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KODAK Gray Scale



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CLASS OF SERVICE

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WESTERN UNION

1201

SYMBOLS

DL = Day Letter

NL = Night Letter

LC = Deferred Cable

NLT = Cable Night Letter

Ship Radiogram

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

SA472 19=SN WASHINGTON DC 19 1142A

1940 JAN 19 AM 10 19

HIRAM W JOHNSON JR=

ATTORNEY AT LAW MILLS BLDG SFRAN=

YOURS RECEIVED IF YOU BELIEVE PARTY METIONED MOST APPROPRIATE

I HAVE NO OBJECTION AND CHEERFULLY UNITE IN HIS SELECTION=

HIRAM W JOHNSON.

KEY PITTMAN, NEV., CHAIRMAN
PAT HARRISON, MISS.
WALTER F. GEORGE, GA.
ROBERT F. WAGNER, N. Y.
TOM CONNALLY, TEX.
ELBERT D. THOMAS, UTAH
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ARTHUR H. VANDENBERG, MICH.
WALLACE H. WHITE, JR., MAINE
HENRIK SHIPSTEAD, MINN.
GERALD P. NYE, N. DAK.

EDWARD J. TRENWITH, CLERK
JAMES A. WHITE, ASST. CLERK

United States Senate

COMMITTEE ON FOREIGN RELATIONS

February 26, 1940

Sonny Boy:

Thank you very much for all your trouble about the transcription. I will be very happy to have mine. I am enclosing check for \$15.00, ten of which I hope will cover the record and tax, and the remaining is for Miss Schow as I owe her this amount. Thank her and give her my love.

Love and kisses.

Mother.

KEY PITTMAN, NEV., CHAIRMAN

PAT HARRISON, MISS.
WALTER F. GEORGE, GA.
ROBERT F. WAGNER, N. Y.
TOM CONNALLY, TEX.
ELBERT D. THOMAS, UTAH
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WALLACE H. WHITE, JR., MAINE
HENRIK SHIPSTEAD, MINN.

United States Senate

COMMITTEE ON FOREIGN RELATIONS

May 4, 1940

EDWARD J. TRENWITH, CLERK
JAMES A. WHITE, ASST. CLERK

Mr. Hiram W. Johnson, Jr.,
Attorney at law,
Mills Building,
San Francisco.

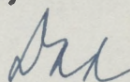
My dear Jack:

I have your note of May 1 this morning.

I will immediately write to Mr. Carlson of Fresno County,
as you suggest. Many thanks.

I acknowledge receipt of this note at once,
and tomorrow will write my usual letter to you.

Affectionately,



Calendar No. 1681

76TH CONGRESS
3D SESSION

S. J. RES. 92

[Report No. 1612]

IN THE SENATE OF THE UNITED STATES

MARCH 14 (legislative day, MARCH 13), 1939

Mr. NYE introduced the following joint resolution; which was read twice and referred to the Committee on Public Lands and Surveys

MAY 15 (legislative day, APRIL 24), 1940

Reported by Mr. ADAMS, with amendments

[Strike out all after the resolving clause and insert the part printed in italic]

JOINT RESOLUTION

Declaring the conservation of petroleum deposits underlying submerged lands adjacent to and along the coast of California, below low-water mark and under the territorial waters of the United States of America, essential for national defense, maintenance of the Navy, and regulation and protection of interstate and foreign commerce; reserving the same as a naval petroleum reserve, subject to any superior vested right, title, or interest; and authorizing appropriate judicial proceedings to assert, ascertain, establish, and maintain the right and interest of the United States of America in such reserve, and to eject trespassers.

