W H OEVER reads the following pages cannot fail to be moved by the story of devotion of men and women, in all walks of life, who united their tireless efforts that the framework of this Republic might be preserved.

It is the thrilling record of what a few men and women can do when, loving their country with all their hearts, they band together to strike hard for the great principles in which they believe. Most people fret and fume at events which to their minds jeopardize freedom. “It ought to be stopped,” they complain. “Why doesn’t somebody do something about it?”

This is the story of those who are “doing something about it.”

They have no part with fanatics, neither “left” nor “right.” They support no political party. They espouse no “ism” but Americanism, and that only in the dignified and historical sense.

They have only one consuming purpose, for which they will consistently fight; and that purpose is the preservation and strengthening of constitutional safeguards.

They favor no particular “interpretation” of the Constitution, but are suspicious of any tinkering with this “sheet anchor of our liberties.” They do not oppose amending the Constitution by the regular constitutional processes, but they do oppose with vigor any setting aside of the Constitution by any means, however well appearing, whether by evasion, by plea of emergency or by unconstitutional assumption of power.

This group is a new shoot from the ancient tree of American liberty. It may trace its spiritual and patriotic history to a famous night when tea boxes splashed overboard into Boston Harbor. At one of our meetings, during discussion of what could be done to repel an invasion of constitutional rights, some expressed fear to oppose. But a businessman, with set jaw, declared, “I am not afraid, for I have tea in my shoes.” His ancestor, he explained, was a member of the Boston Tea Party, which set the style for Americans never to fear to fight for liberty, whatever the consequences to themselves. If the cause is right, he is less than an American who trembles in the presence of entrenched power. His is the true power if he will but know it—and use it.

THOMAS W. FRANK
CHAIRMAN
COMMITTEE FOR CONSTITUTIONAL GOVERNMENT, INC.

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DURING the winter of 1936-37, a small group of men used to meet together in New York to discuss public affairs. The summer before, under the leadership of Frank Gannett, Rochester (N. Y.) newspaper publisher, they had backed Senator Borah for Republican presidential nomination. The evening of February 5, the group had much to talk about; afternoon newspapers had carried a new Presidential message and text of a bill with the innocent title, “Reorganization of the Judiciary.” This was the proposal to “pack” the Supreme Court of the United States with six new members and thus bring one branch of the government, the judiciary, under control of another, the presidency.

At that moment, the New Deal was riding at its highest and widest. No President had ever been given a larger electoral vote. None ever had a greater majority of his own party in both houses of Congress. The President stood at the peak of his power—and he sought more.

That power seemed almost irresistible. But the New York discussion group agreed that it must be challenged by arousing the country to dangers of the Court Bill. For this purpose, they organized temporarily with Mr. Gannett as chairman. Within a few days a test mailing under a Gannett letterhead went to 35,000 persons of all walks of life and in every state, asking whether they would help to organize and support a committee to fight the court proposal.

Meanwhile, Senator Borah told the group that opponents of the Court Bill might be able to hold up a vote for about three months, but that was all; the administra-
tion had too many votes. "There is no hope of defeating this proposal," he said, "unless the people can be aroused. If this is not a people's fight it is lost."

Results of the Gannett test mailing indicated strongly that it could become a people's fight. Replies flowed in urging organization to defeat the bill, and checks to support organized education averaged ten dollars each but totaled more than $1,000 daily during the next few weeks.

"Get busy!" said Senator Borah. "Get busy fast, or it's all over!"

Accordingly, on February 14 was formed the "National Committee to Uphold Constitutional Government." This was a long name, but it was chosen deliberately. It was designed to be not so much a title as an argument — which is exactly what the Committee proposed to put up against the Court-Packing Bill.

The Committee's court stand attracted the support of scholars like James Truslow Adams, author of "The Epic of America," and Professor Willford I. King, statistical economist of New York University. It drew the interest of clergymen like Bishop William T. Manning, conservative, and John Haynes Holmes, liberal. It included agricultural leaders like Louis J. Taber, head of the Grange, and Judge John D. Miller, President of the National Co-operative Council. Its cause won the support of such journalists as Lincoln Colcord, Dorothy Thompson and Hugh S. Johnson. The name of the Committee's treasurer was a familiar one to Democrats — Sumner Gerard, brother of Wilson's Ambassa-
dor to Germany, James W. Gerard, widely known also as former treasurer of the Democratic National Committee.

Other original members of the Committee included:

H. E. Babcock, Director Agriculturalist Foundation; Dr. Arthur Barton of Wilmington, N. C.; Dennis D. Brane, Dean of Otterbein College; Charles Coburn, actor; H. H. Crumb, Superintendent of Schools, Endicott, N. Y.; Dr. George W. Crane, Department of Psychology, Northwestern University; Harry K. Cuthbertson, member of Public Service Commission of Indiana; Millard Davis, President N. Y. State Agriculture Society; W. C. Dennis, President Earlham College; E. R. Eastman, Editor of American Agriculturist; William Alfred Eddy, President of Hobart and William Smith Colleges; Alexander Guerry, President of University of Chattanooga; Harry Hartke, head of Co-operative Milk Producers; E. Lowry Humes, former United States District Attorney, Pittsburgh; Mrs. Benjamin Harrison, widow of the former President of the United States; Professor E. W. Kemmerer, economist, of Princeton University; Alfred Lilienthal, President of First Voters' League; Col. Henry D. Lindsley, former Commander American Legion; Rev. M. A. Matthews, pastor First Presbyterian Church, Seattle, Wash.; S. S. McClure, founder of McClure's Magazine; Bishop Walter Mitchell, Protestant Episcopal Diocese of Arizona; Charles Lathrop Pack, forestry leader; Rev. Norman Vincent Peale, Marble Collegiate
United States Supreme Court Building

Church, New York City; Amos Pinchot, New York publicist; Dean W. F. Sandes, Park College; Thomas Sheridan, former State Senator under Governor Roosevelt; Frederick H. Stinchfield, then President American Bar Association; Henry L. Stoddard, publisher and author; Frank A. Vanderlip, former President National City Bank of New York; Dr. Floyd Winslow, then President of New York State Medical Society; Rev. Samuel K. Wilson, S.J., President of Loyola University; Sol Weiss, New Orleans lawyer; E. Randolph Williams, Richmond, Va.; Horace Williams, of University of North Carolina; Jennings Cropper Wise, former Assistant Attorney General; William Ziegler, Jr., of New York City.

"GET BUSY FAST"

CHAPTER 2

Under Mr. Gannett's chairmanship, and with the guidance of an Advisory Board, Committee offices were set up in New York with Edward A. Rumely as Executive Secretary. Dr. Rumely had been closely associated with Theodore Roosevelt, the elder. He had a country-wide acquaintance with leaders of many diverse groups, and with T. R. he had learned to think and work in terms of reaching the entire nation.

The Committee proposed no spectacular opposition to the Court Bill. It organized no noisy delegations to Washington to buttonhole legislators. It staged no stunts
which attract some popular attention but persuade no Congressmen. The place to persuade Congressmen is back home. Consequently, without waste of time or diversion of effort, the new Committee sought to reach the home folks and their leaders.

It reached them by mail. It reached them by radio and by radio transcriptions. It reached them by press releases. It reached them by telegraph. It reached them, in fact, by every medium of communication. During the first twenty-four weeks, 10,000,000 envelopes packed with arguments against the court plan cascaded into the mails. Every envelope went to a carefully chosen recipient.

Each recipient was a “leadership individual” in his locality — editor, physician, lawyer, clergyman, business executive, farm leader, professional man. There were educators, members of civic bodies or patriotic organizations, members of women’s clubs, governors, mayors, commissioners, and contributors to party campaign funds. Every mailing brought in additional names; men and women who became interested in the Committee’s work suggested others in their communities. And so grew the permanent mailing list of key individuals which has enabled the Committee to project as quickly as it does an issue to the country.

Of equal importance was choice of material going into these 10,000,000 envelopes. Every available public utterance and statement against the court plan by persons whose words bore weight was examined. This material was selected, digested, reprinted and offered to editors, writers and speakers.

The material included “open letters” by Amos Pinchot, one of the most penetrating of American pamphleteers, and endless reprints — reprints of Walter Lippmann, Dorothy Thompson, Gen. Hugh Johnson and Ray Tucker, newspaper columnists; reprints of addresses by Lewis Douglas, President Roosevelt’s first Director of the Budget; Frederick H. Stinchfield, then President of the American Bar Association, and George Z. Medalie, eminent New York lawyer; reprints of testimony given before the Senate Judiciary Committee by Judge Knox of the Federal bench, and Fred Brenckman of the National Grange; reprints,
WHY SUBSCRIPTION BLANKS?

CHAPTER 3

Not a single mailing was sent without subscription blanks. From the beginning, this has been an almost inflexible rule of the Committee. Two reasons underlie it. One is that if a cause is worth fighting for, citizens themselves must be willing to bear its costs. The other is that these blanks bring in a flood of small contributions; and it is upon small contributions that the main work of the Committee depends.

The past few years have seen a rash of organizations with names and letterheads dedicated to high patriotic purposes. Some were backed by a few wealthy contributors with wide-open check books. Others had secret financial support from political parties. Neither of these has been a practice of the Committee for Constitutional Government and its predecessor.

To finance the Committee's first operations, Mr. Gannett advanced a considerable sum before any cash came from the public. The Committee never sought nor has received one penny of political party money. Its support comes largely from persons of modest means. Its enemies cannot truthfully charge that it has been subsidized by “economic royalists.” In the course of the Supreme Court fight, it raised — and spent — some $200,000. Contributors numbered more than 20,000 and gave in amounts averaging less than $10 each. Aside from the Gannett underwriting, the largest subscription from any one person was $1,200. Only twelve subscriptions were above $500. More than half of the Committee’s income came from gifts of $50 and under; more than a quarter of it came from thousands of contributions of $10 and under.

The Committee’s strength and effectiveness lie in the fact that it has been self-supporting from small contributors. A person subscribing $1,000 for the Committee had but one vote of protest to register in Washington. Fifty dollars each coming from twenty contributors provided not only $1,000 but twenty protests to Washington. But $1,000 in $2 subscriptions meant 500 protests. Moreover, those pro-
tests were genuine, individual expressions of opinion. They were in the writer's own words — neither identic telegrams nor form letters to which a person merely signed his name. The Committee does not believe in synthetic protests.

Many of its mailings paid for themselves. First, literature was sent to a small number of recipients. This brought pledges and subscriptions which not only paid for the initial mailing but snowballed into three or four other mailings. Each mailing resulted in more contributions — and more letters to Washington.

**HOW THE MAILS CHANGED SENTIMENT**

**CHAPTER 4**

A Democratic Senator, one of the first to speak against the Court proposal, found himself in trouble for his courage. He was near the end of his term, and his constituents, overwhelmingly against his stand because they were uninformed, threatened reprisal at the polls.

"My state is largely agricultural," he explained; "the AAA has an agent at almost every crossroad settlement, and the farmers have been lined up against my Court stand."

