

THOMAS B. CURTIS, Republican of Missouri—respected advocate, courageous individualist, and diligent legislator whose service is in the finest tradition of constructive conservatism.

SPEECH OF JOHN D. MILLETT, PRESIDENT OF MIAMI UNIVERSITY, OXFORD, OHIO, AND CHAIRMAN OF CONGRESSIONAL DISTINGUISHED SERVICE AWARD COMMITTEE, AT PRESENTATION CEREMONY, FRIDAY, SEPTEMBER 6

In 1955 former Senator William Benton of Connecticut proposed that the American Political Science Association, as an organization of scholars interested in government from an objective, nonpartisan point of view, undertake to select certain individuals who deserved special recognition for distinguished service in the Congress of the United States. After some consideration, the officials of the association decided to accept this challenge and to undertake to select and present an appropriate award for outstanding congressional service.

The first Congressional Distinguished Service Awards were presented to four Members of the Congress at the annual meeting of this association in 1959. The second presentation was made at the annual meeting of 1961. This is the third time when the American Political Science Association has undertaken to present Congressional Distinguished Service Awards.

The purpose of these awards is to call attention in a dramatic way to the vital importance of the legislature as an institution of American Government. More and more, over the years, political leadership in American political life has fallen upon the Executive. Yet in the process of an emerging Executive leadership, the Legislature in our system of government retains its position of power. In America it may be that it is the Executive who proposes, but it is the Legislature which disposes of legislation in the public interest. The role of the legislative is crucial in maintaining the values and the processes of a free society.

Through these awards our association honors legislators for service competently, carefully, faithfully, and responsibly performed. Service of distinction in the Congress may be performed in many ways. Some legislators may command headlines and television appearances, receiving popular acclaim. On other occasions the service of a legislator may attract little public attention and yet be of inestimable worth to the Nation. It is the hope of our association that these awards will stimulate a broader public appreciation of the high talents and varied abilities which Members of the Congress bring to their deliberations. The Congress of the United States offers a wider scope to the capacities of its Members than any other legislative body in the world.

In choosing recipients for these awards, the selection committee has been aware especially of four criteria:

- (1) Devotion to the public welfare combined with a fine grasp of the skills required of the legislator;
- (2) High competence measured in terms of effectiveness and concrete accomplishment;
- (3) Constructive imagination, hardheaded acumen, and a capacity to formulate and advance objectives of national policy while remaining mindful of the constituents back home;
- (4) The respect of colleagues based upon day-to-day contacts that reveal the true worth of the individual.

The Congressional Distinguished Service Awards by the American Political Science Association are made possible by a gift from the William Benton Foundation. In accordance with the terms of the gift and the traditions of this association, the awards are

made to four persons, two Senators and two Members of the House of Representatives, two members of the Democratic Party and two members of the Republican Party. Let me add the observation that the association can take pride in the selections of the past two occasions, and we believe equal pride may result from these selections announced tonight. The process of selection is not a simple one. There are many Members of the Congress who render distinguished service. This fact, although embarrassing to the selection committee, should be a cause of rejoicing for our Republic.

The award itself is a desk set of bronze, mounted on a marble base, created by one of our members, Pendleton Herring, and executed by a well-known New York sculptor, Ralph Menconi. The design consists of an open book upon which is inscribed the closing words of Lincoln's Gettysburg Address: "That government of the people, by the people, and for the people shall not perish from the earth." The open book is imprinted. In a free society lawmaking is performed as the responsible expression of the popular will open to the public view. This open book rests upon a legal roll symbolic of the Bill of Rights. The three sides of the book present a voting box, legislative debate, and appeal to the voters who elect our legislators.

The red marble base is intended to memorialize the blood of patriots, and a tree rising from the base is the tree of liberty nourished by such blood. Finally, there is an elephant on one side and a donkey on the other, representing the two parties of which the recipients are members and reminding all of us of the bipartisan nature of the recognition here afforded. If the donkey and the elephant seem to be lying down, it is purely for the moment only and for the occasion of this award.

The awards this evening are made to four Members of the Congress of the United States primarily for service rendered in the biennium 1961-62, the 87th Congress. On behalf of the selection committee and in the name of the American Political Science Association, it gives me great pleasure to present these four Congressional Distinguished Service Awards of 1963. In alphabetical order, the recipients are: Senator CLINTON P. ANDERSON, Representative THOMAS B. CURTIS, Representative GEORGE H. MAHON, and Senator LEVERETT SALTONSTALL.

THE CONGRESSIONAL DISTINGUISHED SERVICE AWARDS

The Congressional Distinguished Service Awards of the American Political Science Association are presented at the annual meeting of the association in each odd numbered year: one to a Democrat and one to a Republican in each House. They are made possible by a grant from the William Benton Foundation.

The purpose of the awards is to honor legislators for distinguished congressional service and to dramatize the crucial role of a freely elected legislative body in maintaining the values and processes of our democratic society.

Service of distinction in the Congress can be performed in many ways: some services win popular acclaim; other duties are fulfilled which attract little recognition on the part of the general public but may be of even greater value to the Nation.

It is the hope of the association that these awards for distinguished congressional service will stimulate a keener public appreciation that our free elective system produces in Congress Members of high abilities and varied talents. Moreover, Congress offers a wider scope to the capacities of its Members than any other lawmaking body in the world. Therein lies the source of its strength and character.

In making the awards, factors that weigh heavily are:

1. Devotion to the public welfare joined with a firm grasp of the skills required of a lawmaker;
2. High competence measured in terms of effectiveness and concrete accomplishment;
3. Constructive imagination, hardheaded acumen and a capacity to formulate and advance objectives of national policy and yet be mindful of the welfare of constituents back home, and finally;
4. The respect of colleagues based on the day-to-day contacts that reveal the true worth of the individual.

Both Houses of Congress have many Members who meet these qualifications. It is hoped that the awards presented every 2 years will call attention to the important and dedicated service rendered not only by those to whom these awards are given but also to the many Members of Congress who share the qualities for which the awards are made.

[From the Washington Evening Star, Sept. 13, 1963]

CONGRESSIONAL HONORS

Kicking Congress around is an old American sport and one which has reached new popularity this year. The humorists and the reformers have all been working over their favorite targets on Capitol Hill.

