pass, with progressive Republicans,

¹⁵⁶Ibid., 5272-75.

¹⁵⁷Ibid., June 9, 1933, LXXVII, Part 6, 5419.

¹⁵⁸Ibid., 5368.

with the exception of George Norris (not voting) against it.¹⁵⁹

On June 9 the National Industrial Recovery Bill passed the Senate with a call for conference, David Reed and Henry Keyes to provide Republican voice.¹⁶⁰

While Bertrand Snell expressing disapproval of public income tax returns, the House approved the conference report on June 10.¹⁶¹ On June 12 when Senator LaFollette proposed to recommit the report, he could not do so because of previous House passage. And on June 13, with only six Republican "yeas," the Senate accepted the conference report. That report had not received the Republican nod because, according to LaFollette, the conferees had "emasculated" the Senate-sanctioned amendments. They had taken the heart out of his amendment, these "J. P. Morgan men" who decided that the President of the United States would determine the extent of tax-return publication.¹⁶²

Senator Borah's amendment had been given a blanket-wording against the codes of the bill not permitting "monopo-

¹⁵⁹Ibid., June 8, 1933, LXXVII, Part 6, 5299-5308.

¹⁶⁰Ibid., June 9, 1933, LXXVII, Part 6, 5424-25.

¹⁶¹Ibid., June 10, 1933, LXXVII, Part 6, 5701.

¹⁶²Ibid., June 12, 1933, LXXVII, Part 6, 5849; Ibid., June 13, 1933, LXXVII, Part 6, 5861, 5853.

lies or monopolistic practices."¹⁶³ And Senator Norris insisted that if the House Members had been "away from their Leaders far enough" so that a reasoned vote could have been cast, there would have been "no doubt" as to the result.¹⁶⁴

Of the four seeds of Republican antagonistic reaction, two were Reed-ridiculed, Senate-amended, conservative-crushed legislations. They were attacked by the minority of the Minority, the anti-New-Deal conservative clan within the upper congressional chamber, from which thoughtful opposition could come. The Agricultural Adjustment Act and the National Industrial Recovery Act when removed far enough from their Democratic leaders were stamped unconstitutional beyond a doubt. These seeds had been sown upon the "rocky ground" of socialism, to be "received immediately with joy" by the Democratic Congress. But "having no root in [themselves, they] continued only for a time" to "fall away" when "trouble and persecution came" at the hands of the Supreme Court.¹⁶⁵

5834. ¹⁶³Ibid., June 12, 1933, LXXVII, Part 6,

5855. ¹⁶⁴Ibid., June 13, 1933, LXXVII, Part 6,

¹⁶⁵Matt., 13:20-22.

CHAPTER III

NO VOTE, NO VOICE

In recalling his voting record of the New Deal period, Senator Daniel Hastings wrote, "It must be borne in mind that the vote against a bill or for a bill does not necessarily show the attitude . . . toward the legislation passed.¹ The absence of a record vote, too, does not necessarily show the absence of attitude toward legislation. During the Hundred Days' session, four measures were rendered no record vote. These were the Emergency Relief Act,² the Truth in Securities Act,³ the Glass-Steagall Banking Act,⁴ and the Emergency Railroad Transportation Act.⁵ It is not to be concluded that no record vote was the result of no congressional voice, from either the Majority or the Minority side of the aisle. For in public committee hearings, general debate, or

¹Daniel O. Hastings, Facts and Forecasts: Speeches Delivered in the United States Senate, 1928-1936 (Concord, New Hampshire, 1940), p. iii.

²S. 598, Approved March 31, 1933.

³H. R. 5480, Approved May 27, 1933.

⁴H. R. 5661, Approved June 16, 1933.

⁵S. 1580, Approved June 16, 1933.

congressional conferences, voices were heard and life was given as the Majority and Minority "amened" or amended the four voteless enactments, the Minority maneuvering as shadow, savior, antagonist and advocate.

The idea of an emergency relief act (or reforestation measure) was presented to both Houses of Congress on March 21⁶ as one of a three-part presidential plan for unemployment relief.⁷ Roosevelt asked for the creation, within two weeks, of a civilian conservation corps of 250,000 unemployed men, confining itself to forestry, flood control, and the prevention of soil erosion.⁸

The Senate Committee on Education and Labor met with the House Committee on Labor in two-day hearings,⁹ with witnesses such as R. Y. Stuart, chief of the United States Forest Service, Budget Director, Lewis Douglas, and William Green, American Federation of Labor President. Of the Republican Committee men, only three, Senator Robert LaFollette, Jr., Representatives Albert E. Carter (Calif.), and Clifford R.

⁶U. S., Congressional Record, 73d Cong., 1st Sess., March 21, 1933, LXXVII, Part 1, 652, 701.

⁷The Federal Emergency Relief Act and the National Industrial Recovery Act discussed earlier completed the unemployment relief program.

⁸Public Papers of FDR, II, 80-81.

⁹March 23, 24, 1933.

Hope contributed,¹⁰ more in the form of clarifying questions than in argumentative queries.

Senator LaFollette expressed concern over the "unobligated funds" which were to be used in the project,¹¹ while both Congressmen wondered over the payment of wages to the workers, Carter stipulating amendment of the bill so that men be paid in proportion to the value of what the Government would give them.¹²

When the Senate received the bill back from Committee on March 27, the first Republican voice heard was Charles McNary's refusing to allow consideration of the bill until the next day because many Republicans were not present.¹³ Senator Walsh was allowed to discuss the matter informally, however, and during the talk, Republicans from Michigan, James Couzens and Arthur Vandenberg joined with Simeon D. Fess and L. J. Dickinson in condemning presidential power as outlined in the bill. Senator Couzens disliked the idea of

¹⁰Other members were (Senate): William E. Borah, Jesse H. Metcalf, Frederic C. Walcott, and James J. Davis (Pa.); (House): Richard J. Welch (Calif.), Fred A. Hartley, Jr. (N. J.), W. P. Lambertson (Kan.), and M. J. Muldowney (Pa.)