- 1 *Resolved by the Senate and House of Representatives*
- 2 *of the United States of America in Congress assembled,*
- 3 That the conservation of petroleum deposits underlying
- 4 submerged lands adjacent to and along the coast of the

1 State of California, below low-water mark and under the
2 territorial waters of the United States of America, is hereby
3 declared to be essential for national defense, maintenance of
4 the Navy, and regulation and protection of interstate and
5 foreign commerce, and that in the exercise of the paramount
6 and exclusive powers of sovereignty of the United States for
7 those purposes, there are hereby reserved and set aside as a
8 naval petroleum reserve any and all such deposits, subject
9 to the same control of the Secretary of the Navy as is pro-
10 vided for other naval petroleum reserves; subject, also, to
11 any superior right, title, or interest of any person, partner-
12 ship, association, corporation, or of the State of California,
13 or any municipality, or local subdivision of that State which
14 may have heretofore been granted by the United States of
15 America, or which may have become otherwise validly and
16 lawfully vested, or which may be recognized and established
17 in the judicial proceedings hereinafter authorized.

18 SEC. 2. That the Attorney General of the United States
19 of America is hereby authorized and directed, by and through
20 appropriate judicial proceedings, to assert, ascertain, estab-
21 lish, and maintain the right and interest of the United States
22 in and to such naval petroleum reserve and deposits, and to
23 cause and effectuate by proper judicial proceedings the
24 removal and ejection of all persons now or hereafter
25 trespassing upon or occupying the said submerged lands or

1 removing the petroleum deposits therefrom without any
2 superior right or interest, and without the consent and per-
3 mission of the United States.

4 SEC. 3. That nothing contained in this joint resolution
5 shall be construed as a taking, as authorizing a taking, or
6 as ratifying a taking, of any property by exercise of the
7 power of eminent domain; nor shall this joint resolution nor
8 anything herein contained, nor any inference or deduction
9 which may be drawn herefrom or from any part hereof, be
10 construed as releasing, waiving, abandoning, disclaiming, or
11 affecting in any way whatsoever any right, title, claim, or
12 interest which the United States of America has or would
13 otherwise have to other petroleum deposits and submerged
14 lands or the right to set aside other petroleum deposits and
15 submerged lands elsewhere as naval petroleum reserves or
16 for other purposes.

17 *That the Attorney General of the United States is hereby*
18 *requested to institute, and to maintain to final determination,*
19 *appropriate judicial proceedings for the purpose of asserting,*
20 *ascertaining, and establishing the right, title, and interest of*
21 *the United States in and to all submerged lands under the*
22 *territorial waters of the United States, subject to any valid*
23 *existing rights and interests therein of any State or political*
24 *subdivision thereof, or of any person, partnership, associa-*
25 *tion, or corporation, which may have been heretofore granted*

1 by the United States, which may have become otherwise
2 validly and lawfully vested, or which may be recognized
3 and established by judicial proceedings.

4 *SEC. 2. The Attorney General of the United States is*
5 *also requested to institute and maintain to final determination*
6 *appropriate judicial proceedings for the removal and eject-*
7 *ment (1) of anyone trespassing upon any lands referred to*
8 *in section 1 which are adjudged pursuant to such section*
9 *to belong to the United States, and (2) of anyone occupying*
10 *any such lands without the consent and permission of the*
11 *United States, or without having any right or interest therein*
12 *superior to the right or interest of the United States.*

13 *SEC. 3. Nothing in this joint resolution shall be con-*
14 *strued as a taking of any property by the exercise of the*
15 *power of eminent domain.*

Amend the title so as to read: "Joint resolution request-
ing the Attorney General of the United States to institute
appropriate judicial proceedings for determining the rights
and interests of the United States in certain submerged and
tide lands, and for other purposes."

Calendar No. 1681

76TH CONGRESS
3D SESSION

S. J. RES. 92

[Report No. 1612]

JOINT RESOLUTION

Declaring the conservation of petroleum deposits underlying submerged lands adjacent to and along the coast of California, below low-water mark, and under the territorial waters of the United States of America, essential for national defense, maintenance of the Navy, and regulation and protection of interstate and foreign commerce; reserving the same as a naval petroleum reserve, subject to any superior vested right, title, or interest; and authorizing appropriate judicial proceedings to assert, ascertain, establish, and maintain the right and interest of the United States of America in such reserve, and to eject trespassers.

By Mr. NYE

MARCH 14 (legislative day, MARCH 13), 1939

Read twice and referred to the Committee on Public
Lands and Surveys

MAY 15 (legislative day, APRIL 24), 1940

Reported with amendments

United States Senate

MEMORANDUM

June 24, 1940.