It is refreshing—and genuinely useful—for the American Political Science Association to break into this chorus of catcalls and jeers to honor several Members of Congress with Distinguished Service Awards.

The biennial honors were presented last Friday to Senator CLINTON P. ANDERSON, Democrat of New Mexico, Senator LEVERETT SALTONSTALL, Republican of Massachusetts, Representative GEORGE H. MAHON, Democrat of Texas, and Representative THOMAS B. CURTIS, Republican of Missouri.

We join the political scientists in saluting them. The variety of their political views and their styles of operation bear out one theme of the awards: That Congress offers scope to men of many talents, Senator ANDERSON has been as aggressive in pushing the causes in which he believes as Senator SALTONSTALL has been skillful in contriving the compromises that permit legislation to go forward. Representative MAHON, the chairman of the Defense Appropriations Subcommittee, is a symbol of dogged, effective committee work. Representative CURTIS has become perhaps the leading champion of effective floor debate.

The Congressional Distinguished Service Awards were suggested by former Senator William Benton of Connecticut, not just to honor individual lawmakers but to dramatize the crucial role of a freely elected legislative body in maintaining the values and processes of our democratic society.

We share with Mr. Benton and the American Political Science Association the view that recognition, not ridicule, is more likely to inspire Members of Congress to fulfill the responsibility the Founding Fathers laid upon them.

ADDRESS BY SENATOR HUMPHREY BEFORE AMERICAN POLITICAL SCIENCE ASSOCIATION

Mr. MANSFIELD. Mr. President, I call attention to another speech delivered at the American Political Science Association convention; I refer to the principal address, given by the distinguished deputy majority leader of the Senate, the Senator from Minnesota, Mr. HUMPHREY.

In his speech entitled "The Role of Congress in the American Political System," Senator HUMPHREY made an illuminating comparison between the challenges which beset the 63d Congress of 1913-1915 and those which confront us today. The earlier Congress, after months of public criticism of dawdling and equivocating, passed such historic legislative landmarks as the Underwood Tariff Act, the Federal Reserve Act, the Clayton Antitrust Act, and the Federal Trade Commission Act. The senior Senator from Minnesota then expressed the conviction that the 88th Congress, in spite of similar criticism, will meet the historic challenges facing it, by enacting legislation of equally far-reaching importance.

Mr. President, I ask unanimous consent that Senator HUMPHREY's speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE ROLE OF CONGRESS IN THE AMERICAN POLITICAL SYSTEM

(Remarks by Senator HUBERT H. HUMPHREY before the 59th annual meeting of the American Political Science Association, September 6, 1963, New York City)

Mr. Chairman, my good friend and advisor, Max Kampelman, President Friedrich, President-elect Pritchett, and my good friend and fellow Minnesotan, Evron Kirkpatrick, my colleagues from Capitol Hill, and fellow members of the American Political Science Association. It is indeed an honor, privilege, and, I might add, a surprise to participate in this ceremony to announce the four recipients of the Congressional Distinguished Service Awards for the 87th Congress. I say "surprise" because, as some of you may recall, I was also scheduled to perform a similar function 2 years ago in St. Louis when the awards for the 86th Congress were presented.

At the last moment my bill to establish the Arms Control and Disarmament Agency was called up for action and I had to send my regrets and Max Kampelman. But Max Kampelman performed what had already become for him a most accustomed role—namely, filling in for HUBERT HUMPHREY. Reports have it that he delivered a magnificent address on the role of Congress in the American political system—remarks which I take credit for because I taught him his politics.

I noticed in the press that Governor Rockefeller addressed your annual meeting. I also recognized it to be a rather partisan address. Now, as a member of the association, I realize that this occasion should be nonpartisan and I shall abide by the ground rules, at least to a degree.

Having professed my innocence, let me now proceed with a partisan comment. Governor Rockefeller and Senator HUMPHREY have something in common. Neither of us got to be President in 1960 and neither of us will be elected President in 1964. It is this sort of bipartisan understanding that makes American politics so interesting, and, at times, so sad.

I am particularly pleased to participate in this biannual ceremony when the congressional distinguished service awards are presented to the four outstanding House and Senate Members. Our former colleague from Connecticut—the Honorable William Benton—has graciously and generously provided the association with the resources and imagination which make these awards possible. Bill Benton took the initiative, a well-known characteristic of this outstanding American, because he believed, as I believe, that Congress has a vital role to play in the governing of this Nation. He believed, as I believe

that outstanding service in our national legislature should not go unrewarded and unrecognized. He believed, as I believe, that while the role of Congress has undergone profound transformations since the Founding Fathers drafted article I of the Constitution in the spring and summer of 1787, the fate of the Nation is as much dependent upon the decision of Congress today as it was then. In fact, is the problems and responsibilities of government have grown, the duties assigned to the Congress have steadily expanded.

Certain sophisticates make a profession of scoffing at the notion of the separated powers, implying that Congress has been left behind by the sweep of present-day events and challenges. Speaking as one who has frequently criticized many aspects of congressional organization and procedures, I nevertheless must also stand up and be counted as one who sees the legislative process as embodying the heart and soul of American politics.

Democratic government has never been easy. This is why so few nations have been successful at it for any sustained period of time. It is, so to speak, "a glorious misery." I believe it was Winston Churchill who said, "Democracy is the worst possible form of government except all others." It is the system which is always supposed to be on the verge of failing, always there with too little, too late. The same is said of Congress. And yet, at least in this Nation, the "glorious misery" is still with us. So is Congress.

Certainly we do not lack for critics. Several months ago a well known speaker, writer, and religious leader, Dr. Norman Vincent Peale, had a grand time taking politicians to task, particularly those elected to Congress. Let me quote several of his remarks, as reported by the Associated Press: "If in the future I get within gunshot of a politician, it'll be because I don't know it," this religious leader announced.

He continued: "Taking them (politicians) by and large as a breed, they leave me cold. You wonder how the country survives with these men."

"The fact that God watches over us saves us from most of these fellows. I used to think a Governor or a Senator was a great man, but I long since got over it. He's just cleverer than the next guy, that's all," he concluded.