¹¹U. S., Congress, Senate, Committee on Education and Labor, and House, Committee on Labor, Joint Hearings on S. 598, Unemployment Relief, 73d Con., 1st Sess., 1933, p. 36.

¹²Ibid., p. 15.

¹³U. S., Congressional Record, 73d Cong., 1st Sess., March 27, 1933, LXXVII, Part I, 853-54.

the Federal Treasury acquiring properties from municipalities and states,¹⁴ while his fellow-Senator Vandenberg feared the termination of river and harbor work under the fourth section of the bill which provided a suspension of appropriations for any project not begun within ninety-days.¹⁵ Senator Fess felt the President was being allowed into some new, undefined field and lamented about the expenses of the future if the legislation would be carried out,¹⁶ but it was Senator Dickinson who proved the voice of antagonism on both days of discussion, contending that the bill itself was based upon uncertainty with the presidential power within built upon the destruction of other projects for unlimited power and money.¹⁷

The voice of amendment was that of Senator LaFollette who suggested clarifying ideas at once agreed upon by chairman, David Walsh.¹⁸ Senator Couzens too, suggested an unaccepted, never repeated idea that an additional 88,000 young men from the ages of sixteen to twenty-two be included under the bill to be cared for in army camps.¹⁹

¹⁴Ibid., 863.

¹⁵Ibid., 868.

¹⁶Ibid., 869.

¹⁷Ibid., 868.

¹⁸Ibid., 870.

¹⁹Ibid., 865.

On March 28 when formal debate on the measure began Senator LaFollette offered more amendments of a clarifying nature,²⁰ while important amendments were accepted from Senators Arthur Capper, Frederic C. Walcott and James Couzens, as Senators Borah and Dickinson condemned the legislation until its passage.²¹

Senator Capper's amendment allowed relief work on State preserves and parks,²² and the amendment of the gentleman from Connecticut allowed the President to extend the act to private property for the purpose of safeguarding forests against fires and tree disease.²³ Senator Couzens offered his amendment in substitution for section two of the measure, that section which allowed the Federal Government to obtain land through purchase, lease or in some other manner with the money obtained by the act. Couzens contended that the present section was a land-relief idea and not one for unemployment relief. Enthusiastically endorsed by Senators LaFollette and Borah, his acceptable substitute provided that the Federal Government might enter into a municipal or state property

²⁰Ibid., March 28, 1933, LXXVII, Part 1, 918-19.

²¹Ibid., 917, 934-35.

²²Ibid., 916.

²³Ibid., 916, 918.

purchase agreement only if the property desired were bordering upon presently Federal-owned land.²⁴ Rhode Island's Senator Felix Herbert, one of the softest of Republican voices, offered an accepted amendment limiting the life of the bill's authorizations to two years.²⁵ And Senator Frederick Steiwer on the other hand offered a minor amendment, the last in the Senate, providing that the men employed in the program be transported to and from the work area.²⁶

The bill passed,²⁷ but not until Senator Arthur Robinson was allowed to echo the Dickinson voice of doom with a personal touch of the terrors of deflation, "We are headed downward to an abyss of disaster, . . . but there is time to go back the other way. Unless we do so . . . human misery will be tremendously increased."²⁸

House consideration of the measure had been decided upon for March 29.²⁹ Here, as in the Senate, stood a Republican protagonist, Carroll L. Beedy, still filled with emotion and melodramatics from his battle-leading entanglement over

²⁴Ibid., 921-22, 927.

²⁵Ibid., 917.

²⁶Ibid., 935.

²⁷Ibid., 937

²⁸Ibid.

²⁹Ibid., March 27, 1933, LXXVII, Part 1, 876.

the proposed banking amendment of Henry B. Steagall,³⁰ At his side stood Harold McGugin and John Taber.

Immediately before the bill was considered before the Committee of the Whole House, Beedy insisted that half of the Minority time allotted be given to those in opposition to the measure. Although his request was refused, he was permitted thirty-minutes in which to spout statistics, flowery phrases and outrageous generalities with the same arguments as his fellow-protagonist, Senator Dickinson.³¹ He concluded that:

About 1 out of every 3 is unemployed. The pending bill—disregarding for a moment the thousands who today are being thrown out of employment through the autocratic suspension of our public-works program as planned—is designed to give employment to 250,000 people. In other words, 17 men out of every thousand unemployed would be afforded relief.³²

His echo from the East considered the same contention as had Senator Robinson of Indiana.³³ However, whereas in the Senate there had been no voice raised in praise, except perhaps that of William E. Borah who had taken both sides of the story to heart,³⁴ in the House Clyde Kelly, Thomas Jenkins and Roy

³⁰New York Times, March 21, 1933, p. 25, 27.

³¹U. S., Congressional Record, 73d Cong., 1st Sess., March 29, 1933, LXXVII, Part 1, 954-55.

³²Ibid., 965.

³³Ibid., 967-68.

³⁴U. S. Congressional Record, 73d Cong., 1st Sess., March 28, 1933, LXXVII, Part 1, 922 (against), 934-35 (for).

O. Woodruff could be heard, agreeing that successful enactment depended upon successful administration and fairness.³⁵ Whereas McGugin had used the tyranny of the French Revolution in comparing the horror of the present in America through the enactments of the administrative proposals,³⁶ Kelly remembered history too and the designers of the seal of the United States and remarked:

This reverse side of the seal has an unfinished pyramid and underneath a Latin phrase meaning "A new order in the ages."