To each one of the 250,000 post-office box holders in that Senator's state, the National Committee to Uphold Constitutional Government mailed copies of the Senator's anti-Court-Packing speech. For good measure it enclosed a copy of the magnificent outburst which the venerable Senator Carter Glass of Virginia arose from a sick bed to deliver against the Court plan. Two weeks later the threatened Senator's mail was as overwhelming for his Court stand as it had once been against. A year later, despite White House efforts to "purge" him, the Senator was triumphantly reelected, and continues one of the nation's most respected and influential public servants.

For more than four months — well into June 1937 — the Court fight seethed. The mails boiled with anti-Court-Packing literature from the Committee, and with protesting letters piling up in the offices of Senators and Representatives.

First break in the lines of battle came early in March, when Louis J. Taber, then head of the Grange and a member of the National Committee to Uphold Constitutional Government, issued an attack upon the bill in the name of 30 out of 34 of his state granges. Next to stand up and be counted against the Court Bill were farm cooperatives.

There were many causes for farm opposition, but one reason was that mail after mail brought the Committee's releases and reprints to farmers and the leaders of their organizations. Fifteen million copies of reprints from anti-Court-Packing materials in the Congressional Record went into post office boxes or the R.F.D. boxes in small towns or on farms in fifteen states. The bulk of these were reprints of speeches delivered by Northern and Southern Democrats. The Committee's officers agreed that no Republican political capital should be made out of their activities. The value of the Committee was that it was a non-partisan body. It remained so in its
relations with public men, in its choice of mailed matter, and in all its publicity, as well as in its financing.

THOUSANDS OF TELEGRAMS

CHAPTER 5

The end of May saw near-fulfillment of Senator Borah's prediction to Chairman Gannett that "If this bill is to be beaten, it must be beaten back home." The middle of June brought the Senate Judiciary Committee's adverse report on the Court Bill—a report which for clarity and power of expression ranks with great American state papers. This was one of the strongest arguments against Court-Packing. Owing to its length it appeared in full only in the Congressional Record and a handful of large newspapers. The Committee mailed the complete report to several hundred thousand persons of influence throughout the country.

With this blow, it began to appear that the administration was not sure of a majority. Signs of compromise arose. The Hatch Amendment was introduced providing for one new justice a year instead of six at once. Opponents fought it with the contention that this would mean piece-meal packing of the Court.

As the show-down neared, opponents of the amendment were sure of only 44 votes. Five more, or forty-nine in all, were needed. Twelve Senators were believed to be wavering or still undecided.

Whereupon the Constitutional Committee made its supreme effort. Out of its lists of hundreds of thou-
sands were culled the names and addresses of 32,000 influential citizens living in states represented by the twelve doubtful Senators. To each of these 32,000, at a cost of $1.27 per message, the Committee sent a 125-word telegram explaining the situation. In part it read:

"Your Senator (the recipient was given his name) in pivotal national position. With four others he can defeat Court altering bill, protect nation and preserve democratic government in gravest constitutional crisis. Issue transcends all party lines. You and your family can well pledge you will never forget his stand protecting courts from politicians' control."

This was on a Thursday. When the twelve Senators reached their offices the next Monday morning they found floods of telegrams demanding that they vote against compromise on the Court Bill. The next day, eight of these Senators met in a colleague's office, and all but two expressed intention of voting to recommit the Court Bill to the Judiciary Committee. That was six more votes, where five were needed, and it meant the legislative death of the Supreme Court plan.

Thus ended one of the most dramatically waged congressional battles in our history — as well as one of the most effective and intensive public mobilizations ever put forward during any legislative struggle. The National Committee to Uphold Constitutional Government had performed outstanding services upon the frontier of public opinion. From that frontier came the answer to Court Packing.

**MAIL ORDER GOVERNMENT**

**CHAPTER 6**

It was not long before the administration publicly recognized the Committee as the Number One obstacle to its grabs for power. In a moment when he was more aggravated than usual, Secretary Ickes denounced the Committee's work on the public opinion frontier as "mail order government." In an article in *Collier's* he became almost incoherent about the subject. Mr. Ickes termed the Committee a "devilish petard" and said it had been "arousing the mob spirit, that miasmic, bloodthirsty degrading emanation out of the dim past . . ." and so on.

Mr. Ickes' perturbation is significant, not as a literary effort, but as a study of why a powerful government official comes to regard the licking of a 3¢ stamp and dis-
patch of a letter to Washington as manifestation of “mob spirit.” It is revealing also of certain tendencies which the Committee came into being to combat.

The constitutional right of petition, which the Committee made so increasingly effective, Mr. Ickes termed “mail order government.” It is possibly a more apt term than he realized. “Mail Order Government” is more powerful than lobbies and bureaucrats. “Mail order government” is good government, for it is rightful exercise of the citizen’s influence. “Mail order government” defeated the Court-Packing Bill. “Mail order government” also defeated the power-grabbing Reorganization Bill of 1938.

MISBRANDED GOODS

CHAPTER 7

During the Court fight a friendly Senator informed the Committee that Court-Packing was but the door-opener to another piece of legislation, a so-called “Reorganization Bill.” This bill was so drastic that its backers feared that it would be declared unconstitutional by an independent Supreme Court; therefore the necessity for packing the Court.

Only a few copies of the bill were available. The Committee secured one and examined it.

Certainly, no reasonable person who ever had dealings with the United States Government would maintain that its efficiency approached perfection. Consequently, any group advocating governmental efficiency might welcome a bill designed to consolidate overlapping government bureaus and reduce federal expenditures. But the Reorganization Bill of 1938 concealed countless jokers. It transformed the watch-dog of federal expenditures, the Comptroller General, into a tame cat. It placed the Civil Service under one man rather than under the present bi-partisan commission. It permitted the President to abolish commissions, bureaus, and other agencies set up by Congress to enforce its laws. It even authorized the President to expand the functions of the presidency and change its name.

If such a bill passed, a long step would have been taken towards one-man government and executive dictatorship. The Committee regarded the bill as tricky, just as it held the Court Bill tricky. It was found to be a misbranded bill of goods, containing adulterants—iron and strychnine appetizers for greater presidential power.

Here, obviously, was another power grab which only “mail order government” could challenge. Before the bill was even reported out in Congress, the Committee was mobilizing public opinion against it. It fought the measure in the same way and with the same methods as in the fight over the Supreme Court-Packing Bill. Using its remarkably complete address list, the Committee mailed millions of pamphlets, leaflets and reprints. It also made effective use of radio and transcriptions. Again it was the agency that was principally responsible for the landslide of letters and telegrams that fell upon Washington. Once more it safeguarded the popularity of its cause by soliciting
small subscriptions and not going after the owners of large, wide-open check books.

Again, as in the Supreme Court fight, the Committee cooperated closely with all Senators and Representatives, whether Democrats or Republicans, who opposed the bill. Seldom in Congress has there been a more thorough erasure of party lines. At no time did the Committee try to seize leadership or limelight. It merely supported those legislators who bore the brunt of the battle.

By the end of March 1938 the Senate passed the Reorganization Bill by a narrow margin. When the final rollcall came in the House, April 8, the outcome remained in doubt almost to the end of the alphabet — 201 ayes, 209 nays. But the victory was sufficient, ranking with the Court fight victory.

A year later when another reorganization bill appeared which conferred no new arbitrary powers upon the President, the Committee in refutation of New Deal assertions that it was a “hate Roosevelt” organization, expended not so much as a 3¢ stamp in protest. However, outcome of the first bill plunged the Committee into its third great contest. Having fought for the freedom of the judicial and legislative branches, it was now to fight for the constitutional freedom of the citizens from unreasonable search and seizure.

**THE RIGHT OF PRIVACY**

**CHAPTER 8**

Freedom of the citizen is probably our most basic right. And a fundamental of that freedom is what the late Justice Brandeis repeatedly upheld as “the right of privacy.”

When the Reorganization Bill of 1938 neared a vote in the Senate, pressure on Congress from both sides was intensive. A special Senate committee “to investigate lobbying activities,” headed by Senator Sherman Minton of Indiana, had an excellent opportunity to investigate the activities of both sides. Towards lobbying for the Reorganization Bill it kept its eyes tightly closed, but about activities of the National Committee to Uphold Constitutional Government, which had done no lobbying, it displayed wide-eyed curiosity.

March 17, 1938, two agents of the Minton Committee visited the New York office and demanded that Executive Secretary Rumely give them access to documents of any kind — papers, letters, telegrams — in the Constitutional Committee’s files. The investigators would not describe what documents they sought. They proposed to seize and examine everything.

Citizens had long and meekly submitted to demands like these from congressional committees. Sometimes they gave in because they feared it might be dangerous or expensive to defy such demands. But more often they yielded because they did not realize what their constitutional rights were, or their sense of congressional rights and duties was dulled, or because they had never exercised the courage of a good conscience.

According to the Fourth Amendment to the Constitution:

“The rights of the people to be
secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Commenting upon this guarantee, the Supreme Court once said, "A governmental fishing expedition into private papers on the possibility they may disclose evidence of crime is contrary to the first principles of justice." Still, legislative committees continued to fish in private files.

Dr. Rumely told the Senate committee visitors that they could not fish. He refused to permit them to drag-net the office files of the National Committee to Uphold Constitutional Government either in its New York office or elsewhere. The Minton Committee investigators intimated that this refusal might result in fine and imprisonment. Dr. Rumely still refused, whereupon he was subpoenaed for appearance in Washington the next morning before the Senate investigating committee.

When Dr. Rumely took the stand, Senator Minton demanded all documents of the National Committee to Uphold Constitutional Government. Dr. Rumely asked the Senator to describe what documents he sought. Mr. Minton declined to go into details but demanded repeatedly, "all records, papers, memoranda, books and documents in your possession." Each demand met with refusal. Mr. Minton finally asked, "Will you produce what I have asked for or not?"

"I will not."

Whereupon Dr. Rumely was excused for five days. He took counsel with Chairman Gannett and Representative Pettengill. The Committee had nothing to hide. Would it be wise to compromise with the Minton Committee? All three conferees opposed compromise because they believed that a firm stand would teach a timely lesson as to the full meaning of constitutional guarantees.

"We'll resist," said Mr. Gannett, "even if it means we go to jail for awhile."

Again Dr. Rumely faced the Minton Committee. Again he refused to surrender the Constitutional Committee's files. Senator Minton tried coaxing.

"No," said the witness.

The Senator tried intimidating.

"No," was the answer.

"In any event," said Senator Minton, "whether these papers are here or in New York you refuse to produce them?"

"Absolutely," said Dr. Rumely.

Whereupon many people in Washington anticipated that something terrible would happen to Dr. Rumely — and to other officers of the Committee. But no retribution fell. When the dragon was defied, it evaporated. Dr. Rumely and other officers of the Committee were not cited for contempt; they were not even reprimanded by the Senate. In fact, the Senate refused to grant Senator Minton's request for additional funds and thus ended the Black-Minton Committee which had harassed business for years.
The Minton Committee's attack was the most determined campaign conducted against the Constitutional Committee by its enemies. Innuendo-spreaders failed to pry into its files. They failed in efforts to discover and harass Committee supporters — and to misrepresent them as "wealthy reactionaries" and "contributors of huge slush funds." Likewise they failed in their ambition to wreck the Committee. They had hoped to halt its work when Senator Minton dragged into the hearing slanders on Dr. Rumely.