My dear Jack:

I wanted to send the enclosed letter I have dictated to the Mr. Mitchell, who was with you during the legislative session at Sacramento. Would you do me the kindness, please, to have the envelope addressed and the letter sent to him, as I do not know his address.

Affectionately and hastily,

Wm

KEY PITTMAN, NEV., CHAIRMAN
PAT HARRISON, MISS.
WALTER F. GEORGE, GA.
ROBERT F. WAGNER, N. Y.
TOM CONNALLY, TEX.
ELBERT D. THOMAS, UTAH
FREDERICK VAN NUYS, IND.
JAMES E. MURRAY, MONT.
LEWIS B. SCHWELLENBACH, WASH.
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WALLACE H. WHITE, JR., MAINE
HENRIK SHIPSTEAD, MINN.
GERALD P. NYE, N. DAK.

EDWARD J. TRENWITH, CLERK
JAMES A. WHITE, ASST. CLERK

United States Senate

COMMITTEE ON FOREIGN RELATIONS

June 28, 1940.

Personal

Mr. Hiram W. Johnson, Jr.,
Attorney at law,
Mills Building,
San Francisco.

My dear Jack:

I have just received your note of June 26 relating to Mitchell. I do want him in this campaign, and I want to employ him. I can not spend a vast sum, but a reasonable amount I think I can pay out of my own pocket to him. I want him as a personal employe, and his services would run until the first of September, possibly thereafter, but I would want my agreement to be for the period from the present to the first of September. What do you think he would want?

Affectionately and hastily,

H.W.J.

I'd wish him first to go through Orange, Riverside, San Bernardino and San Diego. Apparently my interests in those counties have been neglected. San Diego polls more votes than any county other than the very large ones, and San Bernardino and Orange will Sacramento now.

H.W.J.

CLASS OF SERVICE

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WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

SYMBOLS

DL=Day Letter

NT=Overnight Telegram

LC=Deferred Cable

NLT=Cable Night Letter

Ship Radiogram

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

AA369 65=SN WASHINGTON DC 27 519P

HIRAM W JOHNSON JR=

Deliver 973 GREEN ST SFRAN= *etc -*

1940 JUL 27 PM 2 57

LOCAL BOARD OF RAILROAD TRAINMEN HAVE REVERSED OR ABOUT
ABOUT TO ENDORSEMENT BY NATIONAL BOARD OF ME THERE ARE FOUR
MEMBERS OF LOCAL BOARD ONE OF WHICH IS HARRY SEE WHILE NOT
OF GREATEST IMPORTANCE I DO NOT LIKE TO HAVE ACTION TAKEN
CAN YOU GET MCCABE AND JUDGE ROCHE TO TAKE MATTER UP WITH
SEE WHOSE OFFICE IS IN SANFRANCISCO MATTER IS URGENT LOVE=

DAD.

No. 71	2266	To
S.	At	To Be <i>Ed</i>
		305P

Pro 3-23

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

TEL JUL 27 PM 3 04

CLASS OF SERVICE

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WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

SIGNS

DL = Day Letter

NM = Night Message

NL = Night Letter

LC = Deferred Cable

NLT = Cable Night Letter

Ship Radiogram

The filing time as shown in the date line on full-rate telegrams and day letters, and the time of receipt at destination as shown on all messages, is STANDARD TIME.

Received at Main Office, 722 Market St., San Francisco, Cal. TELEPHONE SUTTER 4321

1935 AUG 20 PM 2 33

AA649 81=SC WASHINGTON DC 20 519P

MINUTES IN TRANSIT

FULL-RATE

DAY LETTER

HIRAM W JOHNSON JR, ATTORNEY AT LAW=

MILLS BLDG SFRAN=

SENATE BILL TWO SIX FOUR THREE AUTHORIZES EACH UNITED STATES DISTRICT COURT JUDGE TO APPOINT A LAW CLERK WHEN HE DEEMS IT NECESSARY AND THE SENIOR JUDGE OF CIRCUIT COURT OF APPEALS HAVING JURISDICTION OVER DISTRICT WHERE CLERK NEEDED CERTIFIES NECESSITY BUT NO MORE THAN THIRTY FIVE SUCH CLERKS SHALL BE APPOINTED DURING FIRST FISCAL YEAR OF ACT SALARY TWENTY SEVEN FIFTY PER ANNUM BILL HAS PASSED SENATE NOW IN HOUSE WAGNER AUTHOR AND I WILL TRY TO OBTAIN ACTION BY HOUSE=DAD.