We have come to an age which demands a new order, and we have groped blindly on old paths which now lead in the wrong direction and whose end is in the precipice.

The only way out of the present jungle of economic conditions is through restoration of American purchasing power.³⁷

No gag-rule in effect, amendment was the order of the day. Edward W. Goss, Everett M. Dirksen (Ill.), Gerald J. Boileau, James W. Mott, James W. Wadsworth, Jr., and Oscar De Priest (Ill.) took advantage of the opportunity.³⁸ However, only the last was successfully heard, his idea being that in choosing the employees for the conservation corps, no discrimination with regard to race, color or creed could

³⁵Ibid., March 29, 1933, LXXVII, Part 1, 975-76, 956-57, 969.

³⁶Ibid., 970.

³⁷Ibid., 975.

³⁸Ibid., 983, 985-87.

be made, and no sentence-serving criminal could be employed.³⁹

The bill passed the House with amendment and on the following day the amended measure was accepted by the Senate without discussion.⁴⁰

The Truth in Securities Act idea was introduced to Congress on March 29 through a presidential plea for protection of the investor in securities by full publicity and better supervision of the interstate securities traffic. Roosevelt concluded with the hope of returning to the "ancient truth" that managers of banks or corporations are "trustees acting for others."⁴¹

In the House, Sam Rayburn (D. - Tex.) introduced and referred the idea to the Committee on Interstate and Foreign Commerce, while Senator Joseph T. Robinson (D. - Ark.) introduced a measure on the same day, referring it to the Judiciary Committee but changing its reference on the following day to the Committee on Banking and Currency.⁴²

It was this Senate Committee and the House Interstate and Foreign Commerce Committee which held separate

⁴⁰Ibid., 995; Ibid., March 30, 1933, LXXVII, Part 1, 1013.

⁴¹Public Papers of FDR, II, 93-94.

⁴²U. S., Congressional Record, 73d Cong., 1st Sess., March 29, 1933, LXXVII, Part 1, 938; Ibid., March 30, 1933, LXXVII, Part 1, 1018.

hearings,⁴³ during which certain Republican committeemen found voice and were heard.⁴⁴ Although neither Committee's hearings were particularly enlightening,⁴⁵ Republican representatives considering H. R. 4314 contributed more voice and vitality than did their Minority friends from the Upper House studying S. 875. Representatives Charles A. Wolverton (N. J.) and Schuyler Merritt (Conn.) were especially vociferous. Wolverton concerned himself with preserving the idea "buy American." He wanted American markets protected from foreign securities, hoping to allot the President proper power to either deal or not deal with securities of a certain country.⁴⁶ He favored a coupling of the absolute control of France with the informal control of Britain.⁴⁷ Huston Thompson, author

⁴³U. S., Senate, Committee on Banking and Currency, March 31 - April 8, 1933; U. S., House, Committee on Interstate and Foreign Commerce, March 31, April 1, 4, 5, 1933.

⁴⁴Republican members of the Senate Committee were Peter Norbeck, John G. Townsend, Jr. (Del.), Phillips L. Goldsborough (Md.), Frederic C. Walcott, Robert D. Carey, James Couzens, Frederick Steiwer, and Hamilton F. Kean (N. J.). Republicans on the House Committee were: John G. Cooper (Ohio), Pehr G. Holmes (Mass.), Carl E. Mapes, Schuyler Merritt, James S. Parker, B. Carroll Reece (Tenn.), James Wolfenden and Charles A. Wolverton.

⁴⁵Chamberlain, p. 62.

⁴⁶U. S., Congress, House, Committee on Interstate and Foreign Commerce, Hearings, on H. R. 4314, Truth in Securities, 73d Cong., 1st Sess., 1933, pp. 55-56.

⁴⁷Ibid., p. 85.

of the bill, and Washington, D. C., attorney, admitting that he removed the idea of foreign securities from the bill, promised the congressmen foreign securities would be included as a strengthening precaution.⁴⁸

Schuyler Merritt questioned Ollie M. Butler, foreign service division, department of commerce, as to the possibility and necessity of making the assets of securities known through advertisement,⁴⁹ while to Robert E. Healy, chief counsel of the Federal Trade Commission, he spoke of the registration revocation of an issuer of fraudulent securities, insisting that such revocation would hit both the false statement and the innocent stock holder. But to the suggestion of a change, Healy remained indifferent.⁵⁰

During the Senate hearings, Senators Walcott, Carey, and Couzens spoke. Senator Walcott insisted that the idea of safeguarding the public through the legislation ought to be mentioned specifically,⁵¹ while Carey worried over the clarity of language in the bill.⁵² Only Senator Couzens voiced

⁴⁸Ibid., p. 220.

⁴⁹Ibid., p. 131.

⁵⁰Ibid., pp. 242-43.

⁵¹U. S., Congress, Senate, Committee on Banking and Currency, Hearings, on S. 875, Truth in Securities, 73d Cong., 1st Sess., 1933, p. 109.

⁵²Ibid., p. 152.

depth and decision among the Republicans, discussing with Huston Thompson and Alexander Holtzoff, special assistant to the Attorney General, the impossibility and impracticability of making the director of a corporation responsible for errors in published securities statements. He suggested that the Federal Trade Commission select certified public accountants at the expense of the individual registering, in accord with British law.⁵³

On May 3 Representative Rayburn introduced an entirely new measure to the House and referred it to the Committee on Interstate and Foreign Commerce.⁵⁴ It was based upon the British Companies Act which required publicity of proposed securities.⁵⁵ Upon this act Schuyler Merritt and Clarence Lea (D. - Calif.) issued a Minority View⁵⁶ expressing indignation over section 18 of the bill, that section providing for the observance of the individual "blue sky" or securities laws of the different states, a section imposing undue burdens upon the impartiality of the Federal Government and the Federal Trade Commission, a highly unconstitutional section,

⁵³Ibid., p. 209.