Now, as a politician, my hide is pretty tough, hardened as it were to the slings and arrows launched for the most part, it seems to me, by the outraged fortunate. But frankly, I would hope that all American political and spiritual spokesmen would also acknowledge the critical role which elected representatives perform in our system of government. In a democracy such as ours the elected representatives, "the politician," has the heavy responsibility of making the decisions which determine how this country will function from day-to-day and from year-to-year.

To the ancient Greeks, "politics" meant "the science and art of government." A politician was, therefore, a scientist, an artist, in government, in the affairs of the state, in meeting human needs, in providing order and continuity for his people. The state, of course, is not self-operating. No matter how satisfactory our Constitution is, no matter how advanced our computers become, human being are and will be required to practice the art of government. Heaven knows some of the practitioners leave something to be desired; but most of them I know spend their time honestly and faithfully trying to make right decisions in a world whose complexity seems more profound every morning.

This is a difficult and demanding task. The character of the persons selected to make these decisions reflect, in large measure, the character of the people they represent.

Is "politician" such a nasty word in our vocabulary? Thomas Jefferson was a politician, so was Andrew Jackson, Abraham Lincoln, Grover Cleveland, Teddy Roosevelt, Woodrow Wilson, Calvin Coolidge, Herbert Hoover, Franklin Roosevelt, Harry Truman, Dwight Eisenhower, and John Kennedy. Must we always reserve the appellation of "statesman" for the politicians of whom we approve, never to admit the simple truth that most statesmen are also politicians?

Fellow political scientists, I am sure you will be interested in several excerpts from a letter which the president of this association, Prof. Carl Friedrich, wrote in response to the attack on politicians which I have just quoted.

To quote from Dr. Friedrich's letter: "It is, of course, a conventional pastime of the 'man in the street' to work off his frustrations by such abuse. But in these times when constitutional democracy in general, and our American Republic in particular, are confronted with the totalitarian challenge to representative government, such reckless misrepresentation of the plain facts ought not to go unanswered."

"Let me then stand up and be counted as one who believes that the large majority of the men serving in the Senate and House of Representatives are dedicated public servants. It has been my privilege as a lifelong student of politics to be personally acquainted with quite a few of these men. I have no hesitation in saying that I have found them men of intelligence, courage, and integrity, and what is perhaps even more important: very hard working."

Speaking for all politicians everywhere, we rise up and thank President Friedrich for this unsolicited endorsement. There is nothing quite like flattery to restore and revive the tired politician. And tonight I feel great.

But we all know the allegation that Congress never gets anything done. Let me quote several news dispatches from the pages of the New York Times.

An outraged member of the Republican Party was quoted as saying, "I will further add that I think it is rather a spectacle, after Congress has been kept in session late in the summer during the past 5 or 6 years, when everybody is tired out, and a great many Senators are absent and more will be absent, for the purposes of considering a measure which I think I am safe in saying no considerable portion of the Senate believes will be enacted into law at this session of Congress."

A related story in the Times noted that, "The President had his jaw set hard today when he let it be known that there was no truth in reports that he had decided to abandon his legislative program. On the contrary, said the President, he intended to push the legislation despite the determined opposition in Congress."

During July the Times printed a dispatch which read, "The Senate has settled down to the serious task of passing the bill as soon as possible and then adjourning. But by August, the tune had already changed." The Times reported, "Congress intends to adjourn October 15 if conditions justify it." The Senate whip, himself, was quoted as saying, "I have to get a general idea of what the Members think on certain subjects. Sometimes I miss the mark a little. This time I know what I am talking about. There will be a recess after the vote on October 16 or 17."

With these news reports the New York Times described the trials and agonies of not the 88th Congress but the 63d Congress as it struggled to enact the historic legislative program proposed by a former president of this association and then President of the United States, Woodrow Wilson.

As scholars and political scientists, we now look back to the 63d Congress of 1913-15

as the golden age of congressional responsibility and accomplishment. Here one Congress recorded such historic legislative achievements as the Underwood tariff, the Federal Reserve Act, the Clayton Antitrust Act, and the Federal Trade Commission Act. Such radical devices of party responsibility as the binding caucus were used by the Democrats in both Houses. President Wilson literally carried his program to Capitol Hill by reviving the long abandoned and almost forgotten practice of delivering the State of the Union address in person.

"A speech from the throne," muttered incensed lawmakers on both sides of the aisle. However, the speech was so successful that President Wilson, while driving back to the White House after addressing the packed joint session, gleefully exclaimed: "I'll bet T.R. wishes he had thought of this."

Yet, if one looks at the day-to-day events which produced the grand accomplishments of the 63d Congress, one is startled to find the similarity with conditions we associate with our present situation; namely, stalemate, frustration, revolt, and turmoil. But in discovering these similarities we also begin to appreciate the realities of the legislative process.

As assistant majority leader I can also appreciate the plaintive words of the Senate majority leader in the 63d Congress, Senator John Worth Kern, of Indiana, as he surveyed an almost empty Senate Chamber:

"At this time there is not a quorum in the city. There may be a quorum on Monday * * * but at this time there is no use in going through the idle ceremony of meeting here when there is not a quorum in attendance." Senator Henry Ashurst, of Arizona, his antagonist in this colloquy, snarled in reply: "I join with those who say we ought not to pingpong about from Thursday to Monday, then from Monday to Thursday. Let us diligently take up subjects of legislation and treat them as they should be treated, or have the nerve and pluck to adjourn."

If Senator Kern had the nerve and pluck as Senator Ashurst described, the magnificent record of the 63d Congress would never have been compiled. The Nation would never have reaped the abundant harvest of the new freedom. Senator Kern didn't adjourn; he stayed.

I cite these anecdotes about the 63d Congress to suggest that legislating has never been an easy, orderly task, and never will be. As the four recipients of the congressional Distinguished Service Award know so well, the legislative process is a tedious, demanding, frustrating, and harsh taskmaster.

If you want to wear yourself out, just run for Congress and win.

As the crises of our time accelerate the tendency toward decisionmaking solely by the executive branch of the Government, it becomes increasingly important, in my opinion, for Congress to participate more actively in these decisions. The Congress is the public forum. It is the voice of the people.

Like it or not, there are 190 million persons represented on Capitol Hill. Who is so brash and foolish to claim the total omnipotence of one group or section of these people over another?