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

1201

SYMBOLS

DL = Day Letter

NT = Overnight Telegram

LC = Deferred Cable

NLT = Cable Night Letter

Ship Radiogram

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

FQ99 42=SN WASHINGTON DC 27 104P

HIRAM W JOHNSON JR=

973 GREEN ST=

1940 AUG 27 AM 10 54

Hiram W. Johnson Papers
Bancroft Library

BEFORE THE END OF THIS FATEFUL DAY I WANT YOU TO KNOW THE
AFFECTIONATE FEELING THAT I HAVE FOR ALL YOU HAVE DONE FOR
ME IN THIS CAMPAIGN. HOWEVER IT TURN OUT IT HAS MADE ME
APPRECIATE THE MORE MY DEAR SON=

DAD.

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

1201

(08)

SYMBOLS

DL=Day Letter

NT=Overnight Telegram

LC=Deferred Cable

NLT=Cable Night Letter

Ship Radiogram

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

CA594 21=SN WASHINGTON DC 5 325P

1940 SEP 5 PM 1 11

HIRAM W JOHNSON JR=

ATTORNEY AT LAW MILLS BLDG SFRAN=

HAVE WIRED GIROIN THREE TIMES TO SEND FORMS ON WHICH FILE

STATEMENT EXPENSES WILL YOU PLEASE AIR MAIL ME THESE FORMS=

HIRAM W JOHNSON.

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION (05)

SYMBOLS

DL=Day Letter

NT=Overnight Telegram

LC=Deferred Cable

NLT=Cable Night Letter

Ship Radiogram

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

The following is the address of origin. Time of receipt is STANDARD TIME at point of destination

AA519 10 SN WASHINGTON DC 5 515P

HIRAM W JOHNSON JR

1940 SEP 5 PM 3 08

=ATTY AT LAW MILLS BLDG SFRAN=

FORMS WIRED YOU ABOUT TODAY JUST RECEIVED FROM GIRVIN LOVE=

=HIRAM W JOHNSON.

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

(47).

SYMBOLS

DL=Day Letter

NL=Night Letter

LC=Deferred Cable

NLT=Cable Night Letter

Ship Radiogram

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

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AA77 ~~37~~ DL=B WASHINGTON DC 15 158P

Qualitate of Telephoned Telegram

1940 SEP 15 AM 11 54

HIRAM W JOHNSON JR=

892 Mills Bldg

Hiram W. Johnson Papers
Bancroft Library

~~973 GREEN ST SFRAN=~~

=YOURS THIRTEENTH JUST RECEIVED AFTER I HAD SENT APPOINTMENT
DUNNE TO GIRVIN HE WIRED DUNNE COULD NOT ACCEPT IT I WILL
GLADLY APPOINT YOU IF YOU PREFER OR GIRVIN AS YOU SUGGEST
WIRE ME WHICH YOU WISH=

HIRAM W JOHNSON.

*W 2266 add
Lo 100P DLD Mon*

TEL SEP 15 PM 12 05

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

SYMBOLS

DL=Day Letter

NT=Overnight Telegram

LC=Deferred Cable

NLT=Cable Night Letter

Ship Radiogram

WESTERN UNION (09)

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

AA136 57=WASHINGTON DC 15 747P

1940 SEP 15 PM 5 14

Hiram W. Johnson Papers
Bancroft Library

HIRAM W JOHNSON JR=

(973 GREEN ST) SFRAN=

892 Mills Bldg
duplicate of telephoned telegram

UPON CONSIDERATION I THINK YOU SHOULD TAKE THE APPOINTMENT
I BELIEVE THIS WOULD BE GOOD THING BECAUSE IT WOULD
REQUIRE YOU TO MIX IN PUBLIC AFFAIRS AND ULTIMATELY MEET
THE CANDIDATE WHEN HE COMES TO SANFRANCISCO AND BE A PART
OF THE WHOLE GAME IF YOU NOTIFY ME IMMEDIATELY BY WIRE I
WILL SEND YOU REQUISITE APPOINTMENT=

HIRAM W JOHNSON.