These slanders are now the fairly exclusive property of irresponsibles and of left wing publications. They arise out of the case of the New York Evening Mail, of which Dr. Rumely was once editor and publisher. And an examination of the facts of the case indicates one reason for Dr. Rumely's devotion to a cause which resists arbitrary acts of government.

Dr. Rumely is a native of Indiana, where his people settled nearly a century ago. One of his grandfathers accompanied Carl Schurz to this country after the unsuccessful democratic German revolution of 1848. The Rumelys built agricultural implements. Although educated as a physician and surgeon in England and Germany, Dr. Rumely entered the family business after his father's death and, among other pioneering developments in power farming, brought out one of the first tractors. At the same time he pioneered in modern education, establishing the famous Interlaken School near La Porte.

Two years before the United States entered World War I, Dr. Rumely purchased the New York Evening Mail. It was an old ambition, paralleling the urge that led him to found his Interlaken School. Under his editorship, The Mail stood with the United States government for the rights of neutrals — and in particular, it strongly condemned German brutality. Furthermore, the Rumely newspaper was the recognized mouthpiece of his friends Theodore Roosevelt and General Leonard Wood. It fought vigorously for military preparedness and a watchful America.

In the summer of 1918, Dr. Rumely and two members of the law firm of which the senior partner was the well-known liberal, Arthur Garfield Hays, were charged with conspiring to make an improper report to the Alien Property Custodian. This report had to do with a pre-war indebtedness contracted in the purchase of stock in The Mail. The trial turned upon the point whether a report of indebtedness contracted two years before the United States entered World War I was technically correct. Evidence of pivotal importance was withheld from the defendants and all three were convicted upon this technicality.

A full report of this matter is available. Suffice it here to say that within three weeks after the conviction, 11 of the 12 jurors recommended executive clemency. Thereafter, the majority of the surviving 11 jurors stated that at the time of the trial "it was our disposition to give to the government the benefit of whatever doubt existed" and that they had expected that the conviction, with their recommendation of extreme mercy, would carry at most a monetary fine. They further stated that had the jury had the evidence which was withheld from the defendants at the time of trial, but which was later brought to attention by the Hon. Charles Nagel, who was Secretary of Commerce under President Taft and attorney for the witness whose testimony was withheld, they would have reached
a different verdict. The petition of these jurors to the President concluded with the following: “Since in our judgment this new evidence would have altered our verdict or resulted in a disagreement, we therefore respectfully recommend that by the exercise of Executive Clemency this verdict be now completely set aside.”

Both the prosecuting attorney and the trial judge joined in recommending a pardon.

Out of the Committee’s Stock Room comes mail by the pouch and truckload, ticketed for every state in the Union

The President, following the request of the jurors that their verdict be set aside, and the supporting recommendations by outstanding national leaders, among them statements of Cabinet members and judges, granted a full and unconditional pardon to all three.

In a later proceeding for the reinstatement to the bar of the two attorneys, Mr. Justice Cardozo, then of the New York Court of Appeals, later a Justice of the United States Supreme Court, in his decision stated: “The President in granting this pardon acted in accordance with the recommendation of his Attorney- General, now Mr. Justice Stone of the Supreme Court of the United States, who after examining the record expressed a belief that the petitioners were innocent.” In the same decision, Justice Cardozo added: “A pardon may in some conditions be a warning as significant as a judgment of reversal that the looms of the law have woven a fabric of injustice. The very case at hand is indeed an apposite illustration. The record makes it plain that the pardon was granted because the President of the United States was advised by his Attorney General that the petitioners were innocent.”
NEW RED HERRINGS

CHAPTER 10

Out of The Mail case, field days of distortion have been held by determined enemies of the Committee, who have used the familiar smear tactics of the Communists to attach false labels and to plaster alike worthy and unworthy citizens. Left Wingers, fellow travellers, their press and commentators, have heaped slander and libel upon Dr. Rumely.

However, there remains the letter of Theodore Roosevelt — who continued to use The Mail as a personal organ during Dr. Rumely’s ownership and with whom Dr. Rumely worked closely over a period of years — written to Charles Evans Hughes on September 18, 1916, terming Dr. Rumely “one of the unhyphenated Americans of German descent who is an American through and through,” and one who “has been peculiarly useful to me in connection with matters looking to a better handling of America’s industrial and social life.”

American Communists and fellow-travellers have many times tied themselves into knots endeavoring to smear the Committee for Constitutional Government with the label “fascist” — their trade-smear for anyone who opposes them. As is well known, various Fascist and Nazi organizations in this country tried to muscle into the isolationist movement. As is also well known, the comrades and fellow-travellers were isolationists until those who did the thinking for them decided to change their “party line.”

Before Pearl Harbor, some members of the Committee were active isolationists and members of “America First.” Because of this fact, the comrades have strained mightily to link the Committee with the Bund and with its screwball American imitators.

Such tactics entirely omit the fact that other Committee members were outspoken interventionists — among them Booth Tarkington, the novelist, James Truslow Adams, the historian, Professor Douglas Johnson of Columbia University, and Dr. Norman Vincent Peale. The Committee, as such, took no position whatever on the international questions preceding Pearl Harbor.

The most pretentious and concerted wartime attempt at smearing came in left wing ballyhooing of a pseudonymous book which indiscriminately and libelously brackets the Committee and some other unimpeachably patriotic Americans with Bundist traitors and enemies of the Republic. Its most ludicrous attempt to discredit unquestionable loyalty was to pin the label “Nazi sympathizer” to the Committee’s present Chairman, the Rev. Dr. Norman Vincent Peale, pastor of Marble Collegiate Church of New York City, one of the oldest Protestant churches in the country. The “evidence” was this: In the fall of 1938, one year before World War II began, Dr. Peale, at a parishioner’s request, delivered the invocation at a meeting where the speakers turned out to be the Rev. Edward Lodge Curran and Mrs. Elizabeth Dilling.

The smears have brought to the Committee many new supporters who understand such tactics and admire men who do not run to cover when attacked. It is impossible for anyone who has read the Committee’s literature to give credence to the vehement accusations of “fascism” leveled against it. For it it has been plainly apparent since its inception that the Committee was started by persons who abhor what Hitler and Mussolini did in their countries and who do not want to see any of their acts paralleled here.
A PURGE WHICH FAILED

CHAPTER 31

After defeats of the court packing and first reorganization bills, the National Committee to Uphold Constitutional Government had no monopoly of the administration's resentment. House and Senate Democrats who had dared to oppose these measures felt it, too. All the influence and power of patronage of the administration were turned against them at the next party primaries. Until then it had been customary for the Democrats in each State to choose their own candidates, but in the summer of 1938 the administration entered the primaries with its own candidates against Senators and Representatives who had shown independence.

"The Purge Comes to America!" declared Representative Pettengill, Indiana Democrat. His phrase, at the head of a strong, ringing statement, circulated by the Committee, caught on and received countrywide attention.

As a non-partisan organization the National Committee to Uphold Constitutional Government could not and did not take part in either party primaries or in elections. It did repeatedly remind its supporters of the organized movement to drive from public life legislators whose only offense had been courage to stand up for constitutional principles. It circulated the same literature in all states and districts threatened with the "purge." What was said in Iowa, where Senator Gillette was up for renomination, applied also to Georgia, where Senator George was faced by an organ-

The Committee's list section, containing address plates with hundreds of thousands of names, is one of the most valuable in existence.
Again legislators found protest mail from home

ized federal attempt to displace him. When the primaries were over, no Senators and only one Congressman had been purged. Interference by the Executive with free party primaries had been rebuked.

A $400,000,000-A-MONTH CAMPAIGN FUND

CHAPTER 12

A year later, in 1939, came another attempt to tinker with constitutional checks and balances. Thwarted in an attempt to capture the courts, defeated in an effort to reorganize government agencies as they chose, and set back in their attempt to dictate to voters in party primaries, the thirsters after stronger presidential powers now introduced in Congress a $400,000,000-a-month lend-spend bill.

The bill’s expressed purpose was simple: Allocation of federal funds as “loans” to different areas of the country in need of employment-giving improvements. But this simple-appearing purpose had more hidden and sinister applications. The funds were to be disbursed at the discretion of the Executive. This meant that a certain district which did not “vote right” need not receive as liberal grants as one which had seen the light. With a national election a year away, and with $5,000,000 considered a large campaign fund, the lend-spend bill gave so much discretion to the executive power that it could become a $400,000,000-a-month campaign fund.

Again the National Committee to Uphold Constitutional Government poured into the mails the best arguments that had been presented.
against the bill. Again it reached out to the constituents of constitutional Democrats and Republicans in both Houses. Again legislators found their mails swollen with protests from home. Again Congress defeated a grab for executive power.

POLITICAL MEDICINE

CHAPTER 13

The clutching hand of politics having reached out for administration of relief funds, the next grab for power in this direction was the Wagner Health Bill. This would have extended bureaucracy to the fields of health and medicine. It would have set up a system of state medicine supported by taxation. It would have placed American medical science, which now leads the world, at the mercy of elected officials and would have made physicians as subservient to politics as postmasters.

The Committee took the lead in pointing out this bill’s dangers, not the least of which was the fact that state medicine would take another 6 per cent out of all industrial payrolls. This bill was pigeon-holed. Had it been passed and in operation now, our wartime financing would have been seriously crippled. With a 6 per cent tax taken out of payrolls for government medicine, wage-earners would have staggered under the load of voluntary deductions for war bonds and the withholding tax.

The Committee’s opposition to “political medicine” continued during 1940, with the warning (long since vindicated) that the threat of state control would extend from the medical to other professions and occupations.

Before Mr. Roosevelt’s challenge of the “No Third Term” tradition emerged in 1940 to overshadow all other issues, the Committee directed public attention to the need for a congressional curb on vast “blank check” powers which had been given the President. A compilation of those powers, entailing tremendous research in Washington, was circulated to a million leadership individuals. Its astonishing disclosure of the departure already made from constitutional government attracted editorial attention in hundreds of newspapers.

“NO THIRD TERM”

CHAPTER 14

As of January 21, 1940, former Congressman Samuel B. Pettengill succeeded Mr. Gannett as Committee Chairman. His first act was a Washington’s Birthday letter stressing the value of the American heritage of free enterprise and warning of the drift toward national socialism.

Mr. Pettengill’s earlier book “Jefferson, the Forgotten Man” was running into a third edition, in which he added chapters on the increasing concentration of power in Washington. He also completed his book “Smoke Screen” which achieved greater significance and influence than perhaps any book of the decade.