For our democratic system to remain healthy and vital in the demanding years ahead, we must reach decisions that reflect the entire Nation. Congress must provide itself with the institutional tools to become more of a participant and less of an observer in the formulation of long-term foreign and domestic policy. I have proposed the creation of joint committees in the area of national security policy and international trade which would permit precisely such congressional participation. There are other areas, such as appropriations, which should be re-examined for possible procedural reform.

In the final analysis, the fundamental criterion by which to judge the operations of

Congress is, in my opinion, whether or not Congress is seeking to resolve the truly critical issues of the day. To illustrate, let me return briefly to the 63d Congress. Why did this Congress, as opposed to the 60th, 61st, or 62d, go down in history as one of this Nation's greatest? The answer is clear: the 63d Congress hammered out solutions to the truly critical problems which gripped the Nation, the problems of business responsibility in the 20th century, the problem of trade with foreign nations, and the problem of a banking system designed to meet the needs of an industrialized society. Nothing was of greater importance in those years. Nothing could have warranted higher priority on the congressional agenda.

The responsible Members of the 63d Congress understood that their task must be the passage of effective legislation in these areas. Not every Member of Congress understood this, some were openly hostile, some criticized without offering constructive alternatives, some derided the President because all was not accomplished immediately. But these critics only displayed their own lack of appreciation for the magnitude of the task at hand. In the end, Congress met its responsibilities fully. The new freedom silenced the critics forever.

I predict that the 88th Congress will assume a comparable place in history. Why do I make this prediction?

For this fundamental reason: As in the days of Woodrow Wilson, the Congress is now engaged in matters of historic dimension, issues which will shape the nature of American society and the world for years to come.

What are these critical issues? I would list three. First, do we possess the courage and determination to preserve our Nation and the rest of mankind from nuclear annihilation while simultaneously defending freedom and democracy? Second, are we sufficiently committed to the ideals of American democracy that we will banish racial prejudice and discrimination from these shores forever? Third, do we possess the wisdom and commonsense to capitalize fully on our free enterprise system, to achieve its full measure of economic growth and to eliminate unemployment?

These are the critical issues before the United States. And it is no accident that the top priority items on the agenda of the 1st session of the 88th Congress are the test ban treaty, the civil rights bills and the tax cut. Congress must learn and act on a new "three R's"—ratification, racial equality, and revenues.

Just as the 63d Congress found the path of achievement to be long indeed—President Wilson held the 63d Congress in session for almost 24 consecutive months—the 88th Congress will be one of almost continuous labor.

This week I alerted my colleagues that I expect Congress to remain in session until Christmas. We expect to ratify the nuclear test ban and complete action on the civil rights and tax bills before this first session adjourns. We will pass a variety of education bills as well. There will be no wavering or turning back from these paramount objectives. There will be no "equivocation or tokenism," as certain critics of the administration have charged. There will be nothing but resolute determination that each of these matters must be completed. And they must be completed in this Congress. We will accept nothing less.

We begin floor debate on the limited test ban treaty on Monday. Seldom have I participated in a more thorough and comprehensive examination of a foreign policy proposal. It is now clear that Congress will ratify by an overwhelming majority this extremely significant advance in the process of peace. We are not overly sanguine on the impact of this treaty on the future of the world. But we cannot afford not to take

this step, for here, in 1963, mankind has the opportunity to step back from the abyss of nuclear annihilation and say, "It shall never come to pass."

On civil rights the President and his congressional leaders have pledged that a truly effective bill will pass this session. We have served notice on all who oppose the President's bill that we are prepared to fight until a significant victory has been achieved. If the bill is filibustered in the Senate, we will break the filibuster. I have spent my entire Senate career working for such legislation. We will not turn back now.

Let those who question the sincerity of President Kennedy and his supporters in Congress be prepared to stand with us in this coming struggle. I deeply regret that certain persons have felt it necessary to use the question of human freedom as a vehicle for personal political advancement. Nevertheless, let us now mutually vow to remove this question from the partisan political arena altogether and seek to banish the stain of racial injustice from our soil forever. We intend to win this fight and we will.

Let the word go out—test ban treaty, civil rights, and tax cut; these will guarantee the 88th Congress a proud place in the history of America.

While decisions of this magnitude cannot be taken easily, quickly or superficially, they will be done in 1963. They will testify that Congress still is a principal contributor to the "glorious misery" of our democratic system.

We are told today, as Woodrow Wilson, the political scientist, asserted years ago, that Congress is archaic, illogical and inoperable. Yet this Senator says the system has worked and it will continue to work as long as this Nation is blessed by public servants such as those who are honored here this evening. It is my great privilege to serve with these distinguished Members of Congress and I am personally honored to have been given the opportunity to participate in this awards ceremony.

DEATH OF JUDGE CHARLES N. PRAY

Mr. MANSFIELD. Mr. President, I am sorry to announce to the Senate the passing of Judge Charles N. Pray, of Great Falls, Mont., a former Member of the House of Representatives, and the father of Glacier National Park. He made many contributions to the development of the great State of Montana and the Nation.

Out of respect to this great man, I ask unanimous consent to have printed in the RECORD various newspaper articles and editorials relative to Judge Pray's manifold accomplishments.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Great Falls (Mont.) Tribune, Friday, Sept. 13, 1963]

FATHER OF GLACIER PARK, RETIRED JUDGE PRAY, 95, DIES

Charles N. Pray, 95, retired Federal judge and dean of U.S. district court judges, respected throughout the West for his distinguished service as a jurist, died at his home, 1401 Fourth Avenue North, Thursday afternoon.

Respected throughout the Nation for his ability and devotion to the public good, Judge Pray retired from the Federal bench in 1957 when he was 88, after more than 33 years as Federal judge. He was appointed by President Calvin Coolidge, January 21, 1924.

In the years between his retirement and his death, Judge Pray was honored many

times for his long and active career. He was a guest speaker at the 1960 Governor's Convention in Glacier Park, and earlier in the year was guest of honor at a Kalispell dinner celebrating the park's 50th anniversary. He was unable to attend a legal conference at Glacier Park this summer.

In addition to his activities while a Federal judge, Pray was known as the "Father of Glacier Park" for his efforts toward establishment of the 1-million acre park while he was a Member of the U.S. House of Representatives from 1907 to 1913.

