SIMEON D. FESS: EDUCATOR

AND POLITICIAN

Vol. I

DISSERTATION

Presented in Partial Fulfillment of the Requirements for the Degree Doctor of Philosophy in the Graduate School of The Ohio State University

By

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This study is concerned with the educational and political aspects of Simeon D. Fess's career, while the personal life of the man is given less attention. Many such studies select a prominent individual for an understanding of history, but in Fess, one finds a most active participant in the controversies of the day, yet, one whose name does not generally appear in American history books. Many people today, when one mentions Simeon D. Fess, do not recall such a personality. This writer found a great amount of interest in the man and his ideas and was especially impressed with his apparent sincerity.

Because of a concern for brevity, many stories and anecdotes, as well as a consideration of Fess's opinion on many subjects, were omitted.

The basic source for the career of Fess is the collection of Fess Papers in the Ohio Historical Society Library at Columbus, Ohio. The papers, which include
approximately 40,000 pieces, 1882-1936, consist of correspondence, speeches, and campaign materials, many of them relating to the Senatorial campaign of 1922. Besides campaign correspondence, the collection contains letters regarding speaking engagements, Fess's stand on issues of the day, and letters from his constituents and family. This collection also includes a small volume of newspaper clippings pertinent to the subject's political activity from 1920-1926. Prior to 1914 there are no copies of outgoing letters, but after that date approximately equal amounts of incoming and outgoing correspondence are to be found. The Fess Papers are relatively meager from 1922 on, as many were burned through human error.

Another valuable collection of Fess Papers is in the possession of Lehr Fess, eldest son of Simeon, who lives in Toledo, Ohio. This collection includes material relating to family history, as well as political correspondence, campaign materials, personal letters, and some newspaper clippings. Both the Ohio Northern University library and the Antioch library were of value, especially the Antiochiana library at Antioch, which included
miscellaneous papers. The *Congressional Record*, 1913-1935, and the newspapers were also major sources for this study. The Library of Congress and the National Archives furnished additional information, although an examination of the Coolidge Papers at the Library of Congress yielded little of importance.

Information provided through personal correspondence and interviews was of great value in a further understanding of Fess. Interviews with Lowell and Lehr Fess shed much light on their father. Acquaintances of Fess, both at Ada and Yellow Springs, especially Clara Brooks, who served as the Fess family cook and housekeeper for thirty years, revealed further insight into the subject. Correspondence with Mrs. A. B. Figgins, a niece of Fess, and with Miss Marjorie Savage and Mrs. Margaret Welsh, both of whom were personal secretaries to the subject, furnished much valuable and pertinent information. Several manuscript collections of the library of the Ohio State Historical Association were of value, especially the papers of Warren G. Harding.

In addition to the above mentioned people, the
cooperation and assistance of several others made this study possible. The librarians of the Ohio Historical Society, especially Kenneth W. Duckett, curator of manuscripts, were most courteous and helpful. Barton F. Snyder, editor and publisher of the Ada Herald, was most courteous in permitting research in the files of that newspaper. This writer is also indebted to Mrs. Elizabeth Whitmore and Miss Cape, librarians at the Antioch College library for their efforts. This author is most appreciative of the assistance of Dr. Francis P. Weisenburger, who not only suggested this study, but also directed and supervised it. Last, but most certainly not least, the author is indebted to Mrs. Marilyn A. Nethers for encouragement and assistance far above and beyond the call of wifely duty.
### VITA

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<td>1962-1964</td>
<td>Teaching Assistant, Department of History, The Ohio State University</td>
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<td>1964</td>
<td>Assistant Professor of History, Murray State College, Murray, Kentucky</td>
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CHAPTER I

YOUNG FESS

Henry Fess, father of Simeon, was born in 1808, probably in Berne, Switzerland and with other members of his family emigrated to the United States during the early thirties where the family settled near Greensburg, in Westmoreland County, Pennsylvania.\(^1\) It was not until the 1890's\(^2\) that Simeon, who was doing Teacher's Institute work at Greensburg, learned about the antecedents of his own father. After delivering a lecture at Greensburg, an elderly gentleman, Jacob Fess, and his daughter came to the platform, introduced themselves, and it was learned that this Jacob Fess was the older brother of Simeon's father. Jacob had not learned of the whereabouts of his

\(^{1}\)Lehr Fess, Historical Sketch of Simeon Fess's early days (typewritten, five-page, unpublished, n.d.), Lehr Fess Papers, hereafter referred to as Lehr Fess, "Historical Sketch."

\(^{2}\)The University Herald, Ada, Ohio, December 18, 1899 states that Fess was in Greensburg doing institute work, so it was probably at this time.
brother until that occasion. There is also the possibility that the name Fess may be derived from the name La Feiz, as it is said that three Fess (La Feiz) brothers left Alsace-Lorraine for America, date unknown, one settling in Canada, another in New York, and one in Pennsylvania. Apparently Henry Fess could be an offshoot of this Pennsylvania clan. The first census of the United States taken in 1790 of Pennsylvania lists a Jacob Fess of Dauphin County, with the information that he was the head of three white males under sixteen and three white females under sixteen. This Jacob Fess, however, could not have been Henry's brother because of the time element; however, Simeon's oldest brother was named Jacob, so perhaps there is some connection. Lehr

3Lehr Fess, "Historical Sketch."

4Letter from Mrs. A. B. Figgins of Arlington, Virginia, a niece of Fess, to Lehr Fess, January 4, 1960, Lehr Fess Papers. Mrs. Figgins stated that a member of her church, a Mrs. Mary Fess's husband, was related to a Jacob Fess in Greensburg and that their family name was derived from the name La Feiz, from Alsace-Lorraine.

Fess, Simeon's son, states that his father always said that his father came from Berne, Switzerland. The Fess name is commonly regarded as Pennsylvania-Dutch.6

It is said that Henry, at the age of fifteen, ran away from home, spending several years as a roustabout on boats plying up and down the river between Pittsburgh and Cincinnati and points beyond.7 In 1847 Henry Fess married Barbara Herring8 in Cincinnati, Barbara being sixteen and Henry thirty-nine. Barbara was born December 2, 1931 in Perry County, Ohio, and her father, Jacob, of German extraction, was born in 1805.9

The Henry Fess family apparently lived in Cincinnati from 1847 to sometime between 1856 and 1859, as the four eldest children (Jacob, born in 1849; Elizabeth, born in 1851; William, born in 1854; and Levi, born in 1856) are listed as being born in Cincinnati, while James, the next

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7Ibid. This story evidently came from the Jacob Fess at Greensburg, Pennsylvania.

8According to information taken from family Bible, Barbara's name was Barbra Harring. Letter from Mrs. A. B. Figgins to Lehr Fess, January 4, 1960. The common spelling of her name, however, was Barbara Herring.

9Lehr Fess, "Historical Sketch."
one, born in 1859, is listed as being born at Harrod in Allen County, Ohio. The family probably moved to Allen County due to the fact that Barbara had relatives there. A John and a Phillip Herring are listed among the earliest land buyers in German Township, coming in the early 1830's. A George W. Herring, a former homesteader, is listed as being "a prominent agriculturalist" of German township, owning 80 acres, and being born in 1869 in German township. His parents, Penrose and Lydia (Hunsaker) Herring, were both natives of Fairfield County, Ohio. George Herring's paternal grandfather was Phillip Herring, who was born in Pennsylvania, coming to Ohio and settling in Allen County as a pioneer. Evidently the two Phillip Herrings are identical.

10Information from family Bible of Barbara Herring in possession of Rhoda Brown, Lima, Ohio, niece of Simeon Fess and daughter of his only sister, Elizabeth. Rhoda Brown to Lehr Fess (n.d. but probably June or July 1952 as reply to a letter of Lehr Fess to Rhoda Brown, June 23, 1952), Lehr Fess Papers.

11German township was changed to American township in 1918.

12History of Allen County (Chicago: Warner, Beers and Company, 1885), 425.