⁵⁴U. S., Congressional Record, 73d Cong., 1st Sess., May 3, 1933, LXXVII, Part 3, 2838.

⁵⁵Chamberlain, p. 62.

⁵⁶May 4, 1933.

conceiving of the interstate commerce clause as a "my State" situation, rather than a "my country" idea, a plan destroying the harmony of state and federal regulations, a section "wisely omitted" from the Senate bill.⁵⁷

A majority of the Republican Minority voices praised the legislation with greatness and gratitude, on May 5 when it was made a special order.⁵⁸ Carl Mapes and James Parker, who together spoke fifty minutes, discussed the degree of responsibility placed upon corporation directors regarding truth in securities. To Mapes the corporation director seemed the logical one to be held personally and civilly responsible,⁵⁹ while Parker saw it an impossible task for the director.⁶⁰

The lesser four advocates of the measure, Clyde Kelly, James McFadden, Charles A. Wolverton and Ernest Gibson repeated one another to a degree, with Gibson, an almost voiceless Minority member, bombastically magnifying his

⁵⁷U. S. Congress, House, Committee on Interstate and Foreign Commerce, Minority Views, Federal Supervision of Traffic in Investment Securities in Interstate Commerce, Report No. 85, Minority Views, pages 27-30, 73d Cong., 1st Sess., 1933, pp. 27-30

⁵⁸U. S., Congressional Record, 73d Cong., 1st Sess., May 5, 1933, LXXVII, Part 3, 2910.

⁵⁹Ibid., 2912-13.

⁶⁰Ibid., 2920.

one-minute limit.⁶¹

Representative Kelly praised the measure highly concluding with the words of Louis Brandeis "We do not need to amend the Constitution. We only need to amend men's minds."⁶² However, James Beck, to the applause of Republicans, voiced his "unconstitutional" refrain, concluding that the measure before the House was only an extreme example of state slavery.⁶³

Maine's Carroll Beedy bemoaned the new House bill as one severed of sensibility and power in that it permitted action against a "majority of the board of directors," whereas the original bill guaranteed the right of action against every board member. He decided:

The changes made in the last bill as against the former serve to illustrate that however bold a start may be made by any political party newly entrusted with power there is sure to be a yielding in the demands of those who are primarily concerned with the protection of property rights.⁶⁴

The bill passed from the House to the Senate,⁶⁵ where on May 8 it was discussed and passed with the voice of only

⁶¹Ibid., 2944-45.

⁶²Ibid., 2928.

⁶³Ibid., 2935-36.

⁶⁴Ibid., 2952.

⁶⁵Ibid., 2954.

one Republican being heard, that of Hiram Johnson, Roosevelt Republican who added a new Title to the measure, Title II, creating a public corporation for the aid of the swindled investor.⁶⁶ The Senate substituted its bill for the House measure, while using the House title and asked for a conference, appointing Senators Norbeck and Goldsborough Minority members.⁶⁷ The House agreed to a conference with Parker and Mapes among the conferees.⁶⁸ When Senator Duncan U. Fletcher reported the conference decision thirteen days later on May 22, Senator McNary invoked a chamber rule forbidding immediate consideration of conference reports. And though the Florida gentlemen insisted that no such rule was ever heard, decision upon the report was given the next day,⁶⁹ while House members approved the report immediately.⁷⁰ The presentation and passage of the Truth in Securities Act had been a Senate sham with silent Majority and single-voiced Minority.

It was during the consideration of the third voteless enactment, the Glass-Steagall Banking Act, that the

⁶⁶Ibid., 2987.

⁶⁷Ibid., 3000.

⁶⁸Ibid., May 9, 1933, LXXVII, Part 3, 3085.

⁶⁹Ibid., May 22, 1933, LXXVII, Part 4, 3888,
May 23, 4009.

⁷⁰Ibid., 3903.

Republican voice rendered vitality to a measure in spite of Democratic indecision. Senator Arthur H. Vandenberg proved with painstaking persistence that "no voice—no vote" was but pseudo-phraseology.

On May 10 Senator Carter Glass (D. - Va.) introduced his emergency banking act, referring it to the Committee on Banking and Currency.⁷¹ His hopes to consider it immediately upon its return were hushed, first, on May 15 by Republican leader Charles McNary, who had called a conference for the consideration of the measure,⁷² and again, on May 17 by the pending business of the impeachment trial of California District Judge, Harold Louderback.⁷³ Thus, actual Senate consideration of the measure was not begun until after a like measure, amidst macabre-winged words of Minority men, Louis T. McFadden and Harold McGugin, had passed the House.

Henry Steagall introduced his measure for the guaranty of bank deposits on May 17 and referred it to the Committee on Banking and Currency.⁷⁴ On May 22 a four-hour equally divided debate began, with Minority control in the

⁷¹Ibid., May 10, 1933, LXXVII, Part 3, 3109.

⁷²Ibid., May 15, 1933, LXXVII, Part 4, 3422.

⁷³Ibid., May 17, 1933, LXXVII, Part 4, 3552.