MANY TRIBUTES

Upon his retirement announced January 17, 1957, by President Eisenhower, Judge Pray was accorded tribute by the President, Members of both Houses of Congress, fellow lawmen and newspapermen throughout the State.

Men of legal stature added to tributes paid the distinguished jurist. Judge William J. Jameson, former American Bar Association president, appointed by President Eisenhower to succeed Pray, said in part: "Throughout his distinguished career as a jurist, Judge Pray has exhibited those qualities which make a great judge—humility, a sound and proper sense of values, unquestioned integrity and intellectual honesty. He has been a diligent worker. He has tempered firmness with kindness, justice with mercy."

At its 58th annual commencement in 1955, Montana State University conferred an honorary doctor of laws degree on Judge Pray as a distinguished jurist and for his service to both State and Nation.

BORN IN NEW YORK

Judge Pray was born in Potsdam, N.Y., April 6, 1868. He grew up in Middlebury, Vt., where he very nearly attended one of the service academies rather than taking up a law career.

He received an appointment from Representative James F. Stewart but at the last minute found there were no vacancies and was advised by Stewart to wait another year when the appointment would be made good.

Instead, he attended Middlebury College, taking a Latin, science curriculum. At the end of the school year he talked with a friend who had just graduated from West Point and received such a dismal report he abandoned the service school idea.

In his sophomore year at Middlebury, he left during February and went to Chicago, where a friend had obtained for him a job as reporter for the Morning Record, forerunner of the Daily News.

TRIED ACTING

As a reporter, he covered three theaters and made friends with actors and playwrights. He succumbed to that lure temporarily and for 6 months was a member of a stock company touring the Midwest.

During that time, the leading man was stricken just as the play was to go on, before a packed house. The director wanted to cancel the performance and refund the audience's money, but Pray offered to take the role and finally convinced the director.

Later he went to another company and, although still quite young, took over the lead in that company's play. He held the job for 5 months until a job opened in the Chicago courthouse which would permit him to study law at night.

After 2 years, he received a bachelor of law degree from the Chicago College of Law and practiced in that city from 1893 to 1895.

In 1896 he came to Montana, settling first in Fort Benton where he became associated with John Donnelly, who was a Civil War veteran and had headed a raid into Canada when the Fenian Movement tried to annex all of Canada to the United States against the wishes of the United States.

WED IN FORT BENTON

He married Edith C. Wackerlin June 20, 1901, in Fort Benton. She preceded him in death here May 28, 1951.

From 1899 until 1906 he served as prosecuting attorney at Fort Benton. Pray was elected to the U.S. House of Representatives in 1906, when Montana elected only one person to serve as Representative at Large, and served from 1912 in the 60th through 62d Congresses.

His election in 1906 as a Republican was achieved over another famous Montanan. His Democratic opponent for Representative was the late Thomas J. Walsh, who later was elected U.S. Senator, lost the election to Pray by more than 23,000 votes.

While in Congress he served on the House Committee on Alcoholic Liquor Traffic, Mines and Mining, and Public Lands.

These committees passed the 3-Year Homestead Act and established the Bureau of Mines. One of them assisted in passage of the "20 million certificate bill," which furthered irrigation projects in the Western States. Pray also had a strong interest in establishment of the postal savings system.

Many of Pray's congressional speeches, and the subject of many bills he introduced, had to do with questions of the public lands. He was author of various resolutions regarding entry on homestead lands and authorizing land surveys in Montana.

AUTHORED REPORTS

In the congressional sessions of 1909 and 1910 he was author of reports by the Committee of Public Lands recommending establishment of Glacier National Park, and in the 62d Congress he authored H.R. 1679, authorizing the Government to accept the cession of lands constituting the present million-acre park.

He was defeated in quest of reelection in 1912 by the late John M. Evans by a margin of 995 votes. His margins in the 1908 and 1910 elections had been equal to that of 1906.

Upon leaving Congress, Pray returned to the practice of law in Montana, as a member of the firm of Pray, Callaway, and Toole at Great Falls, where he has lived since.

In 1916, he received the Republican nomination for U.S. Senator but was defeated by the incumbent, Henry Lee Myers.

He remained in private practice until he was appointed District Judge for Montana by President Coolidge January 21, 1924. When he retired 33 years later, at the age of 88, he was the dean of U.S. District Court judges.

Among honors extended the veteran jurist and attorney were his election as president of the Ninth Circuit District Judges Conference in 1952, 1953, 1954, 1955, and 1956.

Although he officially had retired in 1957, Judge Pray, as provided for by law, carried on judicial work here. Federal law states a Federal judge never completely retires as he shall continue to serve in cases he is willing to undertake.

There are no close relatives. Funeral arrangements are pending from George Co. Chapel and will be announced.

[From the Great Falls (Mont.) Tribune, Sept. 13, 1963]

OFFICIALS EXTOLL PRAY: OUTSTANDING AMERICAN

HELENA.—The Governor and Montana's Supreme Court justices joined Thursday in issuing statements of regret over the death of retired U.S. District Judge Charles N. Pray, of Great Falls.

Gov. Tim Babcock called Pray one of the outstanding Americans of the century.

The State's highest judges described him as a man of unyielding principles.

In a statement released through his office, Babcock said:

"In the passing of Judge Pray, Montana has lost one of her most venerable and beloved citizen, a nationally respected judge, and one of the outstanding Americans of this century."

"Judge Pray was one whose achievements and whose contributions to his fellow man will long survive him. His inspirational influence will be felt for many generations to come."

"It is fitting that Glacier National Park should stand as a living memorial to Judge Pray, who was instrumental in that beautifully scenic region being set aside for people from all the world to enjoy."

"No greater memorial to any man could exist."

The supreme court justices said, in part: "With sincere and deep regret, the justices of the Montana Supreme Court learned of the passing of the Honorable Charles N. Pray. * * *

"He trained his mind to a severe and impartial discipline. As a judge, he presented his views to his fellow men such as not to offend them. Yet with all, he was firm in his convictions and when any of his high principles were in jeopardy, he was unyielding. He loved justice, a real justice that was tolerant and humane. Montana has lost, in the passing of Judge Pray one of its finest citizens. We shall miss him."