While silence blanketed the White House, there were nationwide rumblings of fear and distrust over the threatened Third Term. As a constitutional issue it was
clearly within the province of the Committee. Mr. Pettengill wrote a pamphlet, "The Case Against a Third Term for Any President," which the Committee pushed to a circulation of more than a million. Although public opinion was continually agitated by the threat, the Committee withheld its formal opposition until after the Third Term nomination had been made. Then, on July 23, it announced its decision to fight openly against the violation of a great constitutional tradition. The Committee's announcement, mailed to half a million individuals, was also carried by the press of the nation. In part it read:

"The doctrine of the Indispensable Man has come to America. This raises a constitutional issue of profound importance. We shall fight on constitutional principle alone. Our Committee as such will take no part for or against any candidate or party . . . We ask no one to join with us in this fight unless equally against a third term for ANY president."

The book "Smoke Screen" had tremendous appeal because it clarified issues uppermost in the minds of citizens everywhere. It spoke not for party or candidate, but for American business and the free enterprise system. It exposed the fallacies and hypocrisy of attacks upon that system. Booth Tarkington wrote of it: "Every unwhipped American ought to be thankful for this book!" By Labor Day, 1940, "Smoke Screen" had gone to 425,000 copies; later to 500,000.

A "Time Table of Dictatorship" appeared in Mill & Factory, a trade magazine, in September, 1940. It showed the progression toward one-man government in France, Germany, Italy, Mexico and the United States. Convincing in its logical development of facts, it was frightening in its conviction that the same fate was in store for America. Reprinted in the Congressional Record, and reproduced by the Committee, more than 7,000,000 copies were distributed. Some community leaders wrote for permission to paint the "Timetable" on billboards.

Working aggressively to mobilize evidence of the popular opposition to violation of the Third Term tradition, the Committee printed petition forms which were circulated by its own and by members of other organizations. The petitions, addressed to candidates for Congress, asked them to pledge, if elected, to work for a constitutional amendment forever limiting the presidential tenure to two terms. Hundreds of thousands of individual signatures were forwarded direct to candidates for Congress. The Committee appeared before the Senate Judiciary Committee in support of such an amendment.

Page size newspaper advertisements were prepared by the Committee in October and placed in leading newspapers in every principal city of the country. A readership of more than 25,000,000 was reached through this medium alone.

Finally, on October 22, the Committee sponsored a mass meeting at Carnegie Hall, New York, addressed by United States Senator Edward R. Burke, Democrat, of Nebraska, Mr. Pettengill and Dr.
25,000,000 newspaper readers were reached

Norman Vincent Peale. Thousands were turned away, unable to find seats.

The addresses, carried over a nation-wide radio hook-up, brought requests for a rebroadcast, which went from coast to coast on November 3. To build the audience for that rehearing, the Committee sent out advance notices on more than 250,000 postcards.

The wall of the “No Third Term” tradition nevertheless was broken. Not so its defenders. On November 23, following the 1940 election, Chairman Pettengill wrote:

“Through your support of this Committee you have helped do an outstanding job of constitutional education . . . Had not the job been done, the task we must now undertake would be as insuperable as it is vital . . . The Trojan Horse is at work in America. And we must work. Before this Committee lies a task which may be the equivalent of the work done between 1787 and 1789 by the authors of the Federalist Papers, which caused rati-
fication of the Constitution and started us on our great career. We must resell America to Americans in the American Home Market!"

The task ahead seemed so herculean that the volunteers constituting the National Committee to Uphold Constitutional Government felt their organization was not equipped adequately to undertake it. The old Committee decided early in 1941 to disband. But many of its supporters, saying "we have just begun to fight," were determined to put the work on a more solid and permanent footing. The Committee for Constitutional Government, incorporated under the laws of the District of Columbia, with Samuel B. Pettengill as Chairman and President, began functioning in April, 1941.

**STRONG MEN FOR CONGRESS**

**CHAPTER 15**

After the 1940 election it became more and more apparent that only a strong Congress can hold the balance of power against an over-powerful executive. It is true that a number of executive grabs for power were defeated in Congress but, as we have seen, these defeats came only after public opinion was aroused. These defeats rang the alarm bells, but did not provide permanent fire prevention.

One of those who thought most clearly and constructively about this power-grabbing danger was Comptroller General John R. McCarl. For 15 years he had been on constant guard against executive expenditures unauthorized by Congress, and he was unpopular with spending bureaucrats. With a fixed tenure of office and consequently irremovable, he was the one man in the United States Government who could say "no" to the executive. As he saw it, the only hope of preserving our constitutional system lay in strengthening the hand of Congress.

When his term of office expired, Mr. McCarl came to the Committee saying that he had been impressed by its battle record on the constitutional front and that because of its non-partisan nature, it was the best-equipped organization to arouse adherents of both parties to more careful selection of their congressional candidates. He became the Committee's unpaid general counsel, and he drafted a memorable document, "Danger Ahead," which became the cornerstone of the Committee's educational campaign to arouse local community leadership in both parties to the
necessity of sending strong men to Congress.

This local leadership was, in fact, the key to the situation. Long study of congressional primaries convinced Mr. McCarl that the actual choice of a man to represent a congressional district depends sometimes upon not more than 50, 100 or 200 key individuals in that district. He went across the country making speeches and radio addresses in behalf of his project. A prominent physician who received the Committee's mailings wrote Mr. McCarl: "You reached the wrong fellow; I am a Democrat."

"The same advice goes for you," Mr. McCarl wrote back. "Nominate your best man and, whichever way the election goes Uncle Sam will be the gainer."

This campaign for a stronger Congress, first tested by the old Committee in March 1940, was begun on a large scale in 1941. For months the Committee hammered on this subject. It was not an electrifying issue. Everyone agreed that strong men should go to Congress, but why bother about that when congressional elections were two years off? However, faithful supporters of the Committee's work saw what was in view. Thanks to them, thousands of letters and leaflets were mailed month after month, constantly playing upon the theme, "Send strong men to Congress."

Everyone knows the result of the 1942 congressional elections. Strong men of both parties were elected to Congress — men of achievement who previously had regarded politics as beneath them, and had been unwilling to stand up against the turmoil and misrepresentations of public life, men who decided to take time off from their own affairs and dedicate themselves to restoration of free enterprise and constitutional principles. Again, as in other campaigns, the Committee claims no credit for inspiring this result, although some of its members, who did decide to enter public life, said their inspiration came from the Committee's work. It planted seeds, and some of those seeds bore fruit.

Mr. McCarl did not live to see this fruit, but his pamphlet, "Danger Ahead," which was put out by the Committee, is a lasting tribute. It is a document upon the science of government which is deserving of study in every school and home in the country.

SALARY LIMITATION

CHAPTER 16

In the Fall of 1942, the Stabilization Director issued a directive which forbade the receipt of salaries of more than $25,000 a year after taxes were paid. This arbitrary decree placed a limit upon initiative and reward. No law supported it. Congress, in fact, had twice refused to take this step, but Congress was by-passed and defied.

Delving into the background of this decree, the Committee discovered that it stemmed from the 1928 platform of the Communist Party. Thirteen years later it was pressed by the radical United Automobile Workers Union, C.I.O., and later received the blessing of Mrs. Roosevelt and the President. In such a proposal, the Committee saw a long step towards complete
disruption of the free enterprise system. Its result would be the transfer of taxing power from Congress to the Executive, and frustration of individual endeavor and ambition.

Trade and commercial organizations had likewise canvassed the situation and recognized its economic peril. But whatever opposition they might register would be promptly discredited by radical attacks both in and out of Congress on the alleged ground of self-interest, and the larger aspects would be neglected.

The Committee sought opinions and interpretations from many sources. The consensus was that any fixed limitation of earnings would violate, if not the Constitution, at least the best traditions which the Constitution fosters, and that the consequences would be of more far-reaching importance than what might happen to the individuals whose incomes would be directly affected.

Accordingly, the Committee went to the country with this issue: Shall the wealth of America be redistributed by executive decree in contravention of the expressed will of Congress? And did the people of the United States propose to allow by-passing of the legislative branch of the government and further invasion of the law-making field by decrees of the executive branch?

These questions were raised in an open letter from Chairman Peale of the Committee to the Senate Finance Committee. This document was the opening gun of a campaign for repeal by congressional resolution of the obnoxious salary limitation decree. It was followed by an eloquent pamphlet written for the Committee by James Truslow Adams, noted historian of American Constitutional Government.

Out of the Committee's Mail Room 10,000 single items are frequently packaged and shipped each day
"Would this country," asked Mr. Adams, "have ever reached the point it has if the individual had always been refused the rewards of his labors? Tax these to death at the start, and you murder progress in its cradle."

With these and other potent arguments against law-making by executive decree, the Committee once more made use of its unequaled mailing list of leadership individuals throughout the country. Again these mailings met with the same response as in previous campaigns. What had been at first an unpopular subject had become a popular issue. Congress — the new Congress which had been fortified by strong men elected in the 1942 campaign — passed a joint resolution repealing salary limitation.

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"POWER TO DESTROY"

CHAPTER 17

A battle had been won but not a campaign. Congress is still under pressure from the redistribution-of-wealth radicals to embody their doctrine in federal taxation. And, unless a "ceiling" is placed on the taxing power, that pressure will be a continuing menace.

The 16th Amendment, giving the federal government unlimited power "to lay and collect taxes on incomes," was ratified in 1913 after solemn assurances in Congress that a federal income tax rate even as high as 10 per cent was "unthinkable." That power has been misused to siphon revenues into Washington until local self-governments face the danger of becoming "bankrupt and powerless pawns" of the federal bureaucracy.

After exhaustive study by Robert B. Dresser, attorney of Providence, R. I., and others, the Committee backed a constitutional amendment limiting the power of Congress to impose income, inheritance, and gift taxes to a maximum of 25 per cent. This proposed 22nd Amendment also provides that in wartime the limitation may be suspended from year to year by a three-fourths vote of each House of Congress. Up to 1944, fourteen State Legislatures had passed resolutions requesting Congress to call a convention, as provided by the Constitution, to consider this amendment.

All previous constitutional amendments have been adopted by the simpler method of having three-fourths of the states ratify amendments submitted by Con-
gress. A second method, the one followed in pressing for the 22nd Amendment, is for action to be initiated by State Legislatures, with Congress obliged to call a convention if asked by two-thirds of the states. Motivating this procedure in preference to the usual method was the growing belief that the states must reassert themselves and secure a return of the power which the federal government has been steadily taking from them. Only thus can the original balance of our constitutional system be restored and local self-government kept solvent and secure.

Such an amendment would be a permanent restraint against use of the taxing power to destroy the states and to make over America into a collectivist nation.

When five or six additional states, among them some of the most populous in the nation, have passed resolutions, Congress itself will be urged to propose an amendment and permit the citizens to express their wishes by ratifying or rejecting such amendment. Nation-wide education on the need for this amendment is one of the major tasks before the Committee at this time.

THE FUTURE

CHAPTER 18

As has been amply demonstrated since the Court-Packing Bill, which brought the predecessor of the Committee for Constitutional Government into being, preservation of our constitutional system has not been a strictly party issue. Against every grab for executive power Constitutionalists of both parties have joined forces. And the Committee for Constitutional Government and its predecessor have given leadership for mobilization of public sentiment, regardless of political party, against attempts to bypass Congress and the Constitution and to scuttle the free enterprise system which made America the nation that it is.