⁷⁴Ibid., 3611.

hands of Robert Luce,⁷⁵ and Minority voice of opposition controlled by the gentlemen from Kansas and Pennsylvania, each speaking fifteen minutes.⁷⁶

Harold McGugin, a state-bank man, declared the death of the State banks either immediately, at the hands of the Glass bill, or eventually through the processes of the Steagall measure. At the conclusion of his statistic-filled elegy, the gentleman from Kansas warned that:

If this bill . . . is enacted into law, 6,150 banks are stabilized; 12,786 banks are cast into unwarranted chaos. Seventeen billion dollars of deposits are protected and stabilized; \$27,000,000,000 of deposits are nonprotected and jeopardized.⁷⁷

Louis T. McFadden found a foe in the Federal Reserve System. For, under the bill the Federal Reserve Board, in order to provide for safer use of bank assets and to prevent over-speculation, was allowed to remove officers and directors of erring member banks, and to control open-market operations.⁷⁸ To McFadden the Federal Reserve Board seemed a forceful dictator controlling American finances.⁷⁹

⁷⁵Ibid., May 22, 1933, LXXVII, Part 4, 3903.

⁷⁶Ibid., 3903-3904, 3909.

⁷⁷Ibid., 3903-3904.

⁷⁸Text of Emergency Banking Act of 1933, in Lapp, pp. 328-67.

⁷⁹U. S., Congressional Record, 73d Cong., 1st Sess., May 22, 1933, LXXVII, Part 4, 3909.

Only Carroll Beedy could voice support for the House measure, support conditioned, however, by concern for the financial life of the country and belief that the \$50,000 capital stock demanded of all non-existing banks planning to organize under the Federal Reserve System, was the single saving provision available.⁸⁰

Robert Luce, though not the House protagonist, held the floor for forty-seven minutes to discuss the Federal Deposit Insurance Corporation, concluding that such an idea was not insurance, but "charity."⁸¹

When McGugin maneuvered attention to himself again by offering a pro-forma amendment, he rhetorically ranted about the crucifixion of State banks.⁸² Stopping to listen to fellow-Republican Beedy, he suddenly offered an amendment upon a section already considered, and therefore, his amendment was not allowed. He had proposed that in cities not exceeding six-thousand inhabitants, the amount of capital necessary would not exceed twenty-five thousand and in cities of less than three-thousand people, the amount of capital would not exceed fifteen-thousand dollars.⁸³ Even though

⁸⁰Ibid., 3926.

⁸¹Ibid., 3914-18.

⁸²Ibid., 3925.

⁸³Ibid., 3940.

John J. O'Connor (D. - N. Y.) and Hamilton Fish, Jr. (N. Y.) asked that the sulking gentleman be allowed to offer his amendment, McGugin could not do so.⁸⁴ An argument developed and Luce chastised the "gentlemen."⁸⁵

Louis McFadden was not successful in an attempt to amend section seventeen so as to correct the abuses of trust departments of the State and National Federal Reserve member banks, because Representative Goss insisted the idea had not been sufficiently studied to merit consideration.⁸⁶

The measure passed the House with Representative McGugin bitterly entering a statement into the Record concerning the "deliberate" skipping of the section he had hoped to amend.⁸⁷

On May 25, Senator Glass submitted two amendments previously offered and agreed upon by a Senate subcommittee. They were the Vandenberg idea providing for temporary bank insurance to expire at the creation of the permanent structure on July 1, 1934,⁸⁸ and an amendment by Senator Warren

⁸⁴Ibid.

⁸⁵Ibid.

⁸⁶Ibid., 3941.

⁸⁷Ibid., May 23, 1933, LXXVII, Part 4, 4058;
Ibid., May 22, 1933, LXXVII, Part 4, 3943-44.

⁸⁸Ibid., May 25, 1933, LXXVII, Part 4, 4159.

Austin (Vt.) providing that States with less than one half million population and with no cities of a population in excess of fifty-thousand, shall have a capital of not less than \$100,000.⁸⁹

Only Senator Felix Hebert spoke against the bill insisting that North Dakota and other States which had had a guaranty deposit law had repealed it finding it unworkable.⁹⁰ Others thought it workable, for the bill passed with Senator Glass asking for a conference with Senators Walcott and Townsend Republican representatives.⁹¹ The House agreed to a conference and sent Robert Luce as its Republican voice.⁹²

While the conference was in session Senator Vandenberg and President Roosevelt engaged in a "guessing game." The President did not favor the Vandenberg idea, and hoped to be rid of the measure with the adjournment of Congress before the Committee reported it back. However, a veterans' bloc ended the idea of adjournment.⁹³

⁸⁹Ibid., 4160.

⁹⁰Ibid., 4181.

⁹¹Ibid., 4182.

⁹²Ibid., May 26, 1933, LXXVII, Part 5, 4399.

⁹³Chamberlain, pp. 328-29.

On June 13 both Houses agreed to the conference report. Senator Vandenberg's amendment was postponed until January 1, 1934, unless fixed at an earlier date by the President, but the Senator was satisfied,⁹⁴ the only voice of opposition being heard was Arthur Capper's who felt more time should have been given the situation.⁹⁵ The measure was approved at 11:45 A.M., June 16, 1933.⁹⁶

Another measure receiving presidential approval on June 16, thirty-five minutes later, was the Emergency Railroad Act.⁹⁷ This two titled act had been presented into congressional palms on May 4 through a Roosevelt message recommending the creation of a Federal Coordinator of Transportation, and the repeal of the impractical recapture provisions of the Interstate Commerce Act, as well as the regulation of railway holding companies by the Interstate Commerce Commission.⁹⁸

⁹⁴U. S., Congressional Record, 73d Cong., 1st Sess., June 13, 1933, LXXVII, Part 6, 5862.

⁹⁵Ibid., 5863.

⁹⁶Lapp, p. 367.

⁹⁷Ibid., p. 301.

⁹⁸Public Papers of FDR, II, 153.