[From the Great Falls (Mont.) Tribune, Sept. 14, 1963]

MONTANA MOURNS THE PASSING OF TRULY GREAT U.S. JURIST

In the death of U.S. District Judge Charles N. Pray, Montana has lost one of its finest and most distinguished citizens. Through his long career as a Federal judge he was accorded many well-deserved National, regional, and State honors. Upon his retirement in 1957, high tribute was paid him by President Eisenhower, Members of both Houses of Congress, fellow lawmen, and by Montana newspapers.

In addition to his reputation as a jurist, he was known as the "Father of Glacier Park." Serving in Congress prior to his judicial appointment, he championed and authored the House bill which established this million-acre national park.

He was a truly great judge—one who exemplified the highest standards of judicial performance. He was humane in the administration of justice, yet firm in his principles and convictions.

His illustrious example will remain an inspiration and guiding light for American jurists at all levels.

MONTANA'S ELITE CORPS—THE MONTANA SMOKEJUMPERS

Mr. MANSFIELD. Mr. President, Missoula, Mont., boasts of being the largest smokejumping center in the Nation. It is one of eight such facilities operated by the U.S. Forest Service.

The elite corps of 175 are on standby throughout the summer, ready to combat the most devastating of all threats to our national forests, the uncontrolled forest fire. The chosen few are physically fit and experienced, and willingly submit to the rigors of the smokejumpers school and the hazards of fighting timber fires.

A recent issue of the Christian Science Monitor contains an excellent feature on the Montana smokejumpers, and I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Ⓟ No Time for Rebuttal

Manhattan

Dr Frank Graham
"U" North Carolina

Remarks by Senator Hubert H. Humphrey before
the 59th Annual Meeting of the

American Political Science Association, September 6, 1963

New York City

File

Ⓟ Privilege
not Democratic
like a Republican

Ⓟ Long speeches
but I enjoy
my speeches

THE ROLE OF CONGRESS IN THE AMERICAN POLITICAL SYSTEM

Mr. Chairman--my good friend and advisor, Max

Kampelman--President Friedrich, President-elect Pritchett, Bill Benton

and my good friend and fellow Minnesotan, Evron Kirkpatrick,

my colleagues from Capitol Hill, and fellow members of the

American Political Science Association. It is indeed an honor,

privilege, and--I might add--surprise to participate in this

ceremony to announce the four recipients of the Congressional

Distinguished Service Awards for the 87th Congress. I say

surprise because, as some of you may recall, I was also

scheduled to perform a similar function two years ago in

St. Louis when the awards for the 86th Congress were presented.

Mr Saltmshill
Anderson
Cong
mahon
curtis

"Non-Partisan gathering. Rockefeller spoke here.
We have something in common
neither of us got to be President in 1960
" " " " in 1964

At the last moment my bill to establish the Arms Control
and Disarmament Agency was called up for action and I had
to send my ~~deep~~ regrets ^{and Max Kampelman.} But Max Kampelman performed
what had already become for him a most accustomed role--
namely filling in for Hubert Humphrey. Reports have it
that he delivered a magnificent address on the role of
Congress in the American political system.

I am here tonight to expand on Max's thesis. For
~~some unfounded reason Humphrey is occasionally accused of~~
~~running behind schedule. While I must admit there is a~~
~~scintilla of truth to this allegation, this is the first~~
~~time I recall where I have been running a whole Congress~~
~~behind. It is a thrilling and exhilarating experience to~~
~~be with you this evening.~~

X²
remarks which take
credit for prepared because
I taught
him this
because
Humphrey
Politics.

I am particularly pleased to participate in this
bi-annual ceremony when the Congressional Distinguished
Service Awards are presented to the four outstanding House
and Senate members. ^{our} ~~my~~ former colleague from Connecticut--
the Honorable William Benton--has graciously ^{and generously} provided the
Association with the resources ^{AND IMAGINATION} which make these awards
possible. Bill Benton took the initiative--a well-known
characteristic of this outstanding American--because he
believed--as I believe--that Congress ~~still~~ ^{vital} has a role to
play in the governing of this Nation. He believed--as I
believe--that outstanding service in our national legis-
lature should not go unrewarded and unrecognized. He
believed--as I believe--that while the role of Congress has
undergone profound transformations since the Founding Fathers

A great
Honor

drafted Article I of the Constitution in the spring and summer of 1787, the fate of the Nation is as much dependent upon the decision of Congress today as it was then. In fact, as the problems and responsibilities of government have grown, the duties assigned to ^{the} ~~an already overworked~~ Congress have steadily expanded.

↙ Certain sophisticates make a profession of scoffing at the notion of the separated powers, implying that Congress has been left behind by the sweep of present day events and challenges. ↙ Speaking as one who has frequently criticized many aspects of congressional organization and procedures, I nevertheless must also stand up and be counted as one who sees the legislative process as embodying the heart and soul of American politics.

↙ Democratic government has never been easy. This is why so few nations have been successful at it for any

sustained period of time. It is, so to speak, "a glorious
misery". I believe it was Winston Churchill who said,
"Democracy is the worst ^{possible} form of government except all others."

It is the system which is always supposed to be on the
verge of failing, always there with too little, too late.

The same is said of Congress. And yet, at least in this
Nation, the "glorious misery" is still with us. So is Congress.

Certainly we do not lack for critics. Several months ago one of the ~~better known religious leaders of America~~ *a well known speaker and writer,*

Dr. Norman Vincent Peale

had a grand time taking politicians to task, particularly

those elected to Congress. Let me quote several of his remarks, as reported by the Associated Press:

"If in the future I get within gunshot of a politician, it'll be because I don't know it," this religious leader announced.

He continued: "Taking them (politicians) by and large as a breed, they leave me cold. You wonder how the country survives with these men."

"The fact that God watches over us saves us from most of these fellows. I used to think a Governor or a Senator was a great man, but I long since got over it.

He's just cleverer than the next guy, that's all," he concluded.

Now, as a politician, my hide is pretty tough, hardened
as it were to the slings and arrows launched for the most

part, it seems to me, by the outraged fortunate. But

frankly, I would ~~have hoped this religious leader might~~

would also
~~also have~~ acknowledged the critical role which elected

representatives perform in our system of government. In a

democracy such as ours the elected representative--"the

politician,"--has the heavy responsibility of making the

decisions which determine how this country will function from

day-to-day and from year-to-year.