Simeon's father, Henry, died in 1866 and is buried in Lafayette Cemetery, Allen County. Next to Henry's grave is a Jacob Herring, who was Barbara's father and a John Herring, her grandfather. Since the Henry Fess family was very poor at the time of his death it can be presumed that he was buried on the Herring family plot for financial reason; therefore, this information leads one to conjecture that Barbara Herring was related to the Herrings of Allen County and thus was a factor in their moving to Allen County.

At the beginning of the Civil War, December 11, 1861, Simeon D. Fess was born to this poverty stricken family, being the sixth born. James, an older brother had been born in 1859 and two younger brothers, Benjamin, in 1865 and Charles in 1866. Benjamin died in infancy. The four younger children were born at Harrod. Simeon's birthplace was a log cabin which was located a mile or so south of Harrod on the Harrod-West Newton road, in Auglaize township, Allen County.

The family soon afterwards moved into Hardin County.

14 Letter from Rhoda Brown to Lehr Fess (n.d.), Lehr Fess Papers.
15 Ibid.
16 Ibid.; also, copy of a letter from Lehr Fess to Mrs. Oliver Kuhn, of Hartville, Ohio, Lehr Fess Papers.
a few miles away and became tenants on the Ohler farm north of Roundhead. Simeon, writing to a friend after he (Simeon) had become United States Senator, reminisced about his home at Roundhead:

... Roundhead is a wonderfully hallowed memory to me. Just north of your place on what was known as the Ohler farm our family lived, the picture of the most abject poverty imaginable. It was there where I saw the only horse and cow (father then on a sick bed) driven from the place in payment of rent long due. It was near this place in a little graveyard at the bend of the road where a little brother of mine sleeps in an unmarked grave. It was also near there that the family of Uncle Charlie Shocker lived, who were our best friends in those hours of distress, and it was from this community that when I was between three and four years we moved up into Allen County where my father died a few months later. Roundhead is also the place where I cashed the first month's pay in my first school term back in 1861. So you see you are in a very historic place so far as my early associations go.

Henry Fess, who had been sick with lung fever (tuberculosis), died in 1866, soon after returning to the West Newton-Harrod vicinity. At the time of his death the family was probably living in a little frame house, situated

17 The University Herald, Ada, Ohio, January 19, 1900. The University Herald hereafter will be cited as The Herald. Roundhead is near the Allen-Hardin County line, not very far from Harrod.

18 Letter from Fess to Mr. H. D. Hanna, Supt. of Schools of Roundhead, December 2, 1922, Lehr Fess Papers.
When Henry passed away the family doctor, Doctor Thomas, took the family clock off the mantel in recompense for the services he had rendered over the years. Also, "Old Bill Ohler," a neighborhood farmer and probably their former landlord, took the only remaining cow in payment for a debt.21

Barbara, now destitute and left with several children, was forced to sell some of the furniture to meet expenses.22 The family also depended upon the support of Jacob, then 17, and William and Levi. Elizabeth (Lizzie), Simeon's only sister, helped her mother in the humble home and garden until she married George Brown in 1871.23 Soon after Lizzie's marriage, the mother suffered a serious illness and Jacob, with whom she and the younger children were

19Personal interview with Mrs. Morton Turner, West Newton, Harrod, Route 1. Mrs. Turner, a former pupil of Fess at O.N.U. can remember the house. From personal observation, the house is no longer in existence, now being a wooded vacant lot. Lehr and Lowell Fess, Fess's sons, do not know exactly where their father lived at this time.

20No relation to Fess's future father-in-law, Dr. Thomas, of Rushville, Ohio.


22Letter from Mrs. A. B. Figgins to this writer, March 22, 1964.

23Lehr Fess, "Historical Sketch,"
then living, asked Lizzie if she would take the mother and Charles, the youngest child. The township trustees, learning of the breakup of the household and condition of the family, offered assistance. When Simeon, then ten, overheard of the plan to place him in the children's home, he ran out of the house to the back of the field where his sister Lizzie found him sitting on the fence crying. Feeling sorry for him, she invited him to accompany his mother and Charlie to her home. The older Fess boys were now hired hands doing chores for the local farmers.  

Simeon lived with the Browns until he was fifteen or sixteen years old, working for his room and board and attending the West Newton district schools in the winter.  

Elizabeth Brown, his sister, years later after Simeon had become Senator, remembered Simeon as a young lad in her home:

> He was always quiet and studious. He went to the country school near our home, sometimes having to stop in the summer to help with the farm work. We couldn't afford to give him the advantages he should have had, but in spite of difficulties he educated himself. Sometimes he played with other boys in the neighborhood, but most often when not working he was at home reading.  

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24 Ibid., and Rhoda Brown to Lehr Fess (n.d.), Lehr Fess Papers.


26 *The Lima Star and Republican Gazette*, April 8, 1928, interview with Mrs. Elizabeth Brown.
Simeon recalled years later to a friend one of his youthful experiences:

It harks back to the days, when, as a barefoot boy, visiting at Uncle Reuben's. I remember distinctly how good you were in giving us cookies. If I remember right it was through you that I got my first straw hat. It is a very long time from those days to this. During that period many things have occurred and many friends have been made, but no friends are more appreciated than those who were friends when we most needed the friendship.  

Simeon, as a boy and as a man, affectionately called his sister, Aunt Lizzie, and she referred to him as Simmy. She later recalled: "Simmy never went to the barn dances that were so popular, . . . but whenever there was a spelling bee he was right there." Simmy enjoyed staying at home and studying, reading everything he could find about Abraham Lincoln. Fess, later became well informed on Lincoln, delivering hundreds of lectures about him at Teachers' Institutes, church affairs and numerous other

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27 Letter from Fess to Jack McCoulry of Ada, November 2, 1925, Fess Papers, Box 27, Folder 4, located at the Ohio Historical Association, Ohio State Museum, Columbus, Ohio. Hereafter this collection will be cited as Fess Papers.

28 Lima Star, October 16, 1927. Article written by Elisabeth Cheney, "Lima Aunt of Fess Tells of Struggles to Gain Education."

29 Ibid.
occasions. The sister, Lizzie, afterwards said:

I remember many evenings when Mr. Brown used
to come home late from his work, often at 11 or
12 o'clock and I wouldn't serve supper until he
came. Simmy was hungry but he never complained.
He'd sit and study and never say a word about
wanting his supper.31

Fess as a Senator recalled the "hunger" of his youth.

"Many a night I have gone to bed hungry, . . . but that was
one of the things that made me resolve to be somebody some
day."32 Simeon's first school teacher was W. D. (Billy)
Peeple. Fess said that Billy Peeple was the one who set
him on his career, giving him his first books and inspiring
him to learn.33

When he reached sixteen, Fess began working on the
neighboring farm, doing odd chores, receiving five dollars
a month the first year, but increasing his earnings to nine
dollars the second year and twenty dollars thereafter. He,

30 Fess's institute work and lecturing will be dis­
cussed later.

31 Ibid.

32 Copy of an interview with Fess on October 16, 1927,
at Yellow Springs by George E. McCormick, ed. the Lima Star
and Gazette, Antiochiana file, Yellow Springs, Ohio.

33 Ibid.
however, continued his schooling during the winter. Two of the farms on which he worked regularly were owned by a James Hay and a man by the name of Davison. James Hay also owned the general store in West Newton, and was Postmaster, the Post Office being located in the store. Although Simeon lived with the Browns, he, at times, spent long evenings or perhaps the night at the Davisons or Hays, especially the Davisons. The Davisons and Hays made a profound impression upon young Fess and greatly influenced his future. Lehr Fess, Simeon's eldest son, stated that his father, "was fond to relate how Davison, Sr., after supper, would gather the family around the hearth and discuss public affairs and the opportunity offered by [an] education. He [Davison] also had the knack of provoking discussion and debate."

The elder Davison had a son, John Davison, who was

34The Herald, January 16, 1900, and The Ohio Mason, Columbus, April 21, 1933.

35Lehr Fess, "Historical Sketch." There are many references to the influence of the Davisons on Fess's career.