Republican members, though heard for two days in both the House and the Senate, found a longer life during the hearings held by House Committee on Interstate and Foreign Commerce and Senate Committee on Interstate Commerce.⁹⁹ Of the eight Republican members of the House Committee, only three were silent.¹⁰⁰ The other five men voiced an opinion, usually one of opposition to the legislation. Carl Mapes in speaking with Donald Richberg, general counsel for the Railway Labor Executive Association, one of the more important witnesses, lamented that he did not favor the legislation because of its temporary nature. To him nothing could be accomplished by the coordinator.¹⁰¹ Schuyler Merritt, on the contrary, hoped the plan would be considered and the office of coordinator used to validate the hopes of the emergency measure.¹⁰² John G. Cooper, a Minority of one, declared that the railroads were overburdened with legislation, that railway regulation to such an extent was unfair.

⁹⁹U. S., House, Committee on Interstate and Foreign Commerce, May 8, 10, 11, 12, 16, 17, 18, 19, and 22, 1933; U. S., Senate, Committee on Interstate Commerce, May 9, 10, 11, 12, 1933.

¹⁰⁰James S. Parker, B. Carroll Reece, and James Wolfenden.

¹⁰¹U. S., Congress, House, Committee on Interstate and Foreign Commerce, Hearings, on H. R., 5500, Emergency Railroad Transportation Act, 1933, 73d Cong., 1st Sess., 1933, p. 171

¹⁰²Ibid., p. 177.

He pointed out to Richberg that this measure would render more railway men unemployed and that the termination of the short haul had done enough unemployment damage.¹⁰³ Both Congressmen Charles Wolverton and Pehr Holmes while considering the evils lurking in the legislation recalled the cruel, inhuman dismissal of federal employees as under the economy act, with no provisions for them, as well as the "hard and ruthless . . . dealings with disabled veterans."¹⁰⁴

Carl Mapes, the loudest voice of the House Committee, questioned the second most important witness, Joseph B. Eastman, Commissioner of the Interstate Commerce Commission. He was concerned as before, with the definite role of the coordinator and suggested to Eastman that the coordinator chose his more important underlings from the classified civil service, with the exception of the experts, so as to be saved from "political embarrassment."¹⁰⁵

The Senate Republicans of the Committee, questioning only Richberg, Eastman, and C. R. Gray, President of the Union Pacific Railroad, were more antagonistic than their comrades in the House. The power of four things concerned

¹⁰³Ibid., p. 183.

¹⁰⁴Ibid., pp. 178, 223.

¹⁰⁵Ibid., p. 45.

them most. The power of the railroads, the Interstate Commerce Commission, the Federal Government in operation of railroads, and the transportation coordinator. Both Senators Hamilton F. Kean and Henry W. Hatfield questioned Eastman about the possibility of the powerful Interstate Commerce Commission providing the railroads with immediate aid.¹⁰⁶

Senator Couzens suggested to Eastman that the railroads should be removed from our economy when they ceased to be useful.¹⁰⁷ And Senator Fess thought the power of the coordinator to issue any order desired by him was unwise, although Eastman assured him it was most necessary.¹⁰⁸

To Senators Hatfield and Couzens the idea of Government administration of the railroads was unwise. Senator Hatfield questioned Eastman concerning the problem, and when Eastman suggested speaking with Gray, Senator Couzens did speak with him. To Senator Couzens it seemed that Government control entailed indifference to public welfare, poor service and elimination of ambition in individuals. Gray only answered that the railroad men had better knowledge of the situation

¹⁰⁶U. S., Congress, Senate, Committee on Interstate Commerce, Hearings, on S. 1580, Emergency Railroad Transportation Act, 1933, 73d Cong., 1st Sess., 1933, pp. 60, 72.

¹⁰⁷Ibid., p. 42.

¹⁰⁸Ibid., p. 73.

than anyone.¹⁰⁹

The Emergency Railroad Act passed the Senate first, after a two day consideration on May 26 and May 27.¹¹⁰ It had been reported out of Committee on the 22nd day, and rendered bereft of Republican sympathy during debate. Senator Borah raised his voice in antagonism and amendment, while Senator Fess expressed the same tone of dislike. Senator Borah objected especially to the power of the coordinator contending that consolidation should not be shouldered on the judgment of one man, subject to review if appeal is made by an individual.¹¹¹ He amended the measure so that rates would be regulated so as to produce a reasonable return upon the property investment.¹¹² Senator Fess, though speaking with a tone of dislike did not greet the act with dismay as did Senator Borah. He admitted he would vote for the economy-bent measure in spite of the authorization allowed the coordinator.¹¹³ Only two other Senate voices were heard,

¹⁰⁹Ibid., pp. 71, 133.

¹¹⁰U. S., Congressional Record, 73d Cong., 1st Sess., May 27, 1933, LXXVII, Part 5, 4441.

¹¹¹Ibid., 4434-35.

¹¹²Ibid., 4438-39.

¹¹³Ibid., 4430.

Daniel Hastings and Arthur Vandenberg, both with questions concerning the Interstate Commerce Commission.¹¹⁴

Debate in the House was as in the Senate. However, two voices of amendment were heard, that of Carl Mapes and James Beck, both to be rejected. Congressman Mapes asked that the coordinator appoint his office staff according to the Classification Act of 1923, and his necessary confidants and advisors without regard to the Civil Service.¹¹⁵ Beck moved to lessen the powers of the coordinator by asking him to consult with carriers and committees before decisions are made final.¹¹⁶ Beck declared:

I think the coordinator will have two very close rivals in dictatorial powers, one the director under the economy recovery bill and the other the Secretary of Agriculture in respect of agriculture; but, certainly, the dictators . . . will, like Pompey, Crassus, and Caesar, divide the entire industrial fields of America between them and exercise dictatorial powers not unlike the great triumverate of ancient Rome.¹¹⁷

James Parker spoke for forty-five minutes in favor of the bill, while Schuyler Merritt lamented the labor amendments included in the Senate measure which tend to freeze

¹¹⁴Ibid., May 26, 1933, LXXVII, Part 5, 4247-48.