To the ancient Greeks, "politics" meant "the
science and art of government." A politician was, therefore,

a scientist, an artist, in government ⁱⁿ the affairs of the

state, in meeting human needs, in providing order and

continuity for his people. The state, of course, is not

self-operating. No matter how satisfactory our Constitution is, no matter how advanced our ^hcomputers ^Abecome, human beings are and will be required to practice the art of government. Heaven knows some of the practitioners leave something to be desired; but most of them I know spend their time honestly and faithfully trying to make right decisions in a world whose complexity seems more profound every morning.

This is a difficult and demanding task. The character of the persons selected to make these decisions reflect, in large measure, the character of the people they represent.

Is politician such a nasty word in our vocabulary?

X [Thomas Jefferson was a politician, so was Andrew Jackson, Abraham Lincoln, Grover Cleveland, Teddy Roosevelt, Woodrow Wilson, Calvin Coolidge, Herbert Hoover, Franklin Roosevelt,

Harry Truman, Dwight Eisenhower, and John Kennedy.] Must we
always reserve the appellation of "statesman" for the
politicians of whom we approve, never to admit the simple
truth that most statesmen are also politicians?

political scientists,
Fellow ~~politicians~~ [^] I am sure you will be interested
in several excerpts from a letter which the President of this
Association--Professor Carl Friedrich--wrote in response
to the attack on politicians which I have just quoted.

To quote from Dr. Friedrich's letter: "It is, of
course, a conventional pastime of the "man in the street"
to work off his frustrations by such abuse. But in these
times when constitutional democracy in general, and our
American Republic in particular, are confronted with the
totalitarian challenge to representative government, such
reckless misrepresentation of the ^{*plain*} ~~fact~~ facts ought not to
go unanswered.

"Let me then stand up and be counted as one who believes that the large majority of the men serving in the Senate and House of Representatives are dedicated public servants. It has been my privilege as a life-long student of politics to be personally acquainted with quite a few of these men. I have no hesitation in saying that I have found them men of intelligence, courage and integrity, and what is perhaps even more important: very hard working."

Speaking for all politicians everywhere, we rise up and thank President Friedrich for this unsolicited endorsement.

There is nothing quite like flattery to restore and revive the tired politician. ^{tonight} And I feel great!

^{the allegation} But we all know that Congress never gets anything done. Let me quote several news dispatches from the pages of the New York Times.

- 11 -

An outraged member of the Republican party was quoted as saying, "I will further add that I think it is rather a spectacle, after Congress has been kept in session late in the summer during the past five or six years, when everybody is tired out, and a great many Senators are absent and more will be absent, for the purposes of considering a measure which I think I am safe in saying no considerable portion of the

-12-
28

Senate believes will be enacted into law at this session of Congress;..."

A related story in the Times noted that, "The President had his jaw set hard today when he let it be known that there was no truth in reports that he had decided to abandon his legislative program. On the contrary, said the President, he intended to push the legislation despite the determined opposition in Congress..."

During July the Times printed a dispatch which read, "The Senate has settled down to the serious task of passing the bill as soon as possible and then adjourning. But by August, the tune had already changed. The Times reported, "Congress intends to adjourn October 15 if conditions justify it." The Senate Whip, himself, was quoted as saying, "...I have to get a general idea of what the members

-13-
me

think on certain subjects. Sometimes I miss the mark a little. This time I know what I am talking about. There ^{depths} will be a recess after the vote on October 16 or 17..."

But by October 23 the news read, "Leaders of both parties in Congress tonight admitted that the Southerners who prevented adjournment sine die had absolute control of the situation and could hold Congress here, if they desired, until after the election..."

With these news reports the New York Times described the trials and agonies of not the 88th Congress but the ¹⁹¹⁵ 63rd Congress as it struggled to enact the historic legislative program proposed by a former President of this Association and then President of the United States, Woodrow Wilson.

As scholars and political scientists, we now look back to the 63rd Congress of 1913-1915 as the golden age of

Congressional responsibility and accomplishment. Here one Congress recorded such historic legislative achievements as the Underwood tariff, the Federal Reserve act, the Clayton Antitrust Act, and the Federal Trade Commission Act. Such "radical" devices of party responsibility as the binding caucus were used by the Democrats in both Houses.

President Wilson literally carried his program to Capitol Hill by reviving the long abandoned and almost forgotten practice of delivering the State of the Union address in person.

"A speech from the throne," muttered incensed lawmakers on both sides of the aisle. However, the speech was so successful that President Wilson, while driving back to the White House after addressing the packed joint session, gleefully exclaimed: "I'll bet T.R. wishes he had thought of this!"

Yet, if one looks at the day-to-day events which produced the grand accomplishments of the 63rd Congress, *the similarity with the conditions here* one is startled to find ~~certain aspects of life we normally~~ associate ~~only~~ *situation* with our present ~~condition~~, namely, stalemate, frustration, revolt and turmoil. But in discovering these *similarities* ~~things~~, we also begin to appreciate the realities of the legislative process.

also
As assistant majority leader I can appreciate the plaintive words of the Senate majority leader in the 63rd Congress, Senator John Worth Kern of Indiana, as he surveyed an almost empty Senate chamber:

"...At this time there is not a quorum in the city. There may be a quorum on Monday...but at this time there is no use in going through the idle ceremony of meeting here when there is not a quorum in attendance..." Senator Henry Ashurst of Arizona, his antagonist in this colloquy,

-16-
HMM

sarled in reply: "I join with those who say we ought not to ping pong about from Thursday to Monday, then from Monday to Thursday. Let us diligently take up subjects of legislation and treat them as they should be treated, or have the "nerve and pluck" to adjourn."

If Senator Kern had ~~such~~ ^{the} "nerve and pluck" as Senator Ashurst described, the magnificent record of the 63rd Congress would never have been compiled. The Nation would never have reaped the abundant harvest of the New

Freedom.

Senator Kern didn't adjourn, he stayed.
~~and the Senate legislated~~

I cite these anecdotes about the 63rd Congress to suggest that legislating has never been an ^{orderly} easy task, and never will be. As the four recipients of the Congressional Distinguished Service Award know so well, ~~the~~ legislative process is a tedious, demanding, ^{frustrating} and harsh task master.