Congress is the last bulwark. The Courts may interpret and the Executive Branch may administer, but Congress still is the final determinant whether the United States shall continue as a land of opportunity or become a collectivist state.

The gravest threat to continuance of the free enterprise system lies in the possibility that its preservation becomes a party issue and not one, as heretofore, which cuts across party lines. For political control of the legislative branch hangs by slender threads. Between the years 1928 and 1940, a switch of less than 3,000 votes in each district in six congressional elections would have changed between 24 per cent and 29 per cent of the total seats in the House of Representatives. In other words, the political posts of between 103 and 125 Congressmen rested upon decisions of some 3,000 each of their constituents.

Such a delicate balance makes it easy for Congress to be dominated by pressure groups or by the executive department with its control of patronage and spending. In pivotal congressional districts a mere 4 or 5 per cent in a constituency may determine whether a
strong man or a rubber stamp goes to Congress.

Figure it out this way: In every district about 65 out of every 100 are registered voters.

Of this 65, about 40 vote on Election Day.

Of these 40, only 16 vote in the primaries — which is an average of 8 in either party.

Of these 8, a candidate needs only 5 to win a primary.

Thus, a minority group which knows what it wants and how to get it, may send a human rubber stamp to Congress although that minority may number less than 5 per cent of our population.

A Congressman may feel compelled to vote according to the wishes of the well integrated minorities which sent him to Washington, if their voices are the only ones he hears, even if they are demanding what they want regardless of the Constitution and Treasury and everything else. But if the Congressman can be assured of your support at a time when he needs it most, and of four others out of every hundred who feel as you do, he will be found defending free enterprise and individual rights when group pressures and executive coercion are turned upon him.

If a vigilant, militant 5 per cent is at work in each congressional district, free enterprise and preservation of the Constitution need not become political issues.

Preservation of free enterprise must not be at the mercy of politicians. The Committee for Constitutional Government believes that
removal of this issue from politics is the best insurance. For free enterprise and constitutional government will be unquestioned if congressional candidates of both parties are pledged to uphold them.

This work of the Constitution-alists includes not only organization but stating the case for private enterprise,

so simply that the uninformed can understand,
so conclusively that those who run will read,
so vividly that the indifferent will be aroused.

This non-partisan work cannot be done by the political parties without defeating its purpose. It cannot be performed by an economic, trade, or industrial organization without receiving the label of self-interest and special pleading. It cannot, in fact, be performed by any minority or specialized group without encouragement of class warfare, which has no place in a republic or among men dedicated to free enterprise. This should be the work of an organization which embraces all occupations and all economic levels. It should be non-sectarian and non-partisan and should be supported as this Committee is supported by big and little contributors.

Inexperience, theory, and guesswork have no place. The task must be performed by an organization with a record of constructive accomplishment and with a program to meet present and future needs.

Such an organization must first of all have principles.

Then it must have capacity for leadership, and courage to lead, not wait to follow public opinion.

And it must have determination to fight uncompromisingly against all undermining of constitutional fundamentals on which freedom of the individual depends — whether such undermining be by predatory capital, predatory labor, or predatory politicians; by enemies of the Republic without or within.

This task can be performed only by such an organization as the Committee for Constitutional Government. Incorporated under the laws of the District of Columbia, its purpose, as stated in its charter and by-laws, is to preserve the American Constitution and the free enterprise system regulated in the interest of the whole public. It is now on a solid legal foundation, such as is enjoyed by the Red Cross, International Rotary, Boy Scouts and similar nationally respected organizations.


More than 100,000 copies have been placed in libraries, public schools, American Legion Posts, Army camps, YMCA’s. In many cities, Essay Contests have been organized.

In one large Texas city, for instance, public-spirited citizens contributed $4,000 in prizes. In this city, the colored population is approximately one-third of the white; accordingly, the prizes include three scholarships to univer-
sities, two for white and one for colored students.

More than 1500 copies of the Norton book were placed in school and public libraries, and a copy is given to each student who enters the Essay Contest. Radio stations carried transcriptions; newspapers contributed full-page ads, besides news information, and aroused the understanding, based upon facts and not upon false beliefs.

Whether the philosophy of the National Resources Planning Board or of the Baruch-Hancock Report wins out will determine whether post-war America goes collectivist or we remain a free country. And this decision depends upon the sound thinking of our people, particularly of our young people.

Each year, 2½ million young men and women attain voting age. In the past ten years, there have come of age 25 million young people who know little of our pre-depression political and economic system. Never was it so important as now to implant in youth an understanding of our constitutional system of free enterprise and abiding faith in it.

The Committee's strength is drawn from its thousands of voluntary contributors, volunteer doorbell ringers and distributors of millions of pieces of its literature. Its educational blood-stream flows through constantly extending arteries for exchange of information, viewpoints and inspiration. Its trustees and advisors are in constant touch through correspondence.

Dr. Norman Vincent Peale, the present chairman, is both a generator of and a magnet for ideas. Before becoming Secretary of the Committee in 1937 he had a vast national following through his network broadcasts on "The Art of Living" — the title of one of his books. His radio "fan mail" alone has mounted above 400,000. His contacts and influence extend very widely through religious and educational fields.
Former Congressman Samuel B. Pettengill, who preceded Dr. Peale as chairman, is always abreast or ahead of national thinking. His books on economic and political issues of the last decade have passed a half-million circulation. Declining renomination after eight years representing the northern district of Indiana, Mr. Pettengill campaigned to save his fellow Democrats from time to the Committee's work during its first year. He is always on call, day and night by long distance telephone, for consultation. Controlling owner of twenty-one newspapers and seven radio stations, and intimately in touch with national and world affairs, Mr. Gannett places all his experience at the Committee's disposal. He travels from Rochester to New York for

In mobilizing and educating public opinion on constitutional issues, the Committee has sent out since 1937:

82,000,000 pieces of literature — booklets, pamphlets, reprints of editorials and articles, specially addressed letters and 760,000 books

More than 10,000 transcriptions, carrying 15 minute radio talks on national issues, besides frequent national hook-ups for representatives of the Committee

350,000 telegrams to citizens to arouse them to action on great issues

Many thousands of releases to daily and weekly newspapers
Full page advertisements in 536 different newspapers with a combined circulation of nearly 20,000,000.

the "purge" of 1938. He continues as one of its trustees and closest advisers. Practicing law with headquarters in South Bend, New York and Washington, he still takes time to write a widely syndicated newspaper column, "Inside Your Congress," and serves the Committee without salary.

Mr. Gannett, founder and first chairman, gave fully half of his every policy conference and trustees' meeting and answers personally a tremendous volume of mail concerning Committee work.

No less arduous is the work of the Treasurer, Mr. Sumner Gerard, an attorney-at-law. From the beginning he has carried the burden without charge — without even reimbursement for expenditures. He helps originate and passes upon all
Committee literature, finding time also from his real estate and other interests to handle a great quantity of mail from Committee supporters and individuals in public life interested in the Committee's work. He frequently presides at meetings, makes trips across the country and confers with members of the Committee from distant states, visiting New York. He is constantly in touch by telephone with Committee offices and attends all policy conferences. Yet because he, like Dr. Rumely, refused to accede to the outrageous demands of the Minton inquisition in its endeavor to discredit the standing of the Committee and expose its contributors to administration reprisals, he has been smeared by the left wingers. Through his wide acquaintanceship and good standing, he has added materially to the number of contributors.

Thus established, the Committee can plan on a permanent long range basis. The Committee has a background of effective mobilization of public opinion against measures imperiling our form of government. That background forms a story of courageous meetings of emergencies and an important part played in the defeat of attempts to throw constitutional powers out of balance.

Throughout its seven years, the Committee has not spent one dollar in lobbying. It has made no entangling alliances with any other organization. It has raised no political funds.

The Committee is not a pressure group. It wants nothing from government but freedom. It clamors for no subsidy. It fosters no raids upon the Treasury for special interests. It lobbies for no legislation favoring special groups. It exalts no class above another. It makes no political deals. It backs no candidates for public office. It is, in fact, the exact opposite of special privilege seeking pressure groups. It has taken up but few concrete issues — aside from the great issue of upholding constitutional government wherever it is in danger.

It makes economical, intelligent and efficient use of every tested medium for bringing facts to the American people about perils to their constitutional system. Both by experience and technique as well as from disinterested purpose it is far better equipped than any pressure group to mobilize public opinion. It has demonstrated repeatedly and convincingly that it can reach the greatest numbers of our citizenship quickest and at least expenditure of any public or private organization.
A PIVOTAL DOCUMENT IN THE COMMITTEE’S CURRENT CAMPAIGN TO ELECT STRONG MEN TO CONGRESS . . .

BEHIND THE SCENES WITH CONGRESS
By SAMUEL B. PETTENGILL

WHEN an American first visits the Nation’s Capitol he sees the old Supreme Court chamber now restored as it formerly was when Webster and Clay and Calhoun and their colleagues of the Senate of a century ago met to debate the great issues of their time. The attendant will point out the very seats which these great men used.

“There were giants on the earth in those days, mighty men which were of old.” It is easy to see Webster — the God-like Daniel” — standing by his chair as he made his magnificent reply to Hayne. It is said that when he finished someone asked Webster how long it took to prepare that speech and his reply was “Twenty-five years.”

This answer illustrates what has happened to Congress and parliamentary government everywhere in the intervening century. Twenty-five years! Men had time to think and brood and ponder a hundred years ago. In contrast, I recall former Governor Montague of Virginia (then a Representative) telling me in my first year in Congress that “We don’t have fifteen minutes a day of uninterrupted time for the real business we were sent here for — to write the Nation’s laws.”

The contrast shows not only what has happened but how necessary it is for us to understand the difficulties and the hurried atmosphere in which a modern Congress meets. The independence and effective functioning of Congress is more important now than then to millions of Americans and to their children.

When Webster spoke in 1830, there were only 48 Senators in place of 96; 203 Congressmen in place of 435; a population of 13,000,000 instead of 135,000,000. The first locomotive was still scaring Old Dobbin; the first oil well had not been dug. The modern age of technology, chemistry, medicine and power was just knocking at the door. It is probable that in the intervening century a greater advance has been made in technical progress than in all previous time. The span of life has been doubled;
modern tools have quadrupled the productivity of worker and farmer; famine and pestilence have been abolished over great stretches of the earth. Only war, death and taxes remain.

But while mankind has been scaling the peaks of science and invention, we have not only failed to climb — we have slipped downward in the field of constitutional government. That in part is the meaning of this second world war. At home for the past twenty years at least we have seen the executive power grow at the expense of Congress, and the Federal government at the expense of the States and local communities.

Here, as abroad, we have been moving toward one-man government. No one who loves his country — and his children — can view this trend without deep misgiving.

It seems, therefore, of the utmost importance for the average citizen to increase his respect for Congress — the “sheet-anchor” of his liberties — and for Congress to earn his increasing regard. And the beginning of that wisdom is understanding.