¹¹⁵Ibid., June 3, 1933, LXXVII, Part 5, 4936.

¹¹⁶Ibid., 4945.

¹¹⁷Ibid., 4946.

employment.¹¹⁸

James Cooper raised his voice against newspaper reports of his being the voice of the big railroad interests and Thomas L. Blanton (D. - Tex.) wasted voice in Republican ridicule, rasping, as floor debate neared completion,

" . . . the great Minority leader . . . is one of the greatest 'Minority' I ever saw. . . . "¹¹⁹

On June 5 the measure passed, and four days later, after a conference attended by Senators Fess and Metcalf and Representatives Parker and Cooper, the conference report was agreed upon in both Houses.¹²⁰

The Emergency Railroad Transportation measure was approved on June 16 and Congress adjourned with the President voicing gratitude to both the Republicans and Democrats:

This spirit of teamwork has in most cases transcended party lines. It has taken cognizance of a crisis in the affairs of our form of government, can rise to an emergency, and can carry through a broad program in record time.¹²¹

¹¹⁸Ibid., June 2, 1933, LXXVII, Part 5, 4860-65; 4870.

¹¹⁹Ibid., 4868-70; Ibid., June 3, 1933, LXXVII, Part 5, 4939.

¹²⁰Ibid., June 9, 1933, LXXVII, Part 6, 5398, 5435.

¹²¹Ibid., June 15, 1933, LXXVII, Part 6, 6142, 6197.

CONCLUSION

During the Hundred Days' Session, the personality of the Republican Minority had split into four parts as the 153 members played their roles of shadow, savior, antagonist, and advocate. Shadow-like the Minority had hovered with the Majority during the debates of both the Emergency Banking Act and the Emergency Railroad Transportation Act. It had acted as savior in the House passage of the Economy Act and in the Senate acceptance of the Tennessee Valley Authority Act and the Glass-Steagall Banking Act.

When opposition did occur it had been permeated not with petty partisanship, but instead, with the Minority realization of national need and subsequent Republican servitude. In the words of Bertrand Snell, House Leader, "As President Hayes stated in his inaugural address: 'He serves his party best who serves his country best.' The Republican Minority . . . still subscribes to that sentiment."¹ The present Senate Minority Leader, Everett M. Dirksen, then a freshman Congressman, reminisced in correspondence with the

¹Ibid., 6241.

author:

More important perhaps than all else was the fact that under the lash of the economic squeeze upon the country people generally could be induced to give support to legislative proposals which under normal circumstances they would view with fear and apprehension as embracing a real danger to our constitutional form of government.²

As servants of the constituents of the country, the Republican Minority reacted in like manner. Regimented by rules in the House and regulated by reason in the Senate, the Minority membership played its role of shadow, savior, antagonist, and advocate.

²Letter from Everett M. Dirksen, Minority Leader, United States Senate, to author, Washington, D. C., February 25, 1963, p. 2. (See Appendix II.)

APPENDIX I

REPUBLICAN MEMBERS OF THE
"HUNDRED DAYS" SESSION

UNITED STATES SENATORS

Austin, Warren R., Vermont
Barbour, W. Warren, New Jersey
Borah, William E., Idaho

Capper, Arthur, Kansas
Carey, Robert D., Wyoming
Couzens, James, Michigan

Cutting, Bronson, New Mexico
Dale, Porter H., Vermont
Davis, James J., Pennsylvania

Dickinson, L. J., Iowa
Fess, Simeon D., Ohio
Frazier, Lynn J., North Dakota

Goldsborough, Phillips L., Maryland
Hale, Frederick, Maine
Hastings, Daniel O., Delaware

Hatfield, Henry D., West Virginia
Hebert, Felix, Rhode Island
Howell, Robert, Nebraska

Johnson, Hiram W., California
Kean, Hamilton F., New Jersey
Keyes, Henry W., New Hampshire

LaFollette, Robert M., Jr., Wisconsin
McNary, Charles L., Oregon
Metcalf, Jesse H., Rhode Island

Norbeck, Peter, South Dakota
 Norris, George W., Nebraska
 Nye, Gerald P., North Dakota

Patterson, Roscoe C., Missouri
 Reed, David A., Pennsylvania
 Robinson, Arthur R., Indiana

Schall, Thomas D., Minnesota
 Steiwer, Frederick., Oregon
 Townsend, John G., Jr., Delaware

Vandenberg, Arthur H., Michigan
 Walcott, Frederic C., Connecticut
 White, Wallace H., Jr., Maine

REPRESENTATIVES IN CONGRESS

Allen, Leo E., Illinois
 Andrew, A. Piatt, Massachusetts
 Andrews, Walter G., New York

Bacharach, Isaac, New Jersey
 Bacon, Robert L., New York
 Bakewell, Charles M., Connecticut

Beck, James M., Pennsylvania
 Beedy, Carroll L., Maine
 Blanchard, George W., Wisconsin

Boileau, Gerald J., Wisconsin
 Bolton, Chester C., Ohio
 Britten, Fred A., Illinois

Brumm, George F., Pennsylvania
 Buckbee, John T., Illinois
 Burnham, George, California

Carter, Albert E., California
 Carter, Vincent, Wyoming
 Cavicchia, Peter A., New Jersey

Chase, Ray P., Minnesota
 Christianson, Theodore, Minnesota
 Clarke, John D., New York