36Ibid.
three years older than Simeon. The younger Davison graduated from Ohio Normal University\textsuperscript{37} at nearby Ada in 1879, becoming a school teacher in the West Newton vicinity.\textsuperscript{38} He taught Simeon at Alger High School, Simeon being greatly influenced by his teaching and his friendship. John Davison's son recalled the influence of his father on Simeon. "I recall further, my father telling me that he encouraged your father [Simeon] to go with him to Ohio Northern University at Ada and that your father roomed with my father for at least a term or two at Ada."\textsuperscript{39} Fess later said that W. D. Peeple inspired me to want an education, but through my contact in after years with John Davison I was made to see that it was my duty to get an education. "W. D. Peeple planted the seed and John Davison saw that it developed and blossomed."\textsuperscript{40}

Simeon's middle name of Davidson (Davison) was adopted by Simeon due to his respect for John Davison. A

\textsuperscript{37}Now Ohio Northern University.

\textsuperscript{38}Charles C. Miller and Samuel A. Baxter, \textit{op. cit.}, 354.

\textsuperscript{39}Letter from John H. Davison, Jr., to Lehr Fess, July 15, 1952, Lehr Fess Papers.

\textsuperscript{40}Article by George E. McCormick, see n. 32.
humorous incident is related to this adoption. Rhoda Brown, daughter of Elisabeth Brown and niece of Simeon, related that Charlie Fess, Simeon's younger brother, and Simeon, as young boys, were working in the potato patch at the Browns discussing how their classmates had middle initials; whereupon, Charlie said, "I'll be Charles 'Lord' and you Simeon 'Devil'." So they adopted "L" and "D", later making it Lewis and Davison, Simeon selecting Davison because of his respect for John Davison.\(^1\)

While working on the James Hay farm Fess entered the mail service, carrying the mail by hack from West Newton to Lima, a distance of thirteen miles. He was employed by James Hay who maintained the Post Office. Clyde Hay, son of James, related that as a boy he accompanied Fess on several of the trips to Lima, often driving the horses so Simeon could read.\(^2\) James Hay also influenced Simeon to go to college, as Hay's son recalled:

I can remember Father [James Hay] talking to your father at the table and in the evening.

\(^1\)Letter from Rhoda Brown to Lehr Fess, April 23, 1959, Lehr Fess Papers. Rhoda Brown states that Charles Fess told this story to her. There are variations of the "potato patch" story. Davison is often spelled Davidson.

\(^2\)Letter from Clyde K. Hay to Lehr Fess, April 24, 1959, Lehr Fess Papers.
He thought a lot of the boy and he wanted him to make good. His whole aim was to get him in college. There was no one more pleased than my father when he got into high office.43

After completing high school at Alger in 1879 or 1880, Simeon, aged 19, passed the county teacher's examination and was employed to teach the Elder Creek or "Flea Harbor" school south of West Newton.44 His first school paid him thirty dollars a month. Fess, in later life, in trying to instill frugality in his children, frequently related how in his first year of teaching he made 150 dollars and saved 95 of it in order to go to college at Ada.45

Fess began his teaching career while working at the Hay residence. Having saved some money, Fess decided he needed a horse and buggy for teaching purposes. James Hay tried to talk him out of buying a horse, but Fess persisted, finally buying one from a neighbor for 100 dollars. Upon arriving up the lane with his new possession, Hay met him, grabbed the horse by the halter, ran him around the barnyard,

43Ibid.
44Lehr Fess, "Historical Sketch," and letters from Rhoda Brown to Lehr Fess, April 4, 1959; April 23, 1959; May 5, 1959; and July 7, 1959, Lehr Fess Papers.
45Personal interview with Lehr Fess, October 18, 1963.
and noticing him flinch, told Simeon that the horse was not worth a dollar. Simeon asked the reason for the statement, and Hay replied that the animal was weak across the kidneys. Fess was very disappointed, believing that he had wasted his hard-earned money. Hay, however, returned the horse to its former owner and made him refund Fess's money.46

In 1881, a year after he began teaching, Fess entered the Ohio Normal University at Ada, twelve miles from West Newton. Until 1887 he alternated between teaching school and attending Ohio Normal. After teaching at the "Flea Harbor" school he taught at the Auglaize School northwest of West Newton. During the time he lived with George and "Aunt" Lizzie Brown, walking three miles each way to school.47 One cold wintry morning while trudging to school in the snow, the old family doctor, Dr. Thomas, of West Newton, overtook him in his sleigh, invited him to ride, whereupon he tucked him under his robe. After inquiring as to what he was doing, the old doctor gave him a fatherly and encouraging talk. Simeon, later referring to that

46Letter from John K. Hay to Lehr Fess, April 24, 1959, Lehr Fess Papers.

47Letter from Rhoda Brown to Lehr Fess, April 23, 1959.
incident, said that Dr. Thomas had inspired him to persevere. 48

Simeon did his last public school teaching at the West Minister Village School. Soon afterwards, in 1887, he became regularly employed by Ohio Normal University as a tutor and part-time instructor, though continuing as a student, where he graduated in 1889 with highest honors. 49

Three twelve-month teaching certificates issued at Kenton, Ohio, September 23, 1882, April 12, 1884, and February 12, 1887 indicate that Fess had scores of 85 to 100 in United States history; 76 to 90 in English grammar; 80 to 90 in reading; 90 to 100 in arithmetic; 90 in geography; 80 to 95 in orthography; and 85 to 90 in the theory and practice of teaching. 50

Simeon's mother remained a widow for several years, hiring out for housework, but about 1872 she married Andrew Jackson Ritchie, a local widower with several children. Andy Ritchie was employed as a farm hand, woodchopper and ditcher. None of the Fess children ever lived with their

48 Ibid.

49 The Herald, January 19, 1900.

50 Fess Papers, Box 1, Folder 1.
mother and stepfather; however, they remained cordial to Andy and his children. A daughter, Mina, was born to this second marriage. Barbara Ritchie continued living in the West Newton area; however, she died April 23, 1920, in Lima, Ohio, at the home of her daughter, Elizabeth Brown, and is buried in the West Newton Cemetery. Mother Fess Ritchie could neither read nor write, and spoke broken Pennsylvania-Dutch, but she always insisted upon talking to her children in English, and she wanted her children to grow up as Americans and not to be regarded as Pennsylvania-Dutch.

During the time, 1887-1902, that Fess and his family lived at Ada, because of his association with O.N.U., he often made the thirteen-mile trip to West Newton, frequently calling upon his mother and Andy Ritchie. Mrs. Clara

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51 Letter from Rhoda Brown to Lehr Fess (n.d.), op. cit., and letter from Lehr Fess to this writer, March 19, 1964.

52 Letter from Donald Brown, nephew of Fess, to Lehr Fess, December 21, 1959, Lehr Fess Papers. In 1959 Lehr Fess had the gravestones of Fess's mother and father recut to indicate that each of them were his parents.

53 Personal interviews with Lehr Fess, October 18, 1963, and Lovell Fess, March 16, 1964; also letter from Lehr Fess to this writer, March 19, 1964.

54 Letter from Lehr Fess to this writer, March 19, 1964.
Brooks, the Fess family housekeeper at Yellow Springs, related an incident that occurred while Simeon's mother visited Yellow Springs. Dinner was served, but Mother Fess preferred to eat in the kitchen on a "bare table," insisting that she and Simeon had not been raised with a table cloth and luxuries. She, however, was finally coaxed to eat in the dining room with the rest of the family. Simeon, after leaving Ada in 1902 for Chicago and then locating in Yellow Springs, Ohio in 1907, saw his mother rather infrequently, but he at least went to see her once each year until her death.

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55 Personal interview with Mrs. Clara Brooks, September 25, 1963.