ADA

If you want to wear yourself out, just run for Congress

and win!

#

As the crises of our time accelerate the tendency toward decision-making solely by the executive branch of the government, it becomes increasingly important--in my opinion--

for Congress to participate more actively in these decisions.

The Congress is the public forum - it is the voice of the People.

Like it or not, there are 190 million persons represented

on Capitol Hill. Who is so brash and foolish to claim the

total omnipotence of one group or section of these people

over another?

For our democratic system to remain healthy and vital

in the demanding years ahead, we must reach decisions that

reflect the entire Nation. *and* Congress must provide itself

with the institutional tools to become more of a participant

and less of an observer in the formulation of long-term


Equip ourselves


-18-
1/22/66

foreign and domestic policy. I have proposed the creation of joint committees in the area of national security policy and international trade which would permit precisely such Congressional participation. ^{and} There are other areas, such as appropriations, which should be reexamined for possible procedural reform.

In the final analysis, the fundamental criterion by which to judge the operations of Congress is--in my opinion--whether or not Congress is seeking to resolve the truly critical issues of the day. To illustrate, let me return briefly to the 63rd Congress. Why did this Congress--as opposed to the 60th, 61st, or 62nd--go down in history as one of this Nation's greatest? The answer is clear: the 63rd Congress hammered out solutions to the truly critical problems which gripped the nation, the problems of business responsibility in the 20th century, the problem of trade with foreign nations,

and the problem of a banking system designed to meet the
needs of an industrialized society. Nothing was of greater
importance in those years. Nothing could have warranted
higher priority on the Congressional agenda.

The responsible Members of ^{the 63rd} Congress understood that
their task must be the passage of effective legislation in
these areas. Not every Member of Congress understood this--
some were openly hostile--some criticized without offering
constructive alternatives--some derided the President
because all was not accomplished immediately. But these
critics only displayed their own lack of appreciation for
the magnitude of the task at hand. In the end, Congress
met its responsibilities fully. ^{and} The New Freedom silenced
the critics forever. 

 I predict that the 88th Congress will assume a
comparable place in history. Why do I make this prediction?

For this fundamental reason: as in the days of Woodrow Wilson, the Congress is now engaged in matters of historic dimension, issues which will shape the nature of American society and the world for years to come.

What are these critical issues? I would list

1 three. First, do we possess the courage and determination to preserve our Nation and the rest of mankind from nuclear

annihilation while simultaneously defending freedom and

2 democracy? Second, are we sufficiently committed to the ideals of American democracy that we will banish racial

prejudice and discrimination from these shores forever?

3 Third, do we possess the wisdom and common sense to capitalize fully on our free enterprise system, to achieve its full measure of economic growth and to eliminate unemployment?

These are the critical issues before the United States. And it is no accident that the top priority items on the agenda of the first session of the 88th Congress are the test ban treaty, the civil rights bills and the tax cut. Congress must learn and act on a new three "r's"--ratification, racial equality, and revenues.

Just as the 63rd Congress found the path of achievement ~~to~~ to be long indeed--President Wilson held the 63rd Congress in session for almost 24 consecutive months, the 88th Congress will be ^{one} ~~be~~ of almost continuous labor.

This week I alerted my colleagues that I expect Congress to remain in session until Christmas. We expect to ratify the nuclear test ban and complete action on the civil rights and tax bills before this first session adjourns. We will pass a variety of education bills as well. There will be no wavering or turning back from ^{these} ~~this~~ paramount ^{objectives}.

~~objectives~~. There will be no equivocation or tokenism--as certain critics of the Administration have charged. There will be nothing but resolute determination that each of these matters must be completed. And they must be completed in this Congress. We will accept nothing less.

We begin floor debate on the limited test ban treaty on Monday. Seldom have I participated in a more thorough and comprehensive examination of a foreign policy proposal. It is now clear that Congress will ratify by an overwhelming majority this extremely significant advance in the process of peace. We are not overly sanguine on the impact of this treaty on the future of the world. But we cannot afford not to take this step, for here--in 1963--mankind has the opportunity to step back from the abyss of nuclear annihilation and say, "It shall never come to pass."

On civil rights the President and his Congressional leaders have pledged that a truly effective bill will pass this session. We have served notice on all who oppose the President's bill that we are prepared to fight until a significant victory has been achieved. If the bill is filibustered in the Senate, we will break the filibuster.

I have spent my entire Senate career working for such legislation. We will not turn back now.

Let those who question the sincerity of President Kennedy and his supporters in Congress be prepared to stand with us in this coming struggle. I deeply regret that certain persons have felt it necessary to use the question of human freedom as a vehicle for personal political advancement.

Nevertheless, let us now mutually ~~vow~~ to remove this question

from the ^{Partisan} political arena altogether and seek to banish the

stain of racial injustice from our soil forever. We

intend to win this fight and we will!

- 24 -
- Mr. -

Let the word go out: test ban treaty, civil rights, and tax cut; these will guarantee the 88th Congress a proud place in the history of America.

While decisions of this magnitude cannot be taken easily, quickly, or superficially, they will be done in 1963. They will testify that Congress still is a principal contributor to *the "glorious misery" of* our democratic system.

We are told today--as Woodrow Wilson, the political scientist, asserted years ago--that Congress is archaic, illogical and inoperable. Yet this Senator says the system has worked and it will continue to work as long as this Nation is blessed by public servants such as those who are honored here this evening. It is my great privilege to serve with these distinguished Members of Congress and I am personally honored to have been given the opportunity to participate in this awards ceremony.

expand ~~the~~ notion of survival

on p 19

enlarge fallout point —
seeking to divert resources into other
areas — have enough for their
move ahead in others

War is too important to be left to the

Generals - Clemens

they don't
want

wild mail —

add in York —
is thinking
present through

must never make of
presumably fall on
the shoulders of
Totalitarian

doesn't mean they
have slackened their
attack through
respite

they understand that
they have enough
to really buy us —



Minnesota Historical Society

Copyright in this digital version belongs to the Minnesota Historical Society and its content may not be copied without the copyright holder's express written permission. Users may print, download, link to, or email content, however, for individual use.

To request permission for commercial or educational use, please contact the Minnesota Historical Society.



www.mnhs.org