Cochran, Thomas C., Pennsylvania
Collins, Sam L., California
Connolly, James J., Pennsylvania

Cooper, John G., Ohio
Crowther, Frank, New York
Culkin, Francis D., New York

Darrow, George P., Pennsylvania
De Priest, Oscar, Illinois
Dirksen, Everett M., Illinois

Ditter, J. William, Pennsylvania
Dondero, George A., Michigan
Doutrich, Isaac H., Pennsylvania

Dowell, Cassius C., Iowa
Eaton, Charles A., New Jersey
Edmonds, George W., Pennsylvania

Eltse, Ralph R., California
Englebright, Harry L., California
Evans, William E., California

Fish, Hamilton, Jr., New York
Focht, Benjamin K., Pennsylvania
Foss, Frank H., Massachusetts

Frear, James A., Wisconsin
Gibson, Ernest W., Vermont
Gifford, Charles L., Massachusetts

Gilchrist, Fred C., Iowa
Goodwin, Philip A., New York
Goss, Edward W., Connecticut

Guyer, U. S., Kansas
Hancock, Clarence E., New York
Hartley, Fred A., Jr., New Jersey

Hess, William E., Ohio
Higgins, William L., Connecticut
Hollister, John B., Ohio

Holmes, Pehr G., Massachusetts
Hooper, Joseph L., Michigan
Hope, Clifford R., Kansas

James W. Frank, Michigan
 Jenkins, Thomas A., Ohio
 Kahn, Florence P., California

Kelly, Clyde, Pennsylvania
 Kinzer, J. Roland, Pennsylvania
 Knutson, Harold, Minnesota

Kurtz, J. Banks, Pennsylvania
 Lambertson, W. P., Kansas
 Lehlbach, Frederick R., New Jersey

Lenke, William, North Dakota
 Luce, Robert, Massachusetts
 McFadden, Louis T., Pennsylvania

McGugin, Harold, Kansas
 McLean, Donald H., New Jersey
 McLeod, Clarence J., Michigan

Mapes, Carl E., Michigan
 Marshall, L. T., Ohio
 Martin, Joseph W., Jr., Massachusetts

Merritt, Schuyler, Connecticut
 Millard, Charles D., New York
 Mott, James W., Oregon

Moynihan, P. H., Illinois
 Muldowney, M. J., Pennsylvania
 Parker, James S., New York

Peavey, Hubert H., Wisconsin
 Perkins, Randolph, New Jersey
 Powers, D. Lane, New Jersey

Ransley, Harry C., Pennsylvania
 Reece, B. Carroll, Tennessee
 Reed, Daniel A., New York

Reid, Frank R., Illinois
 Rich, Robert F., Pennsylvania
 Rogers, Edith Nourse, Massachusetts

Seger, George N., New Jersey
 Simpson, James, Jr., Illinois
 Sinclair, James H., North Dakota

Snell, Bertrand H., New York
Stalker, Gale H., New York
Stokes, Edward L., Pennsylvania

Strong, Nathan L., Pennsylvania
Swick, J. Howard, Pennsylvania
Taber, John, New York

Taylor J. Will, Tennessee
Thurston, Lloyd, Iowa
Tinkham, George H., Massachusetts

Tobey, Charles W., New Hampshire
Traeger, William I., California
Treadway, Allen T., Massachusetts

Wadsworth, James W., Jr., New York
Waldron, Alfred M., Pennsylvania
Watson, Henry W., Pennsylvania

Welch, Richard J., California
Whitley, James L., New York
Wigglesworth, R. B., Massachusetts

Wolcott, Jesse P., Michigan
Wolfenden, James, Pennsylvania
Wolverton, Charles A., New Jersey
Woodruff, Roy O., Michigan

Everett McKinley Dirksen
Illinois

United States Senate
Minority Leader

February 25, 1963

Miss Marlene M. Homer
3820 North Teutonia Avenue
Milwaukee 6, Wisconsin

My dear Miss Homer:

It occurred to me the other evening that the second week in March will mark the 30th anniversary of the celebrated "One Hundred Days Session" of the Congress. It seems an eternity ago and I presume that a reasoned answer to your inquiry would require that I do some research work for which, frankly, I do not have time.

What I say, therefore, is entirely from memory and must be interpreted in that light. Two impressions have remained with me since that one hundred day session beginning March 9, 1933. The first is the magnitude of the legislative program which was offered at that time. It contained so many departures from accepted standards that it was fairly overwhelming and seemed like an indigestible bundle which had been suddenly hurled at the Congress.

The second impression was that wherever necessary rules were either ignored or blithly surmounted to secure not merely expeditious but, in fact, unjustifiably hasty action on key measures in the administration's program.

Still another impression which lingers is that so little time was given to consideration of all important measures which even today are having a deep impact on our economy.

One other impression should be recorded and that is that if it appeared that there was doubt about the constitutionality of some of these measures, like NRA and AAA these doubts were to be ignored.

As I look back and take note of the fact that in that general New Deal period the so-called Economy Act has been virtually repealed in its entirety, the NRA was struck down by the Supreme Court, the AAA was in

Miss Marlene M. Homer

Page Two February 25, 1963

part invalidated by the Supreme Court, and that later the Bituminous Coal Act and the Potato Control Act went into limbo, I believe my fears and my opposition were fully justified.

More importantly perhaps than all else was the fact that under the lash of the economic squeeze upon the country people generally could be induced to give support to legislative proposals which under normal circumstances they would view with fear and apprehension as embracing a real danger to our constitutional form of government. I hope these random thoughts might be of assistance to you.

Sincerely,

A handwritten signature in cursive script that reads "Everett M. Dirksen". The signature is written in dark ink and is positioned above the typed name.

Everett McKinley Dirksen

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