56 Personal interview with Lehr Fess, October 18, 1963.
CHAPTER II

OHIO NORTHERN AND THE UNIVERSITY OF CHICAGO

In 1866 Dr. Henry Solomon Lehr began his college teaching at Ada in a "Select School" that was later to become Ohio Northern University. Most of the students in this first school were public school teachers who had received little education beyond the usual public school courses. During the year 1870-1871 the first building was erected and the Northwestern Ohio Normal School was opened for classes on August 14, 1871. The previous summer a meeting had convened in the town hall in Ada, and Dr. Lehr had outlined his plans, to which the community had agreed. The school was to be free from all political and sectarian bias. The community subscription

was in the form of a loan, to be repaid on a fixed schedule.\textsuperscript{2}

The Autumn term of 1871 opened with 147 students, and a teaching faculty of twelve. The courses were organized from the beginning into short terms of ten weeks. Ohio Northern University was the first institution of higher education in America to organize courses by the quarter system with a summer term offered each year. Students could enter or withdraw anytime as finances and circumstances would permit.\textsuperscript{3} Tuition, including board and room, was 28 dollars for a term and 118 dollars for a year of 49 weeks.\textsuperscript{4}

In 1875 the Northwestern Normal School of Fostoria was merged with the Northwestern Ohio Normal School in Ada. In 1885 the school was incorporated and the name changed to the Ohio Normal University. The curriculum was greatly expanded, but the primary function was still to prepare students for public school teaching, with emphasis upon passing the county teacher's examination.

\textsuperscript{2}Ibid.

\textsuperscript{3}Ibid.

The department of engineering was organized in 1882 and was soon followed by the department of pharmacy in 1885 and law in 1886.5

In 1881, following the beginning of his public school teaching at "Flea Harbor," Fess enrolled as a student at the Ada school, continuing as a student until his graduation with a B.A. degree in 1889.6 Because of the small tuition fee and by continuing his public school teaching he was able to support himself. In 1887, President Lehr recognized his superior talents, and he was appointed a tutor and an instructor in history, but he continued as a student.7 This was the end of his public school teaching.

Rhoda Brown, the daughter of Elizabeth Brown, with whom Fess lived, related:

I well remember how mother did his washing while he was in school in Ada, how she dreaded ironing his white shirts. She couldn't make them look like the laundry could and how relieved she was when he was able to get them laundered. Then it was starched collars and pleated bosom stiff

5“A Brief History of Ohio Northern University-1871-1961,” op. cit. These departments, with liberal arts, continue to be the four colleges of the University.


7The Herald, January 19, 1900.
as a board. I finally got to doing them, mother worried so over them. I was only 13 years younger than he. Those shirts were kept in drawers in the lower part of his book-case which he bought new before he was married. It was the nicest piece of furniture in our house but was kept in his bedroom and we were not allowed to touch a book. That was Uncle Simmy's and it must be kept nice. He was so careful himself about his books and that seemed to be his sole enjoyment. He came back on weekends. My father [George Brown] kept a dairy [sic] and it told of "taking Sim to Ada" or "going after him" and there was many a record of the days work he did on the farm. "Sim plowed" or "cut wood" or "farm work."9

After becoming employed by the University, Fess roomed and boarded in the home of President Lehr10 and for a term or two with John Davison, who was then teaching at the University.11

Three literary and debating societies, Adelphian, Franklin and Philomathean (Philo), were the centers of social and educational life at that time, corresponding

8The diary cannot be located.

9Letter from Rhoda Brown to Lehr Fess (n.d.), Lehr Fess Papers.

10Personal interview with Mrs. Sarah Lehr Kennedy at Ada, June 20, 1963. Mrs. Kennedy is the daughter of President Lehr.

to our athletic societies and fraternities of today. Fess
became an active member of the Philos, serving in several
offices, including the presidency and as editor of its
paper, the "Star." 13

Fess was respected and admired by his fellow Philos,
and to honor him the society in 1895-1896 presented a bust
of Fess to the society and the University. It was reported:

Three new, handsome and life-like busts
now adorn our halls; one of the great author,
Carlyle, one of Emerson, , and one that
will be prized by fellow Philos' more than that
of any of the world's greatest men, it being one
of our members, our own loyal and beloved Prof.
S. D. Fess. The likeness is excellent, and from
its position on the stage smiles on us approval
and encouragement. 14

The bust of Prof. Fess (made by Prof. S. H.
Morse) which is life size occupies the most prom-
inent place on the stage and rests on a very
beautiful walnut pedestal three feet in height
and draped in Philo colors. The Philos one and
all are proud of this piece of statuary for it is
a good likeness of the Professor who have [sic]
done so much for Philomathean. 15

There was much friendly rivalry and competition be-
tween the literary societies. This rivalry expressed

12 The Herald, 1886-1902; also personal interview
with Mrs. Sarah Lehr Kennedy, June 20, 1963.

13 The Herald, July 25, 1886; September 1887.

14 Ibid., November 8, 1895.

15 Ibid., January 24, 1896. It is not known what
happened to the bust.
itself in athletics but especially in public debates before
the students, faculty, and community. Members of the
faculty also participated in the debates. Many of the
debates were concerned with controversial issues of the
day, political, social and economic. Fess especially
relished these debates, and he was recognized as an out-
standing participant. He debated such issues as; "Should
the Blair Educational Bill Become a Law?"; "Emigration is
More Detrimental to the United States than Intemperance";
"Capital Punishment"; "That America has Greater Elements
of Perpetuity than England"; "Protective Tariff"; and the
"Pros and Cons of Nationalism."17

The societies also encouraged their members in
oratory. Fess was a frequent speaker on such topics as
"Anti-Darwinism"; "The Plan of the Ages"; "Oregon and
Destiny"; "Early History of Ohio"; and "Lincoln in History."18
These debates and oratory were valuable training and ex-
perience for an educator and a politician, and Fess

16 The Herald, 1886-1920.
17 Ibid.
18 Ibid.
frequently referred to the great value that he had gained from debating and public speaking at O.N.U. 19

From 1884 to 1885 Simeon was enrolled in the scientific course; from 1886 to 1887 in the junior classical course; and from 1888 to 1889 in the classical course, graduating with an A.B. degree in the classical course in July 1889. 20 For his outstanding ability he was elected an honorary member of the graduating class:

S. D. Fess was selected as our honorary member in the graduating class this year. In this selection the society has all the promises of being well represented. Mr. Fess is one of those members whom old Philo's visiting commencement will be pleased to see and hear. 21

Fess's honorary oration was entitled, "Individuality in Culture." The following are some quotations from his oration:

Individuality is the one indispensable condition of a consistent development, whether it be on moral, political, social or religious culture. Individuality requires that we be natural.

19 Fess's introduction into politics and his work as a lecturer will be discussed in a later chapter.

20 *The Herald*, 1886-1889; also unpublished (n.d.), handwritten paper in Lehr Fess Papers.

21 *The Herald*, June 1889.
No one can be said to be intelligent on a political question until he has reasons for his opinions. His opinion will be of no value to himself or country until he is allowed to express it, and thus offer opportunity for refutation.

If he is to be individually felt in the purification of politics, or as a factor for the accomplishment of any good in politics, he must get into the political arena, where with inspiring touch the might of his genius will be felt.

The ideal statesman is the man who has the moral courage and gallantry to express his individuality, whether it be in favor of popular opinion, or against a haughty potentate or misguided executive. 22

"Individuality in Culture" is prophetic of Fess's individual behavior in his future political career. It would seem that Fess had a premonition as to his participation in politics, for the role of the statesman and politician as he outlined it in his honorary oration, here in 1889, was in accordance with his own political behavior as it developed from 1912 to 1936.

The Herald of January 19, 1900, noted an incident relative to his graduation speech. Joseph B. Foraker,

22 *The Herald*, August 1889 (located at Ohio Northern University Library), V, No. 3, 96-100.
Governor of Ohio, was booked for the class address. While Fess was delivering his oration, the Governor's carriage, escorted by the military department and the college band, approached the campus, with these developments:

The artillery belched forth in peals of thunder. The Governor's salute, the band played and the great crowd without shouted itself hoarse with greetings to the honored guest, while the audience within, restless under the unusual annoyance, forgot for a moment the speaker. But how about young Fess? No; he rose with the tide of the enthusiasm; he climbed beyond himself and poured forth such burning eloquence, such liquid rhetoric with such forensic power that the audience forgot the tumult on the outside and was left in admiration for the hero within.

Fess, upon graduation, was appointed a full-time instructor by Dr. Lehr and the trustees and assumed the title of Professor Fess, until he became a member of the law department in 1896, teaching United States history, mathematics, and civil government. In 1891 he was granted the Master of Arts degree by the University.