I think of great-grandfather, perhaps, listening to Webster, and you of today seeing Congress in action for the first time. How many times I have thought of the poor impression Congress must make on those who see it for the first time from the gallery. Yet, if the visitor followed his own Congressman around for one typical day, I am certain he would come home with a growing regard for one of the hardest working groups of men in America.

Let us look both at the appearance and the reality.

From the gallery one ordinarily sees few members “on the floor.” Those present seem to be paying little attention to the proceedings. They are coming and going, talking with one another, reading the paper. Compared to the picture of Webster replying to Hayne, one is bound to have a distinct “let-down.”

But the visitor is there for only a few minutes, an hour at the most. He does not stop to think that the session he is witnessing began sharply at noon and will continue for four or five, sometimes for eight, ten or twelve hours. Long before such a session adjourns, even the visitor in the gallery would want to get up, stretch his legs, talk to his friends and perhaps glance at the latest headlines.

The real work of Congress is done in Committee. What the visitor sees from the gallery is actually a ratification meeting on some proposal that has been already thoroughly threshed out in Committee.

Every session, thousands of bills are introduced. They are referred to some forty Committees of the House of Representatives and a corresponding number in the Senate. An important Committee such as that on Interstate and Foreign Commerce, of which I was a member, will have referred to it in a single session several hundred bills. Some of these are of the greatest importance. When a Committee takes up one of these bills, hearings are held in which a “day in Court” is given both to those who favor and those who oppose. This is the American way. No judgment is
formed on the important matter until both sides have been heard.

These hearings are held in the forenoon; consequently, the Congressman has already done half of a day’s work before Congress assembles at noon. On an extremely important bill, it is not unusual for hearings to last two months or more and then when they are

concluded it often happens that the Committee will spend another month in rewriting the bill. Some of these bills are in themselves 200 to 300 pages long. I recall one in particular which my Committee considered practically every working day for five months. If the visitor in the gallery had ever been a member of a jury back home trying a case which lasted five weeks, to say nothing of five months, he would know better what his Congressman is up against.

When one of these forty Committees finally reports a bill for action to the full House or Senate, the subject matter will generally have already come to the attention of all of the members, for the reason that, if the bill is at all important, each Congressman, even though not a member of the Committee having jurisdiction of the bill, will have probably been bombarded for weeks with hundreds of letters and telegrams, both for and against its passage. Constituents from his district interested in the bill will have come down to Washington to present their claims to him in person.

The result is that by the time the bill reaches the floor, the average member already knows a great deal about it and has probably made up his mind how he is going to vote. Occasionally, argument on the floor is fresh and new, but to a large extent it simply repeats what the member has already heard over a period of weeks or months. This being the case, it is not strange that the members are not in unanimous attendance when a bill is under discussion on the floor previous to the time it comes to a final vote, or that they apparently pay so little attention to what is being said.

Each of the forty Committees is a little Congress in itself. Unless the work were thus subdivided, it would be impossible for Congress to consider a tenth or a hundredth part of the legislation that actually passes during a session. These Committees have from three to forty-three members in which both the majority and minority parties in Congress are represented, which again assures against arbitrary action.

All members of Congress have a great deal of confidence in the mem-

Samuel B. Pettengill
bers of various Committees. When a Committee, therefore, reports a bill favorably, either by unanimous vote, which is true in the greater number of cases, or by an overwhelming majority, it is natural that the other members of Congress, who have been themselves busy on the work of their own Committees, will accept the recommendations of the Committee having charge of the bill. It is only in the exceptional case, where there is a strong minority report from the Committee reporting the bill, that there is apt to be serious and heated discussion on the floor.

In addition to his legislative work, the modern Congressman often receives from one hundred to five hundred letters a day and sometimes an equal number of telegrams. The senders always expect at least the courtesy of an acknowledgment and most of them really desire a careful reply. In addition, he receives hundreds of requests to go up to one of the Departments and plead the cause of a constituent. For example, in applications for pensions before the Veterans Administration, the Congressman often participates almost as a lawyer in Court, for which, of course, he makes no charge. Then there is the constant round of people dropping in from the District who want cards to the White House or some other courtesy.

It is a killing pace. The mortality of members is much higher than the average in civil life for men in the same age limits. Sessions that formerly lasted only three months are now almost a year-round affair.

Congress makes the laws, the Executive administers them, the Judiciary interprets them in litigated cases. Our fathers intended each branch to be coordinate and independent from each of the others. They recognized the teaching of all history — that unlimited power can be trusted to no one, "not even to the largest majority," as the Constitution of Wyoming says.

This is our great system of "checks and balances" — perhaps the most important political idea that ever came from the mind of man.

However, there have been times when Congress has encroached on the Executive, as in the reconstruction period following the Civil War, and times when the Executive power has put Congress in the shadow. Heretofore, however, the common sense of a great people has in time always put encroachers back in their places. Our soldier sons are doing that right now.

As you see, I am frankly a friend of Congress. It is historically true that no parliamentary body ever destroyed the liberties of a people. They may have finally ratified the destruction of the people's liberties, as did the German Reichstag, but they did not originate the destruction. The danger to Constitutional liberty comes from other sources.

The huge bureaucracies which now administer Government, consisting of some three million civilians, do not owe their positions to the people except indirectly, nor can they be fired by the people. The federal judiciary holds office for life. The one agency of our Government at Washington that is close to the people is Congress. It is the peo-
pie's champion, as has been fully demonstrated in recent months. It listens to the people's grievances and fights their battles against the bureaucrats.

It was to preserve the blessings of liberty “to ourselves and our posterity” that the Constitution of 1787 was written. A feature of the Constitution, the value of which is too little appreciated, is the fact that all members of the House and a third of the Senate must submit themselves to the people every two years in elections that cannot be postponed. A body of representatives over whom the people have such a close control can be trusted with the people's liberties. The people can dismiss them if they fail.

Different from the law with reference to many minor officials back in the states, who sit until their successors are elected to actually qualify, no Congressman can sit for a single day after the expiration of the two-year period for which he was elected unless, of course, he is re-elected.

Many Americans who are ignorant of our Constitution sometimes express the fear that a Congressional election might be suspended in this country under some so-called "unwritten law" of survival in time of war or by the will of the Army under orders from the President. I have no such fear. The damage to our form of Government will come in more subtle ways. Among them may be the following: (1) Disparagement of Congress. We have seen signs of this, especially by left-wing groups in this country whose members could not win a single seat in Congress in any State, and therefore seek places of power by "boring from within" in the Executive Department; (2) The gradual transfer of the powers and responsibilities of Congress to Executive Departments and Bureaus, which in increasing fashion are writing rules and regulations having the force and effect of law; (3) Another danger that confronts Congress as an institution of freedom, is the power of propaganda which has been so tremendously augmented in recent years by the silver screen and the radio. There is no one man who can speak for the five hundred and thirty-one members of the House and Senate. There is no way for all of them to speak collectively over the radio. When the President or a Cabinet member presents his case to the people, the press, the radio and the silver screen focus upon him as a single human being. In the use of propaganda, Congress is at a great disadvantage.

These new inventions in the field of mass communication have been largely responsible for the rise of dictators and the twilight of representative government in many lands. We must recognize them in this country for what they are — instruments capable of great good or immense harm. It is possible that we will have to devise methods by which Congress, or the "opposition" on every important question shall have equal radio time with the President on an equal number of stations. The American people are entitled to hear both sides. That privilege is enjoyed by few people on this planet today.

But, Congress is itself at fault in failing to keep abreast of the stream
of events. It has become too habit-bound. It needs to modernize itself. It needs a new set of tools with which to work.

As a suggestion: Congress should cut off one hundred million dollars or more to the Washington bureaucrats and vote itself ten million dollars worth of expert help. That would save ninety million dollars at the outset and hundreds of millions, if not billions, thereafter. You should insist that this be done. It would be one of the best investments you could make. Let me illustrate:

At the present time there are only two standing committees of Congress that have any competent full time assistance in the necessary analysis and research on bills. These are the House Committee on Ways and Means, and the Senate Committee on Finance. They have a small but excellent staff of year-round technicians to help them prepare tax legislation. These men are not appointed by the President. They are appointed by the tax committees and generally stay on year after year regardless of changes of administration. They cannot be hushed or cowed by Treasury officials either through fear of losing their jobs or through ignorance of the subject. They can concentrate on tax legislation the year round, and advise committee members what questions to ask the department representatives, in the same way that a lawyer trying a poison murder case gets the competent advice of toxicologists, physicians, etc., to aid him in examining witnesses.

Every standing committee of Congress should have similar expert, year-round help — the committees dealing with interstate commerce, agriculture, banking, mining, army, navy, foreign affairs, judiciary, public lands, veterans, irrigation and reclamation, civil service, immigration and naturalization, pensions, Indian affairs, labor, merchant marine, patents, post offices, rivers and harbors, roads, etc., etc. Without such assistance, independent of "downtown" influence, Congress is handicapped in analyzing legislation, finding the bugs in it, or where millions can be saved. Congressmen have to rely on the advice of the braintrusters in the Chinese maze of executive departments, commissions and bureaus, or upon the views of outside pressure groups — both of which are colored by self interest.

The Executive Departments always want money. They are the spending branch — and, believe me, they spend. They know how to dress up their recommendations to get more money to hire more pay-rollers. Congress is the appropriating and taxing branch responsible to you. It must take steps to insure independent judgment.

Aside from Executive pressure for appropriations, unwise legislation throws terrific burdens on business, and is constantly being amended by patchwork. Congress today doesn’t have the time, nervous strength, or information to write legislation so thoughtfully that it will stand up for years. The
important paragraphs of the Sherman Anti-Trust Act of 1889 were studied so thoroughly and written so carefully that they haven’t been changed in fifty-four years. And, paragraphs of the Judiciary Act written by the first Congress in 1789 have scarcely been changed by a syllable in one hundred and fifty-four years. Then, men had time to think.

Don’t blame Congressmen or Senators for not doing a better job today. They neither have time to carefully answer their mail nor run all the errands for their constituents, and certainly not enough to spend months of uninterrupted study of important bills. If they did take the necessary time to be legislators, as men could do in 1789 or 1889, they would be defeated at the next election for failing to answer letters.

In addition to a small staff assigned to each important committee, there should be available to Congress a research body under its control, something like the Brookings Institution or the National Industrial Conference Board—recognized economists, engineers, statisticians, library researchers, field investigators, etc.

The Library of Congress was originally supposed to be the expert arm of Congress. But it has lost its prime function and should be reorganized from cellar to garret. It is just plain foolish that the Librarian of Congress should be appointed by the President and be responsible to him, rather than be appointed by the majority and minority leaders of House and Senate and be responsible to them. At the present time the Librarian is a poet, an appointee of the President, and that affects the attitude of his hundreds of assistants.

Senators Tydings, Byrd, George, and Congressmen Dirkson of Illinois, Lanham of Texas, LaFollette of Indiana, and many others of both parties, are trying to get Congress to hire itself a set of modern tools. The country should tell Congress to go ahead.