The 2266 add
LT 5284 to Be DLD of am

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

TEL SEP 15 PM 5 27

KEY PITTMAN, NEV., CHAIRMAN
PAT HARRISON, MISS.
WALTER F. GEORGE, GA.
ROBERT F. WAGNER, N. Y.
TOM CONNALLY, TEX.
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EDWARD J. TRENWITH, CLERK
JAMES A. WHITE, ASST. CLERK

United States Senate

COMMITTEE ON FOREIGN RELATIONS

September 16, 1940

Mr. Hiram W. Johnson, Jr.,
Attorney at law,
Mills Bldg.,
San Francisco.

My dear Jack:

Yesterday's Baltimore Sun contained an article, copy of which I enclose to you, entitled "Roosevelt Veers Away from Olson". This was written by the Chief of Staff here, J. Fred Essary. I thought it might interest you, and it may come in handy sometime.

Affectionately,

Dad

ROOSEVELT VEERS AWAY FROM OLSON

Suspends Relations With California Governor As Threat To Chances There

President Reacts To Warn- ing "Radical" Charge May Affect Own Standing

By J. FRED ESSARY

Washington, Sept. 14—Mounting uneasiness about the California political situation has prompted President Roosevelt to take the unusual and highly significant step of suspending relations with Gov. Culbert L. Olson, Californians here revealed today.

In authoritative quarters it was said that the White House is extremely anxious to keep Olson out of the campaign picture for fear that the recall threat will injure the President's chances of carrying the State with its big bloc of twenty-two electoral votes, the fifth largest in the nation.

State Regarded As "Safe"

The Administration regards the State as "safely Democratic," it was said, but is not expecting anything like the immense 930,000 majority which the President piled up in 1936. Reports by campaign workers place the probable margin around 350,000 to 400,000.

With even the most optimistic party chiefs predicting a reduced majority, the President has become concerned about the situation. He has taken a lively personal interest in it and is said to have issued orders to keep in the background both Governor Olson, who has claimed to stand high at the White House, and Miss Helen Gahagan, the new Democratic national committeewoman.

Avoids Party Leaders

Instead of playing with the accredited party leaders, Mr. Roosevelt is doing business with the middle-of-the-road and old-line Democrats, even those who were lukewarm about the third term. He has reacted favorably to warning that the charge of radicalism directed at Olson and Miss Gahagan may seriously affect his own political fortunes.

The White House is clearly apprehensive about the efforts to recall the Governor. Mr. Roosevelt has displayed real alarm about California conditions, especially since the failure of the Governor's drive to purge in the primaries members of the State Legislature who have not gone along with the Olson program.

Held Possible Liability

Although Mrs. Roosevelt has made gestures of friendship toward Miss Gahagan and her movie-star husband, Melvyn Douglas, the Democratic strategists acknowledge the possibility that the national committeewoman

(Continued on Page 3, Column 2)

OLSON IS HELD COAST HAZARD TO PRESIDENT

Roosevelt Suspends Pre-Campaign Relations With California Governor

Veers Away Aat Warning 'Radical' Charge May Affect Our Chances

By J. FRED ESSARY

(Continued from Page 1)

may be a liability in the campaign. Accordingly, they have been put in the same category with Olson and will not be given any major roles in the third-term campaign.

To counteract the reported dangers, Leslie Miller, former Governor of Wyoming, recently designated to manage the Roosevelt campaign in the Western States, has received orders to pick campaign managers for California who are not linked to either Governor Olson or Miss Gahagan.