Fess often had from one hundred to three hundred students in his classes, for there were no official

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23 The Herald, 1889-1896.

limitations on the number in a class. He was an excellent teacher who explained things well and held the interest of his students. He could become very dramatic in his teaching, creating excitement, and in response to some well-taken or humorous remark the students would often stand and applaud. His classes were noted for their enthusiasm, interest, and pleasantry, and many students attended his classes, although not as bona fide members.  

Simeon Fess had for several years been attracted to Clara Hay, the daughter of James Hay. "It seems everybody loved him [Fess], but Clara Hay was the only one in early life for whom he seemed to have any attachment." However, Clara married John Davison, Simeon's best friend, in 1886. Her engagement and subsequent marriage never marred the admiration and affection between Simeon, John and

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26 Letter from Rhoda Brown to Lehr Fess, April 23, 1959, *op. cit.*

27 Miller and Baxter, *op. cit.*, 354.
Clara; however, it did cause some distress to Simeon.

After being rejected by Clara Hay, Fess became attracted to Eva Thomas, a member of the faculty at O.N.U. Eva had graduated at O.N.U. in 1887 and immediately became a member of the faculty, teaching Latin. Fess and she may not have become acquainted until after he became Head of the Department of American history in 1889. Mrs. Sarah Lehr Kennedy related that she clearly remembered when Fess and Eva were married. Eva had been engaged to someone else, but her fiance had become interested in another; thereupon, Fess, who was waiting and hoping for the breakup, immediately became interested in Eva, finally winning her for his own. They were married March 1, 1890, about a year after his graduation. Mrs. Kennedy believed that the marriage was performed in the Ada Methodist Church.

28Letter from Walter Davison, son of John Davison, Sr., to Lehr Fess, July 21, 1952, Lehr Fess Papers.

29Letter from John H. Davison, Jr. to Lehr Fess, July 15, 1952, Lehr Fess Papers.


31Personal interview with Mrs. Kennedy, June 20, 1963.

32Ibid. The Herald of March 1890 in referring to the marriage does not mention the location of the marriage. Lovell and Lehr Fess do not know where the marriage was performed.
The Philo society made note of Fess's marriage:

Married - March 1st - Prof. S. D. Fess and Miss Eva Thomas. It is not necessary to tell who this happy couple are. S. D. is a teacher and honorary member of '89 and Miss Thomas as a teacher and honorary member of '87 are too well known to need any eulogy. For this, one of the strongest and happiest couples that has ever been the outgrowth of Philoism . . . 

Eva Caudas Thomas, born in 1864, was the daughter of Dr. Benjamin Allen Thomas and Ella Thomas of Rushville, Ohio. Dr. Thomas was a general practitioner for many years in that community. He had helped to organize a company of his neighbors during the Civil War, had become a Captain, was wounded, nursed by his wife at Clayville, Maryland and then returned to Rushville at the end of the war. 

Eva's ancestors can be traced to a Sir Ryho Thomas, Earl of Pembroke and first Prince of Wales, Carew Castle. Rees Thomas, the great-great-great-grandfather of Eva, was born in Pembroke, Wales in 1690 and emigrated to the United States, date unknown, settling in Staunton, Virginia. Rees's grandson, Aaron, moved from Virginia to Perry County, Ohio

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33The Herald, March 1890.

34Yellow Spring News, December 25, 1925; also personal interview with Lehr Fess, October 18, 1963.
in 1811, where he had a son, Evan. Evan's son, Jesse, was the father of Dr. Benjamin Thomas, Eva's father.35

After his marriage Fess moved into a little one-story frame house near the University.36 Here, Simeon and Eva's only children, three sons, were born: Hamilton Lehr, in 1891 and named in honor of President Lehr; Thomas Lovell in 1895; and Charles Sumner in 1897. Eva quit teaching when Lehr was born, and she never was employed after that, except in her own home as a housewife. Fess sold the home about 1898 to Frank B. Willis, who had been a student at O.M.U., rooming with the Fesses for a short time, but who had begun teaching at the University.37 The Fesses then bought a large two-story, 14 room, three-porched home,

35Information collected by Mrs. Simeon D. Fess which includes six pieces, mostly letters, Lehr Fess Papers.


37Personal interview with Lovell Fess, March 16, 1964. The relationship between Fess and Willis will be discussed later. The Fess home became the Willis home and is now known as the Willis Alumni House, belonging to the University.
with eight acres on Main Street in Ada.38

Simeon and Eva were very popular at Ada, having much company and frequently entertaining. They held one large reception each year for the students and faculty, often serving grape punch and macaroons. The Fesses usually kept two girl students to assist with the housework and employed a man, often a student, to help with the outside chores. They raised a garden, gardening being Simeon's favorite hobby, and in the autumn they usually butchered two or three pigs, curing the meat for their own use.39

While at Ada, probably in the early 1890's, Fess bought a small farm about a mile north of West Newton. Because of what his "Aunt" Lissie and George Brown had done for him, since they had furnished him a home, he would do the same for them. He built a house on the farm and later planted an apple orchard. George and Lizzie Brown lived on the farm, rent free, until they moved to Tennessee

38Personal interviews with Lehr Fess, October 18, 1963 and Lovell Fess, March 16, 1964. From personal observation this home is now the Norwood Apartments.

39Personal interview with Lehr Fess, October 18, 1963. Fess usually kept a few students, furnishing their board and room for their services, in order to assist them in their education. Fess's hobbies will be discussed later.
about 1910. Fess, then living in Yellow Springs, Ohio, sold the farm for 5,000 dollars, because of financial stress and the departure of the Browns. Fess always felt obligated to "Aunt" Lizzie, and he contributed financially to her support until his death in 1936, after which, Lehr Fess continued the contribution until her death in 1945 at the age of 94.

In a letter from "Aunt" Lizzie to Fess in 1912 she expressed her appreciation to him:

With delight & [sic] great pleasure for me to receive your present you call it a small present I think it a big one for me to recive [sic]. You certainly have a big & generous heart always ready to give & help others . . . . you have been so good to me all your life and treated me so nice all times. I wish I could do something for you to pay you back for your kindness to me & my family.

After selling the farm, Simeon, in later years, often returned to West Newton, visiting the family graveyard.

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41 Personal interviews with Lehr Fess, October 18, 1963, and Mr. and Mrs. Ray McDorman, present owners of the farm, September 20, 1963. Ray McDorman's father bought the farm in 1910 from Fess; however, Ray McDorman's son now lives in the "Aunt" Lizzie home.

42 Letter from Lissie Brown of Tennessee City, Tennessee, to Fess, December 24, 1912, Fess Papers, Box 5, Folder 6.
visiting relatives, and reminiscing with old friends, but especially enjoying trampling over "his" farm. Mr. and Mrs. Ray McDorman, the present owners, recalled several of his return visits. On one occasion when their seven year old daughter picked some wild flowers and handed them to Fess, he stated that he would put them on his mother's grave. To show his appreciation Fess later sent an autographed copy of his book *Political Theory and Party Organization* to the daughter. On still another visit they gave him a bushel of apples from "his" orchard. For this act of kindness Fess sent a picture of himself and President Coolidge on horseback, with the handwritten inscription, "Sen. Fess and Pres. Coolidge—Black Hills—1927."^3

Lehr and Lowell Fess stated that they had a very pleasant and delightful home life while at Ada. Lehr related how his father amused his sons by telling stories, especially from Francis Parkman's *Oregon Trail*, that being one of Fess's favorites. "He would do it in a very graphic way and Mother would say to him, 'stop now Professor, the children won't be able to sleep', and we wouldn't," Lehr

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^3 Personal interview with Mr. and Mrs. Ray McDorman, September 20, 1963. Personal observation of picture.
added. "He made the Indians seem so real." Lehr stated that his father enjoyed reading to his children and mother (wife) in the evenings. 44

Frequently Fess would take a weekend drive with his family to his farm at West Newton, his carriage pulled by his favorite horse, Maude. The children always looked forward to these trips as Fess recited his stories on the way. 45