Thomas Jefferson said to President George Washington that “If the equilibrium of the three great bodies—Legislative, Executive and Judicial—could be preserved, if the legislature could be kept independent, I should never fear the result of such a government; but that I could not but be uneasy when I saw the Executive had swallowed up the Legislative branch.”

Congress is the great Board of Directors of the American people. It is the policy-forming agency of a free people. It can declare war. It can draft your sons. It can make money sound or worthless. It can make free enterprise flourish, or cause it to wither and die under excessive regimentation or by bleeding it to death through ruinous taxation. Its decisions for weal or woe affect every hearthside. Depending upon its wisdom and courage, your children will live to be free men in a free land, the masters of their government—or its slaves.

Whatever diminishes the authority of Congress impairs the security of your liberty. The lights of liberty have gone out all over the globe. Will they shine bright and clear from our windows when our soldier sons come home?
EXCHANGE OF LETTERS

BETWEEN TREASURER GERARD AND SOME EMINENT PERSONAGES

DEMOCRATIC NATIONAL COMMITTEE
HOTEL BILTMORE
NEW YORK, N. Y.

Hon. James A. Farley,
Democratic National Committee,
Hotel Biltmore,
New York, N. Y.

April 9, 1937.

April 1, 1937.

Hon. Sumner Gerard,
Treasurer,
National Committee to Uphold
Constitutional Government,
205 East 42nd Street,
New York, N. Y.

Dear Mr. Farley:

Alas! How can our puny Committee ever hope to function as smoothly as your own well oiled and organized machine? You sure do set the pace. So of course much of our stuff goes to the wrong people. When I say wrong people I mean people who are wrong—as to this Supreme Court issue. You say you were amused to get one of our appeals. Well, it all goes to boost the gross of your P.O. Department so you should be quite pleased too!

Though it is evident you belittle our feeble efforts, nevertheless we shall carry on in this which is, believe it or not, a non-partisan movement to prevent the President from making a fatal blunder with far reaching ill effect to the Country and his own reputation.

Now very seriously and respectfully: What does the President propose to do when he has got his reconstituted Court? One can’t help but admire his courage and sympathize with his desire to bring about social and economic betterment to the average citizen. Much that has been accomplished has been admirable. But here he is taking a titanic chance and unnecessarily, I think. It is far fetched indeed to call it a mandate.

I trust you will not object to my calling this matter to your attention.

Very truly yours,

(Signed) James A. Farley

Hon. Sumner Gerard,
Treasurer,
National Committee to Uphold
Constitutional Government,
205 East 42nd Street,
New York City, a letter dated March 22nd, asking me to contribute toward defeating the President’s proposal, to use your own expression, “to pack the Supreme Court.”

Personally, I have felt it has been packed for a long time.

May I offer the suggestion to whomever is handling the detail work in your office that he check his list of names carefully as it is certainly wasted effort on the part of you and your committee to solicit funds from thousands, I assume, known to be in favor of the President’s program and his court proposal.

I trust you will not object to my calling this matter to your attention.

Very truly yours,

(Signed) James A. Farley
There is a growing feeling, which you as a shrewd student of political trends must sense, that the President has not been frank with the people. At the last National Election this was not an issue to be voted on — only the possibility of an amendment to be determined by the Nation and then only if deemed necessary. Nor does it seem the President is quite frank now.

You say you feel the Supreme Court “has been packed for a long time.” I don’t know quite what you mean. Is it cobwebs, prejudices or just too many aggregate years? Anyway, two wrongs do not make a right and what is now proposed is a re-packing on a scale such as a dictator may well envy.

I have put my argument on a somewhat low plane, opportunistic maybe, but you are a practical man.

It was nice to see you the other evening. Maybe you realize now fully why brother James wanted to “can” me! I only wanted to smoke out those visitors and prevent the dinner party from becoming too pompous. When the great get together, they tighten up, lest they seem less great.

Yours very sincerely,
Sumner Gerard

DEMOCRATIC NATIONAL COMMITTEE
HOTEL BILTMORE
NEW YORK CITY
James A. Farley, Chairman
April 13, 1937
Dear Mr. Gerard:
This will acknowledge your letter of April 9th in reply to mine sent you some days ago. I hope to have a chance of seeing you in the not-too-far-distant future to discuss the contents.

As I indicated to you when I saw you at your brother’s house — don’t take things too seriously.

With every good wish, I am
Sincerely yours
(Signed) Jim

THE SECRETARY OF THE INTERIOR
WASHINGTON
November 27, 1939.

My dear Mr. Gerard:

In reply to your circular letter of November 13, may I say that I would rather burn somewhere else than support the “burning issues” which “Mr. Gannett makes clear.” Doubtless that unselfish and truly patriotic gentleman is one of the greatest life-savers in history; but I prefer the sort with a hole in the middle that one can buy for a nickel a package.

I don’t know how my name happened to get on your sucker list but I advise you to spend your money where there is a greater prospect of pay dirt and a greater respect for dirt.

Very truly yours,
Harold L. Ickes

December 1, 1939.

Dear Mr. Secretary Ickes:

There comes day before yesterday your letter complaining that some of the literature of the National Committee to Uphold Constitutional Government had been addressed to your affable self. “If it were so, it was a grievous fault” and I suppose grievously I shall have to answer for it, income tax inspectors et al.

Is it such a heinous offense for
citizens sincerely and patriotically to oppose according to their lights some of the policies of their rulers and warn them to keep them within the framework of our laws? But aside from the fact that in a campaign of education it is an act of supererogation to reach only those who already entertain similar views, let me explain that our Committee is not backed with the propaganda facilities of an administration in power (to say nothing of the taxpayers' money) but is compelled to worry along with small contributions and we find the extra expense of clerical hire to sort over mailing lists etc. would be in excess of the cost of postage, paper and printing to avoid duplications, repetitions and what may be regarded as somewhat indiscriminate broadside shootings. Thus do I favor you an inside peek into our secret workings. For further information let me respectfully refer you to the findings, if any, of that star-chamber Minton Committee, our nearest American approach to the Gestapo and the G.P.U.

It is rather overwhelming for poor me, but yours is the third complaint I have received from high Cabinet officials. Is there not something else in Shakespeare about a jade and her withers? Anyway, in reply to a courteous and good humored letter from Secretary Farley, I begged him to use his influence with the President in respect to the so-called Supreme Court packing bill, which had caused Mr. Gannett to spring into action. This shows an appreciation on the part of many of us of the President's grave problems and our wish that he should not be led astray.

But, Mr. Secretary, you do more than complain. You descend to the most unseemly and undignified form of venomous vituperation ill-fitting your high position. My heavens, can't you stand a bit of opposition? Are you of the type that under a form of government that becomes more and more centralized and powerful, just naturally changes into a Goebbels or a Himmler? By controversy and free discussion our Country has become great and kept on a level keel. If not us, who?

I never imagined I could be caught writing in this seemingly impertinent tone to one of my Country's Cabinet officials but have you not brought it on yourself? I hear and have reason to believe you are an energetic and honest executive and in spite of certain mental kinks, that we all have more or less, aren't a bad sort of chap to meet. But your methods sometimes are not very endearing. For one example out of many, in a recent debate with my friend, Mr. Gannett, instead of confining yourself to the issue, you took unfair advantage of his limited radio time to launch a violent and unjust personal attack. To answer then would have consumed the time needed to discuss the question at issue.

The night before last I honored myself by being a patron for the dinner deservedly given to Mrs. Roosevelt. One of the speakers referred to her as having opponents but no enemies. Can't you manage something like that? Give me a ring when you come to New York and we'll go out to lunch and talk things over and maybe I'll cheer you up. I am not such a bad fellow myself though with the present suppression of the capitalistic system, I am pretty hard put to it. But there's enough left for a lunch.

Yours sincerely,
Sumner Gerard

P.S. This may amuse you. I read it in last night's newspaper. "When a speech by Harold Ickes ran a little short the studio pianist jumped to the piano and started filling in with Chopin's Fantasia Impromptu. That has the same melody as "I'm Always
Chasing Rainbows’ and there were listeners who mistook it as a salute to the speaker.

THE SECRETARY OF THE INTERIOR
WASHINGTON
December 4, 1939.
My dear Mr. Gerard:
I have your letter of December 1. You should not be so impetuous in your correspondence that you fail to annex your signature because some letters I especially prize, and yours is one of that number.
You don’t remember it, but I had the pleasure of meeting you once or twice through our mutual friend, Amos Pinchot. That was back in the days when in a “most unseemly and undignified” fashion I, a Uitlander from Chicago, was in New York trying to help Amos and Albert Kerr, Henry Curran and others elect Barnard Mayor. I learned then that personally you were not “such a bad fellow.” It is only “seeing things” politically that makes you sound and act queer at times.
Your organization is doing quite well on the “small contributions that sustain its patriotic efforts. The only thing that surprises me is Mr. Gannett’s reluctance, amounting almost to obstinacy, to disclose the source and the amount of these “small contributions.” Anyhow Mr. Gannett, publisher and political aspirant that he is, believes in the full blare of publicity for the other fellow. At least that is something.

You apparently do not know it, but I am trying to help save the capitalistic system. But I do not believe that it is going to be saved by such tactics as those of Mr. Gannett and his organization that is so barely supported by “small contributions.” After all, what has been happening these last few years in other parts of the world is deserving of some consideration by thoughtful men here. I happen to have a modest stake myself in the present capitalistic system which I do not want to lose. But if the Gannetts have their way, I will lose it.
If I had only known of the desperate financial straits of your worthy organization, plus the fact that you might care to reply to my letter, I would have enclosed a stamp for return postage.

Sincerely yours,
Harold L. Ickes

J. Thurman, Utah Supreme Court, says:
“The citizens of a free government are justly jealous of their constitutional rights and privileges, and this is a virtue . . . It is just as obligatory upon the citizen to resist encroachments upon his rights and liberties guaranteed by the Constitution as it is for him to uphold and maintain its integrity . . . ”
“No fault can be found with this prudent watchfulness on the part of the citizen; indeed it oftentimes happens that every other citizen of the commonwealth becomes deeply indebted to him.”
AMONG THE COMMITTEE'S IMMEDIATE OBJECTIVES ARE:

1. To inspire a militant demand in every state and congressional district to send to Congress strong and able representatives, Democrats and Republicans alike; pledge them to resist further encroachments on the Constitution, to recapture emergency powers and restore to Congress its constitutional supremacy—its power over the purse, its function to frame legislation and control policy.

2. To encourage efficient, full utilization of resources of private enterprise for victory in war and full employment in peace.

3. To resist every attempt to use the war emergency as excuse for supplanting experienced private management and constitutional government with a socialist economy.

4. To expose subversive efforts within and without our government to change its form and to substitute collectivism for private enterprise, or one-party dictatorship for our two-party system.

5. To preserve solvency of state and city governments by a Constitutional Amendment limiting peacetime Federal taxing power to 25 per cent on incomes, gifts and estates.

6. To limit by Constitutional Amendment the Presidential tenure to two terms.

7. To educate youth and new voters to understand our Constitution and the advantages it assures under competitive private enterprise.