Evans Is Considered

While appointments are not expected for several days, Governor Miller is seriously considering William H. Evans, a Los Angeles real estate man, for the post of Southern California campaign director. It is reported here that he is in San Francisco at present, consulting with party leaders about the best individual to run the party's affairs in the northern half of the State.

Assistance of Governor Olson and Miss Gahagan will not be refused, it was pointed out in political circles, but neither will be given any substantial authority. They are not likely to have any voice in directing the official State organization, or to enjoy the privilege of specifying how campaign funds are expended.

1928 Views Quoted

Representative J. William Ditter, of Pennsylvania, has answered Mayor LaGuardia's statement that Senator George W. Norris would head an independent committee for a third term for President Roosevelt, by quoting the Senator's opposition to a third term as expressed in the Senate in 1928. At that time, Mr. Ditter pointed out, Senator Norris, speaking on a Senate resolution against a third term, held the view that a third term would lead to a monarchy for the United States.

Mr. Ditter's statement in part is as follows:

"Independents and progressives throughout the country have been called upon by Mayor Fiorello LaGuardia, of New York, torally behind a movement in behalf of the third-term candidate led by Senator George Norris of Nebraska.

Sees Fact "Overlooked"

"The Honorable George W. Norris, the outstanding leader of all us independents and progressives," said Mayor La Guardia, 'has consented to serve as honorary chairman of the independent committee for Roosevelt.'

"But Mayor La Guardia appears to have overlooked the fact that the chosen leader of the Roosevelt third-term committee is on record in vehement terms against a third term for any President.

"Early in 1928, although President Coolidge had months before he declared he would not again seek the Presidency, Senator Robert M. La Follette, of Wisconsin, introduced an anti-third-term resolution in the Senate. Addressing himself to that resolution, Senator Norris, who spoke at length, said:

"It (the third term) would mean ultimately the establishment in this country of a monarchy upon the ruins of our present Republican form of government."

Davis Calls Third Term Prelude To Dictatorship

Cressona, Pa., Sept. 14 (AP)—Senator James J. Davis (Rep., Pa.) pictured a Presidential third term as a prelude to dictatorship today and termed public power developments such as the T. V. A. an "unfair" threat to the coal industry.

In a campaign address for the Republican ticket at the November election, Davis told a Schuylkill county G. O. P. rally:

"The argument in favor of long terms of office and for dictators is always the same. It is the allegation that an emergency has arisen and that there is but one man capable of meeting it.

"Every dictator in history has risen to power on this philosophy."

Assails TVA As "Unfair"

"No resort to the argument to emergency can justify a breakdown of our American tradition under which no man should be continued in the office of President of the United States for more than eight years."

Davis said no industry is more important than coal in national preparedness "on the economic front." And declared:

"The TVA is a threat to the coal industry of Pennsylvania. . . neither fair to the taxpayers or to business . . . thoroughly unfair to coal miners whose labors are thus thrown out by reason of the increased use of water power."

Investments In Europe

United States investments in Europe at the beginning of 1940 totaled \$2,278,000,000.

KEY PITTMAN, NEV., CHAIRMAN
PAT HARRISON, MISS.
WALTER F. GEORGE, GA.
ROBERT F. WAGNER, N. Y.
TOM CONNALLY, TEX.
ELBERT D. THOMAS, UTAH
FREDERICK VAN NUYS, IND.
JAMES E. MURRAY, MONT.
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United States Senate

COMMITTEE ON FOREIGN RELATIONS

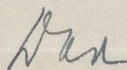
September 17, 1940

Mr. Hiram W. Johnson, Jr.,
Attorney at law,
Mills Bldg.,
San Francisco.

My dear Jack:

Girvin has advised me that the last day on which to file a petition for an independent nomination is September 26. I asked him to check upon this, and he replied that it was correct. My office here, which is not equipped for research of this character, has tried to figure it out, and has reached the conclusion Girvin is mistaken by a couple of weeks. Would you investigate, and let me know, please?

Hastily and affectionately,



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ATTORNEY AT LAW MILLS BLDG SFRAN=

PLEASE ADVISE IF NEW REGISTRATION REQUIRED THIS YEAR=

HIRAM W JOHNSON.