In the evenings and on Sundays the family gathered around the piano while Mrs. Fess played, usually religious hymns, such as Simeon's favorite, "Beautiful Isle of Somewhere." 46

Lehr Fess recalls that as a young boy at Ada his father often used the "rod" for discipline. On one occasion he (Lehr) had charged candy at the local store, which was against the rules. His father, learning of the act, asked him to apologize to his mother and the two students who helped with the housework. The two girls laughed, and Lehr joined in the laughter; whereupon, the older Fess lost his

44 Personal interview with Lehr Fess, October 18, 1963.

45 Ibid.

46 Ibid.; also, letter from Rhoda Brown to Lehr Fess, May 5, 1959, and a photograph of the Fess family, with Mrs. Fess at the piano. On the back of the picture is inscribed "Mrs. Fess at the piano, probably playing "Beautiful Isle of Somewhere," Simeon's favorite," Lehr Fess Papers.
temper and used the switch. Lehr said that his father was a firm disciplinarian, allowing no "funny business," but always fair, sympathetic, and understanding. 47

Little information is known concerning the religious background of Fess up to the time when he enrolled at Ohio Northern. Lehr and Lovell Fess stated they knew little of the religious background of Fess's parents, except that they were evidently Christians, both probably being related to one of the Pennsylvania-Dutch religious sects. It is believed from "bits of information" in the newspapers and other sources that Fess attended the local Methodist Church at West Newton during his youth. The Herald of July 1899 noted that "In the winter of '87 he united with the M. E. Church [Methodist Episcopal] and has been a faithful worker in the church and Y. M. C. A." 48 The Herald of May 1889 noted that he was sent as a delegate to the international Y. M. C. A. Convention at Philadelphia. Lehr Fess stated that his father was superintendent of the Sunday school for several years while at Ada, and The Herald from 1897-1901

47Personal interview with Lehr Fess, October 18, 1963.

48The Herald, July 1889. The article does not indicate whether he had been a member of a church before this.
indicated that he taught a students' Sunday school class. Fess was on the building and finance committees for the building of the new Methodist Church in Ada in 1897.\textsuperscript{49}

Fess remained active in the Methodist Church for the rest of his life, as did his wife, who was also a member; however, he was not an "every Sunday church-goer."\textsuperscript{50} Mrs. Clara Brooks, their Negro housekeeper and cook from 1907-1936, while the Fesses lived at Yellow Springs, related that he readily contributed and donated to her church as well as to the other churches in town, but that as he grew older, did not attend church regularly.\textsuperscript{51}

While at Ada, Fess became an active and much sought after speaker, especially for religious functions, appearing at many churches within the area.\textsuperscript{52} As his fame as a speaker, lecturer, and educator grew the demands for his services increased. He, thus, made many friendly contacts, including those with valuable and influential people, who aided greatly

\textsuperscript{49}\textit{Ibid.}, September 17, 1897 and June 8, 1898.

\textsuperscript{50}Personal interviews with Lehr Fess, October 18, 1963 and Lowell Fess, March 16, 1964.

\textsuperscript{51}Personal interview with Clara Brooks, September 25, 1963.

\textsuperscript{52}\textit{The Herald}, 1889-1903.
his rise in the political field, as they added to his vote-getting appeal.53

Fess's political, social and economic beliefs and behavior were interwoven with his deep religious convictions. In every phase of his educational and his political career, Fess seems to have been motivated in his decisions and thinking by a firm belief in the Ten Commandments. His political popularity can be greatly attributed to the faith his friends and constituents placed in his religious convictions and in his devotion to the principles of Christianity. The development of his political career will reveal his religious philosophy.

In 1886 Ohio Northern University added a law department. Fess became associated with the department in 1893, having previously been connected with the department of history. It was announced: "In the future the law department will be conducted by Professors Axline and Fess, who have recently formed a partnership and will endeavor to build up and enlarge the department."54 While Fess was associated with the law department he taught various courses, but his main

53This will be discussed later.

54The Herald, March 24, 1893.
field and interest was Constitutional Law, a subject which proved to be beneficial to his career as a legislator. In 1895 the comments were made:

Prof. Fess will finish his six weeks' institute work, and will resume his work in the law department on Monday next. The earnestness that has always characterized his class work has its salutary influence on those under his instruction. The department does not lack earnestness at present, but the more the better, and we are sure that it will be increased next week.

It is with a feeling of pride that the law department can boast of a stronger fraternity, than that existing among the members of any other department of the O.N.U. One of the principal reasons assigned for this state of affairs is the kindly spirit in which Professors Axline and Fess perform their respective duties. If necessary they never hesitate in discommoding themselves to bestow a favor upon their students.

The Herald of October 4, 1895, noted that Fess aided the law department by adding new volumes and enlarging and repairing the law library.

In biographical sketches and numerous articles concerning Fess, as they concern him in later life, it is often mentioned that he was Dean or Head of the Department of Law

55Ibid., 1886-1900.

56Ibid., August 30, 1895. Fess and his institute work will be discussed later.

57Ibid., October 4, 1895.
at Ohio Northern University from 1896 to 1900.\textsuperscript{58} Research in The Herald from 1886 to 1903 revealed no evidence that he ever was head of the department. The Herald of January 19, 1900, which had a biographical sketch of him made no mention of his ever being Dean, while The Herald of July 17, 1896, showed him to be Secretary of the College of Law and S. P. Axline as Dean. The Herald of April 21, 1899 referred to him as Secretary and Axline as Dean. The Herald of May 26, 1899, showed that a Professor J. G. Park was to retire at the end of the term and that Fess was to replace him as Vice President of the University. It further stated that Professor W. W. Bunser would take charge of his work in the law department, but made no mention of Fess as Dean.

It can be assumed that since Fess was Secretary he may have been acting Dean during the absence of Dean Axline. Probably the error "crept in" after he became active in politics and his friends, especially the press and campaign managers, mistook his being secretary with being Dean. The

\textsuperscript{58}Who Was Who in America; The Ohio Mason, April 21, 1933. A letter from Eugene N. Hanson, Dean of the College of Law, Ohio Northern University, to this writer, April 10, 1964, stated that Fess was never Dean of the College of Law.
position of Dean would possibly have added to his prestige and increased his vote-getting potential. As time elapsed this inaccuracy became construed as a fact.

Fess was appointed Notary Public for Hardin County, being certified by Governor William McKinley on October 25, 1895, for a period of three years. He, along with Dean Axline, and H. A. Clark opened a law office in Ada in 1896. The Herald of January 3, 1896 noted that their law firm "has as much business as it can attend to, and still business is on the increase." Fess, although admitted to the bar, never practiced law after leaving O.N.U. in 1902. Yet, he must have contemplated a career in law, as a friend once wrote to him, "At that time [1896] I recall that you were thinking some of coming here [Toledo] to practice law. . ." Who Was Who in America lists him as being granted a Master's of Art (A.M.) in 1891; an LL. B. in 1896; and a LL. D. in 1900, all from O.N.U. The Doctorate was,
of course, only honorary, being granted to add to the prestige of the college and to honor him for his service.

Fess seldom referred to his past as a lawyer, and his sons believe that he had little experience as a practicing lawyer. In the Senate in 1929, Fess and Senator Bruce of Maryland were involved in debate. The latter stated that he understood the former was not a professional lawyer. Fess replied, "The Senator from Ohio is not a lawyer, but he was admitted to the bar and practiced for 10 years." Fess had great respect for law and the law profession and was especially well informed in Constitutional law. He used this knowledge of law and his experience as a teacher of law to a great extent and to great benefit to himself as a legislator. No doubt, his being an educator and a legislator kept him from pursuing a law career, but in dealing with legislative matters his mind worked much like that of a lawyer.

In 1899 Fess was selected as Vice President and Secretary of Ohio Northern, and thus was relieved of his duties in the department of law, but he continued as a

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64 This phase of Fess's life will be discussed later.