8. To mobilize 1 million constitutionalists, 1 to 4 thousand in each congressional district, organized to support our constitutional system.

* * *

Correspondence files of the Committee contain tens of thousands of letters from supporters throughout the nation; the following excerpts indicate confidence in the work,

"I enclose check in amount of $1 . . . I believe the Committee has done and is still doing a wonderful work toward preserving our democratic way of life."
—— *GTN, Albany, Calif.

"Enclosed find check for $2.50 for which please mail me the following: (order specification deleted) . . . I am for the work your Committee is undertaking and will be glad to assist in any practical way."
—— NEI, Mountain Home, Ark.

"Hope you can keep up your fine work."
—— VUF, New Haven, Conn.

"I am sending my check to help if possible. We, the people, are giving our men to fight for freedom and liberty . . . we want to help. But while helping, we can't let constitutional government be destroyed by anybody or anything!"
—— TMF; Birmingham, Ala.

"Thanks for your various folders. I passed them on to friends of mine who I am sure will be interested not only in contributing to the cause but also in distributing some of your folders."
—— CKM, Beaumont, Tex.

"Having followed with intense interest for many years the efforts of men like Mr. Pettengill to turn this country from its decline into socialism, again my appreciation for your work."
—— CVD, Baltimore, Md.

"I am sending $2.50 now and wish it were more . . . you are doing fine work and I am glad to cooperate as much as I can."
—— BPD, Wilcox, Ariz.

"Enclosed find $10. Keep your organization together."
—— HNS, New York City

"Keep on saying it! Susanne Wesley was once asked why she told her children the same thing 20 times. She replied: 'Because 19 is not enough.' Keep on saying it!"
—— PBG, Gloversville, N. Y.
"Enclosed find U.S. postal money order for $10 which accept as my contribution toward keeping up the good work of 'my' Committee."

— OFK, St. Louis, Mo.

"Even though serving in the ranks, I have deemed it a privilege to be associated with you in just as patriotic a necessary a cause — preserving our constitutional government — as our men in Army and Navy."

— TNF, New Philadelphia, Ohio

"I take pleasure in enclosing my check for $25 contribution to your Committee — your circular letter was drawn to my attention by my nephew . . . and I think the purpose of your Committee as stated therein should appeal to every American."

— TCS, Richmond, Va.

"We are glad to say that there has been a broad and favorable reaction to the book on the Constitution which we obtained from you and distributed at Christmas time . . . recipients of the book read it with interest and have passed it on to their children of school age with constantly interesting and constructive conversation in the family."

— LD, Kearny, N. J.

"We are grateful for the book 'The Constitution of the United States' and shall urge our students both to read and purchase it."

Sisters ———, Green Bay, Wis.

"I certainly appreciate the necessity of the work that your organization is doing . . . on the back of our subscription I have checked certain pamphlets that we would like to have."

— VDS, Fairbanks, Alaska

"I think the American people need to be educated to the danger in this over-supply of government bureaus which regulate our lives and tax us to pay for that regulation."

— FVH, Butte, Mont.

"Yours is a practical, patriotic and timely appeal. It puts thoughts in plain English which every American citizen ought to meditate upon."

— FMC, Roseburg, Ore.

"I wish to help. Please send me copies of the material you wish distributed . . ."

— DIH, Berkeley, Calif.

"The postman brought me a copy of 'Smoke Screen' and enclosed literature regarding your organization. Please accept my $3 and my cooperation, my support mentally, physically and spiritually. You are a voice crying in the wilderness."

— EN, Dallas, Tex.

"One of our United States District Judges has just given me your book, 'Jefferson the Forgotten Man,' . . . You have made a marvelous contribution . . . to the whole nation and I wish that every thinking American could read the book."

— DBL, Fort Worth, Tex.

"During these troublesome days for the American people many matters contribute to our anxiety. I with many other observers derive much satisfaction, however, from the fact that we have in our country a Committee for Constitutional Government, the aims of which are devoted entirely to the preservation of liberty, freedom and security for the people of the United States.

"Among the officers and members of the Advisory Board of this Committee we recognize names of those who never failed to challenge collectivism in all its forms. Observers fully realize the danger of unAmerican activities if they are allowed to exist and progress.

"We are pleased if we have assisted in any way to promote this noble adventure. My contribution to the Committee for Constitutional Government for the year 1944 will be One Thousand Dollars and I am enclosing my check for this amount.

"I hope the Committee for Constitutional Government will be very successful in all its aims and activities for the preservation of the Constitutional Government of the United States."

— A New York State widow, the Committee's most consistent supporter.

* Since identity of the signers must be regarded as privileged information, code initials only are given.
You readers of this booklet, workers, clergymen, teachers, farmers, thrifty, middle-class individuals—all who have a stake in the American way of life—are cordially invited to give moral and financial support to this Committee’s work.

CASH CONTRIBUTIONS NEEDED FOR BUDGET

| a. 40,000 of $1, $2, $5, $10, $120,000 | d. 1,000 of $51 to $100 ...... $ 60,000 |
| b. 2,000 of $11 to $25 ...... 50,000 | e. 300 of $101 to $500 ...... 50,000 |
| c. 1,200 of $26 to $50 ...... 40,000 | f. 50 of $501 to $1000 ...... 30,000 |

I / WE SEND YOU HEREWITH A CONTRIBUTION TO HELP CONTINUE THE COMMITTEE’S

NON-PARTISAN, EDUCATIONAL WORK

PURCHASE ORDER FORM

PRICE SCHEDULE FOR BOOKS AND LITERATURE

<table>
<thead>
<tr>
<th>Constitution of United States by Norton</th>
<th>Smoke Screen by Pettengill</th>
<th>Spirit of Enterprise by Queeny</th>
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* Committee will mail direct to such lists as you designate with appropriate greetings or courtesy card bearing your name, if you so instruct, or make free distribution to its own effective educational lists.


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[Make checks payable to Sumner Gerard, Treasurer, and mail promptly to Committee for Constitutional Government, Inc., 205 East 42nd St., New York 17, N. Y.]
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2. Bismarck’s Golden Chain. Evils of compulsory health insurance. (10 free; $1 for 300) ....................................................

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25. Capacity for Leadership. Story of the Committee’s work. (10 free; $1 for 100) ....................................................

*All literature sent postpaid anywhere.

Printed in U.S.A.
EPILOGUE

LOVE of country, excepting only love of God, is the most precious emotion of man's heart. This land gave us birth, and in its soil at long last we shall return to the earth from which we came. It is our native land, our homeland. We love its teeming cities, its productive industries no less than its far-reaching plains, its templed hills.

We love its stone walls along storied roads where, by “the rude bridge that arched the flood,” was fired the shot heard around the world. We love its valleys, stretching in pensive quietness between hills rock-ribbed and ancient as the sun. We love its great rivers, watering a noble land fertile as the Garden of Eden. We love its prairies, with the waving grasses undulating like the roll of the sea. We thrill with its lonely grandeur as it washes up against mountain battlements, the waving snow pennants of whose crests invite us to a lovely land of sunshine and flowers which lies beyond, a romantic El Dorado which lured the pioneers in epic days now gone. Aye, we love this land for the land itself, given us for a “goodly heritage.”

We love it, too, for its history. For little ships crossing a vast deep, dropping anchor on a stern and rockbound coast. We cherish the memory of strong men and good women kneeling in prayer to consecrate this new land. We love the old picture of the first Thanksgiving which hung on the schoolroom wall — to us it means home, God, country — the Thanksgiving dinner, the ancient faith, the dignity of free men.

We love the great men in whose deeds our history lives, calling us also to be “giants in the earth” in our time. Through misty-eyed memory that never fails we see them; the calm face of Washington, the sad countenance of Lincoln, the stern face of Old Hickory, the noble, Christian countenance of Robert E. Lee; the electric, challenging face of T. R.

This is the stuff of dreams, the heritage for which men gladly lay down their lives. This is America.

Lincoln called it “the last best hope of earth.”

The sturdiest rock of freedom upon which man ever built a nation is the Constitution of the United States. On this we stand.

Then give us your hand in the comradeship of free men, pledged anew to give, if need be, “our lives, our fortunes, and our sacred honor.”

Vernon Viancourt Beal
CHAIRMAN
COMMITTEE FOR CONSTITUTIONAL GOVERNMENT, INC.
Non-Profit — Non-Partisan — Educational
AUDITOR'S ANNUAL REPORT ON NATIONAL ACTIVITIES
TO CONTRIBUTORS FOR CALENDAR YEAR 1943

RECEIPTS

Contributions and Literature Sales:

<table>
<thead>
<tr>
<th>Denomination</th>
<th>Contributions</th>
<th>Number of</th>
<th>Average</th>
<th>Percentage</th>
<th>Amount Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10. or less</td>
<td>10,974</td>
<td></td>
<td>$4.28</td>
<td>20%</td>
<td>$46,973.59</td>
</tr>
<tr>
<td>$11. to $25.</td>
<td>1,790</td>
<td></td>
<td>22.71</td>
<td>17%</td>
<td>40,640.17</td>
</tr>
<tr>
<td>$26. to $50.</td>
<td>589</td>
<td></td>
<td>47.52</td>
<td>11%</td>
<td>27,987.26</td>
</tr>
<tr>
<td>$51. to $100.</td>
<td>474</td>
<td></td>
<td>97.01</td>
<td>19%</td>
<td>45,973.88</td>
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<tr>
<td>$101. to $500.</td>
<td>217</td>
<td></td>
<td>250.05</td>
<td>22%</td>
<td>54,261.65</td>
</tr>
<tr>
<td>Over $500.</td>
<td>22</td>
<td>1,181.81</td>
<td>11%</td>
<td></td>
<td>26,000.00</td>
</tr>
<tr>
<td></td>
<td>14,066</td>
<td></td>
<td>$17.19</td>
<td></td>
<td>$241,836.55</td>
</tr>
</tbody>
</table>

Contributions Pledged by 366 Contributors: $19,267.50
Book Sales, for individuals, schools, etc.: $51,063.37
Miscellaneous Receipts: $3,124.82
Total Income: $315,292.24

DISBURSEMENTS

Total number of pieces printed: 26,456,636.
Cost of preparing, printing, distributing literature, books, press releases, booklets, etc.: $135,739.52
Postage on mass mailings: $29,670.78
Miscellaneous costs, radio transcriptions, U.S. Bonds for Contests: $1,777.62
Costs of Mailing Department, staff of 20 to 25 clerks, etc.: $58,628.75
Committee Office, Executives' and Editorial salaries, travelling expenses, and fees for outside special services: $48,724.00
Expenses of Field Meetings, Field Men, and cost of Washington office: $19,378.68
Rent, Light, telephone, stationery, office expenses, freight, trucking, Federal taxes, sales taxes, etc.: $19,137.87
Surplus for year to Reserve: $2,235.02
Total Disbursements: $315,292.24

I certify that the above is a true statement of the operations on National Activities for year 1943.

H. HIMSWORTH,
Auditor and Assistant Treasurer

HELP US CONSERVE PAPER
CIRCULATE THIS BOOKLET AMONG TEN OTHERS