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My opponents during the campaign had laid much stress upon my supposed personal ambition and intention to use the office of President to perpetuate myself in power. I did not say anything on the subject prior to the election, as I did not wish to say anything that could be construed into a promise offered as a consideration in order to secure votes. But on election night, after the returns were in I issued the following statement: "The wise custom which limits the President to two terms regards the substance and not the form, and under no circumstances will I be a candidate for or accept another nomination".

The reason for my choice of the exact phraseology used was twofold. In the first place, many of my supporters were insisting that, as I had served only three and a half years of my first term, coming in from the vice-presidency when President McKinley was killed, I had really had only one elective term, so that the third-term custom did not apply to me; and I wished to repudiate this suggestion. I believed then (and I believe now) the third-term custom or tradition to be wholesome, and, therefore, I was determined

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to regard it substance, refusing to quibble over the words usually employed to express it. On the other hand, I did not wish simply and specifically to say that I would not be a candidate for the nomination in 1908, because if I had specified the year when I would not be a candidate, it would have been widely accepted as meaning that I intended to be a candidate some other year; and I had no such intention, and had no idea that I would ever be a candidate again. Certain newspaper men did ask me if I intended to apply my prohibition to 1912, and I answered that I was not thinking of 1912, nor 1920, nor of 1940, and that I must decline to say anything whatever except what appeared in my statement.

The presidency is a great office, and the power of the President can be effectively used to secure a re-nomination, especially if the President has the support of certain great political and financial interests. It is for this reason, and this reason alone, that the wholesome principle of continuing in office, so long as he is willing to serve, an incumbent who has proved capable, is not applicable to the presidency. Therefore, the American people have wisely established a custom against allowing any man to hold that office for more than two consecutive terms. But every shred

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of power which a President exercises while in office vanishes absolutely when he has once left office. An ex-President stands precisely in the position of any other private citizen, and has not one particle more power to secure a nomination or election than if he had never held the office at all--indeed, he probably has less because of the very fact that he has held the office. Therefore the reasoning on which the antithird-term custom is based has no application whatever to an ex-President, and no application whatever to anything except consecutive terms. As a barrier of precaution against more than two consecutive terms the custom embodies a valuable principle. Applied in any other way it becomes a mere formula, and like all formulas a potential source of mischievous confusion. Having this in mind, I regarded the custom as applying practically, if not just as much, to a President who had been seven and a half years in office as to one who had been eight years in office, and therefore, in the teeth of a practically unanimous demand from my own party that I accept another nomination, and the reasonable certainty that the nomination would be ratified at the polls, I felt that the substance of the custom applied to me in 1908. On the other hand, it

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had no application whatever to any human being save where it was invoked in the case of a man desiring a third consecutive term. Having given such substantial proof of my own regard for the custom, I deem it a duty to add this comment on it. I believe that it is well to have a custom of this kind, to be generally observed, but that it would be very unwise to have it definitely hardened into a constitutional prohibition. It is not desirable ordinarily that a man should stay in office twelve consecutive years as President; but most certainly the American people are fit to take care of themselves, and stand in no need of an irrevocable self-denying-ordinance. They should not bind themselves never to take action which under some quite conceivable circumstances it might be to their great interest to take. It is obviously of the last importance to the safety of a democracy that in time of real peril it should be able to command the service of every one among its citizens in the precise position where they service rendered will be most valuable. It would be a benighted policy to such event to disqualify absolutely from the highest office a man who while holding it had actually shown the highest capacity to exercise its powers with the utmost effect for the public defense. If, for instance, a tremendous crisis occurred at the end of the second term of

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a man like Lincoln, as such a crisis occurred at the end of his first term, it would be a veritable calamity if the American people were forbidden to continue to use the services of the one man whom they knew, and did not merely guess, could carry them through the crisis. The third-term tradition has no value whatever except as it applies to a third consecutive term. While it is well to keep it as a custom, it would be a mark both of weakness and unwisdom for the American people to embody it into a constitutional provision which could not do them good and on some given occasion might work real harm.

--Theodore Roosevelt--

From Roosevelt's Autobiography
p. 278-9-380