65 The Herald, May 26, 1899.
lecturer in American history. The years 1880 to 1885 had been a period of great growth to the institution with the annual enrollment doubling during that period, a growth that could hardly be accommodated. Being a private corporation it could receive no funds from public taxation. From the beginning, since it had operated at extremely low cost to students, it had not been able to build up the financial reserves necessary for expansion. By 1895 the annual enrollment had reached 3,000, and funds for expansion still were not available.66

The need for additional buildings was now so imperative that to continue without it seemed impossible; however, no financial assistance for growth could be obtained. An attempt in 1897 to secure state support was unsuccessful, but in 1898 the Methodist Church offered to purchase the University. The negotiations between the Methodist Church and the University, represented mainly by President Lehr and Fess, continued for the next two years. The final transfer was made in 1899-1900, the purchase price being $24,000.

66 "A Brief History of Ohio Northern University--1871-1961."

Feis, who was an active Methodist, a popular instructor and had been a very capable administrator both as Secretary of the law department and as Vice President, was considered for the Presidency of the University by the Central Ohio Methodist Conference. He desired the position and probably would have accepted it if it had been offered to him but the Methodist Conference preferred to appoint a Methodist minister.68

President Lehr wanted to retain the Presidency, although, he offered his resignation. He, however, was in his sixties and not a Methodist minister; the church finally installed Dr. Leroy A. Belt, a Methodist minister, as President in 1901. Lehr was made secretary-treasurer and general manager for three years but the relationship between Dr. Lehr and the school was not satisfactory so he resigned. He was honored for his long service to the University by being appointed President Emeritus. He, however, kept an active interest in the school until his death in 1923.69

68Personal interviews with Mrs. Sarah Lehr Kennedy, June 20, 1963 and Lehr Fess, October 18, 1963. The Herald also sheds some light on this controversy.

69Ibid.; and The Herald, April 19, 1901; May 31, 1901.
The controversy over the Presidency caused some ill-feeling and misunderstanding between Fess and Lehr. Lehr believed that Fess had conspired against him. They had been very close friends for many years, and it had been Lehr, perhaps more than anyone else, who had encouraged Fess to continue his education. Lehr had been instrumental in getting Fess a teaching position on the O.N.U. faculty and had constantly urged his students and his faculty to take a vital interest in civic affairs. Lehr Fess, who was named for Dr. Lehr, related how he, as a young boy, was always a most welcome visitor in the Lehr home. There he was regaled with sweets, cookies and fruits, and the Lehr daughters entertained him with stories and hide-and-seek.

After Fess left Ohio Northern in 1902, he and Dr. Lehr exchanged correspondence frequently, and Fess on

70Personal interview with Mrs. Sarah Lehr Kennedy, June 20, 1963. This allegation by Dr. Lehr is probably not true. Indications are that the Central Ohio Methodist Conference did not wish to retain Dr. Lehr as President; therefore, Fess, aware of this, decided to seek the position.

71Personal interview with Lehr Fess, October 16, 1963, and The National Cyclopedia of American Biography. Fess had already become involved in politics in 1896, but this will be discussed later.

72Fess Papers, 1907-1922, passim.
his visits to Ada always took time to visit with Dr. Lehr.

As Dr. Lehr's former pupil gained in stature through education and politics, Lehr was proud to claim Fess as his former pupil. In their letters we can see their mutual respect for each other and the way in which they confided in one another.

Dr. Lehr wrote to Fess in 1917, prior to United States' entry into the World War:

Thanks for sending me a copy of your great speech of Sept. 25. It fully outlines the whole plan and system of German government. I am glad that I can say that at one time you sat in my class room and that later you were a fellow teacher with me. I believe the next lower house of Congress will be Republican and also that you will be the speaker of the House. . . . Can your little granddaughter talk any and can she walk yet? I forgot her age. I must adopt her in the place of your chaps at Xmas when she is old enough. I suppose you remember how Santa visited your little folks.

Faithfully H. S. Lehr

A letter from Fess to Lehr, in 1918, further illustrates the relationship between the two friends:

If I can find a way to do it I will give some other circulation to your views. Your observations upon the ineffectiveness of the management of the war are so pertinent and at the same time so diplomatically expressed that I believe they would result in some good . . . .

73 Letter from Lehr to Fess, January 1, 1917, Lehr Fess Papers, Box 10, Folder 1.

74 Letter from Fess to Lehr, May 4, 1918, Fess Papers, Box 10, Folder 2.
Shortly before Dr. Lehr's death on January 29, 1923, at Ada, Lehr wrote to Fess. Although he himself was too weak to write, he was still of alert mind to advise Fess: "I think the tariff on sugar and several other articles is too high. . . . They [Europe] cannot buy our products with a high tariff." Realizing that death was approaching, Dr. Lehr closed his letter with these words—"I can't set [sic] up. God Bless you, my boy and your family. Probably this is

Farewell, H. S. Lehr (J.L.H.)"75

Two days after receiving Dr. Lehr's letter Fess replied, stating that he had heard of his illness and he wished him a speedy recovery. "You will never know how much the boys and girls of this generation owe to your wonderful influence. Our entire family sends its best wishes."76

In April 1902 Fess resigned from Ohio Northern University to become a graduate student and lecturer in American history in the Extension Course at the University of Chicago. President William Rainey Harper, who had assumed the presidency at the founding of the University in 1891, had been instrumental

75 Letter from Lehr to Fess, November 25, 1922, Fess Papers, Box 23, Folder 2.

76 Fess to Lehr, November 27, 1922, Fess Papers, Box 23, Folder 2.
in establishing the Extension Program at the University.\textsuperscript{77}

The Extension Course, as part of the University program, included lectures, evening courses, corresponding courses, special courses in scientific study of the Bible and library extension. President Harper, who had been for several years active in and acquainted with the Chautauqua program, took the matured plan of the Chautauqua which had been developed over several years and adopted it to fit the needs of formalized American higher education at the University of Chicago.\textsuperscript{78}

Fess, during his association with Ohio Northern, had been very active in teacher-education activities, especially as a lecturer in Teachers' Institutes. He had traveled widely over Ohio and Pennsylvania as a lecturer in Institutes, and also had been a speaker at educational conventions, teachers' organisations and high school commencements. He spoke on various subjects but mainly on education and history. Fess had gained a reputation through Ohio and Pennsylvania


\textsuperscript{78}Ibid.
as an outstanding teacher, lecturer, speaker and educator.  

Fess had become acquainted with President Harper sometime prior to 1902; however, it is not exactly known how they became acquainted. He and his wife had visited the Chicago World's Fair in 1893, and perhaps they had become acquainted at this time. They may have met at a Chautauqua, an educational convention, or perhaps as speakers on the same platform. Harper evidently had been impressed by him and asked him to come to Chicago as a lecturer in American history in the Extension Course; however, Fess declined the offer. A combination of events, however, later caused Fess to reconsider the offer. In 1900 he had run as a Republican candidate from Hardin County for the congressional nomination from the eighth district of Ohio. After a bitter struggle in the district convention he was defeated. This political defeat, along with the controversy over the Presidency at

79 *The Herald*, 1890-1903.
80 Personal interview with Lehr Fess, October 18, 1963.
81 *The Herald*, October 13, 1893.
82 Personal interview with Lehr Fess, October 18, 1963.
83 This will be discussed later.
O.N.U. and the desire to advance himself, caused him to write
President Harper concerning the previous offer.®1

Before reaching his final decision to leave O.N.U.,
Fess corresponded with various officials at the University
of Chicago.®2 After considerable correspondence President
Harper wrote him on April 10, 1902, asking him to come to
Chicago:

We have considered the situation quite care­
fully. Mr. Jameson, Mr. Payne and I agree that
there is a future for you here and elsewhere, if
you could once get into touch with the academic
atmosphere. I am writing to propose that you
spend as much of the summer at the University as
possible, and that you return in the near future,
after concluding your institute work, and remain
throughout the year. The whole question is one
of scholarship. I am sure that you can convince
the history department of your ability. Will you
not come and try it?

If I can be of service to you it will give
me great pleasure.®3

Fess agreed to go to Chicago for the summer of 1902
and upon President Harper's learning of his decision, he
replied to Fess stating, "I am delighted to know that you
will come to us during the summer quarter. We shall do all

®1 Personal interview with Lehr Fess, October 18, 1963.

®2 Fess Papers, Box 1, Folder 1, 1902. There are
several letters between the University of Chicago and Fess.

®3 Letter from Harper to Fess, April 10, 1902, Fess
Papers, Box 1, Folder 1.
we can to be of assistance to you." He met with the approval of the University and remained with the University until 1907, when he resigned to become President of Antioch College.

Fess sold his large house on Main Street in Ada and moved his family to Chicago. He sold much of his furniture and auctioned and sold many of his books. The Fesses lived in a fourth-floor, six-room flat on East 56th Street, paying forty-eight dollars a month rent. Their home was near the University, and the family spent many of their Sundays at nearby Jackson Park, especially enjoying the Field Museum then located in the park.

Fess, as a lecturer in the University Extension Program gave five courses. Course one consisted of twelve lectures in "The Growth of Representative Government in the United States; course two consisted of twelve courses on "History of Political Theory and Organization"; course three consisted of twelve lectures on "Character Sketches of Representative Americans"; course four consisted of six lectures on Representative American Women"; and course five consisted

87 Ibid., April 19, 1902.

88 Personal interview with Lehr Fess, October 18, 1963; and Lowell Fess, March 16, 1964.
of six lectures in "Studies in Civics." Besides being a lecturer Fess was also doing graduate work, pursuing a Doctorate in History, although he never attained this goal.

Fess was paid little as an instructor and was finding it difficult "to make ends meet." He was now worrying about the future of his three sons, being especially concerned about their college education. To augment his income he continued his institute work and speaking engagements when time would permit. To further supplement his income Fess assumed the Editorship of World Events magazine in September 1905 until June 1907, at which time he resigned because of his duties as President of Antioch College. He was also on the Board of Trustees of the magazine. World Events was an illustrated monthly review of the world's news published by the World Events Publishing Company, Dansville, New York.

89World Events magazine, n.d., advertisement sheet - information bulletin, Fess Papers, Box 34, Folder 1.


91Ibid.; and seven page, n.d., typewritten, mimeographed, advertisement of World Events magazine, Fess Papers, Box 1, Folder 1.

92Bibliography card listed under Simeon D. Fess, located at Library of Congress.
Lovell Fess, as a young boy, sold copies of the magazine at the Illinois Central Railroad depot in Chicago, but with little success.\(^93\) The magazine, which was having financial troubles, tried to maintain its solvency by playing upon Fess's name as an educator and lecturer at the University of Chicago. An advertisement of the *World Events* magazine\(^94\) lauded Fess's assuming the editorship stating how the magazine had now taken on "a new character and individuality and was winning a host of friends and new subscribers every day." Lehr Fess stated that he did not know how his father became connected with the magazine, but that he did know that his father "never made a cent" from this association.\(^95\)

In addition to Fess's continuing his institute work and becoming editor of *World Events*, he also wrote and published a book, *Political Theory and Party Organization*, in 1907. It was published through the *World Events* Publishing Company.\(^96\) While at O.M.U., Fess in 1891, had prepared an

\(^{93}\)Ibid., the title of *World Events* magazine varies slightly and in July 1908 it merged into *Our Day*.

\(^{94}\)Personal interview with Lovell Fess, March 16, 1964.

\(^{95}\)See n. 91.

\(^{96}\)Personal interview with Lehr Fess, October 18, 1963.
"Outline of United States History: (down to the time of the McKinley administration). He had published the "Outline" himself but it had been purchased by a S. B. Wagner of Ada in 1897, who had republished it. The "Outline" retailed at seventy-five cents and was used as a textbook at Ohio Northern. In 1892, Fess had prepared a "Compendium of Anatomy, Physiology and Hygiene" which served as a text for the students at the University and was also intended to be used by high school teachers outside of O.H.U. These two textbooks received little circulation.

Fess's writing and publication of Political Theory and Party Organization involved a serious attempt to prepare a textbook which would perhaps gain wide acceptance. He had a sincere belief in his subject, and he felt that there was a need for a better textbook in this field. He hoped for a substantial financial return and also hoped that the book would contribute to his prestige as an educator, political scientist and historian, but the book met with little success.

In 1910, while at Antioch, Fess negotiated with Ginn and Company, and Political Theory and Party Organization was

97 The Herald, April 30, 1897.
98 Personal interview with Lehr Fess, October 18, 1963.
revised and republished in a new edition for June 1910. The Ginn and Company edition went out of print in 1922. Evidently the sale could not have been very large because of the book's short life.99 Fess often sent complimentary autographed copies of his book to his friends and to people to whom he felt obligated in some way.100 Ginn and Company also published Civics of Ohio by Fess. The original edition came out in 1911 and a revised edition in 1914. It appeared as a supplement in F. D. Boynton's School Civics, and Fess was paid one hundred dollars for preparation of the supplement.101 Fess received little financial return or fame from his books.102

Fess, after his defeat and retirement from politics in 1934, again took up the challenge to write, preparing a book on the development of the two party system, but death in 1936 prevented him from fulfilling his goal, although during that

99Letter from Ginn and Company to this writer, March 26, 1964. Also Fess Papers, Box 2, Folder 1.

100Fess Papers, passim.

101Letter from Ginn and Company to this writer, March 26, 1964.

102Personal interview with Lehr Fess, October 18, 1963, and personal opinion of this writer.
same time he did edit a reference entitled: \textit{Ohio—A Four Volume Reference}.\textsuperscript{103}

Fess, although attempting to augment his income, was finding it more and more difficult to provide adequately for his family. In 1906 President Harper had died, and the friendly association between Fess and the University was altered. J. Franklin Jameson, Head of the History Department, felt that Fess, who did not have a Doctorate, hurt the prestige of the University. Jameson believed that Fess should first get his Doctorate, thus causing him to attend class regularly, which did not meet with his approval. Fess believed that the University had broken its commitment to him, and thus this new arrangement forced him to increase his institute work to supplement his income. He used his association with the University of Chicago to further his institute work, and Dr. Jameson did not approve of this.\textsuperscript{104}

In addition to these above mentioned problems confronting him, both Fess and his wife missed their old Ohio associations. Mrs. Fess had been homesick ever since she

\textsuperscript{103}The \textit{Ohio Reference} and his preparation for a book on the development of the two party system will be discussed later.

\textsuperscript{104}Personal interviews with Lehr Fess, October 18, 1963 and Lovell Fess, March 16, 1964.
had been in Chicago, and Fess, as his association with the University became more unpleasant, longed to return to Ohio or move elsewhere. In the midst of these circumstances and discontent came Fess's offer from Antioch College and the opportunity to return to Ohio.105

CHAPTER III

FESSION AND ANTIOCH

Fess learned of the vacancy in the presidency of Antioch College at Yellow Springs, Ohio, through a post graduate student, Mr. Paulin, at the University of Chicago. Paulin had received a letter from Antioch concerning the presidency. Paulin, however, was not interested in the position as he was doing research. He therefore gave the inquiry to Fess, who being dissatisfied in Chicago, sought additional information. Fess may have written at this time to Antioch, but already, during the summer of 1905, he had visited Antioch in connection with the Chautauqua at Franklin, a community a few miles away, where he had been attending the annual Chautauqua for several summers.

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1 Personal interview with Lehr Fess, October 18, 1963. Lehr Fess stated that he was not definite on the spelling of Paulin.

2 Ibid.

3 Ibid.

58
The Yellow Springs News of September 14, 1906 noted that Fess had spent a week during the summer of 1905 at Yellow Springs and that he had made "many warm friends" both at Antioch and Yellow Springs. It further noted: "It was then that the agitation began for him for president."  

During 1906, Fess and the officials at Antioch corresponded frequently. On June 20, 1906, the Board of Trustees of Antioch met and decided

...to secured President of the faculty who shall serve as the educational head of the Institution. [and we] have [the] honor to tender you the position under conditions, which, while herewith indicated in general terms, are subject to explanation and amendment. They are sent as a basis of negotiations [rather] than as the term of a contract.

The negotiations continued between Fess and the College, and mainly concerned the question of salary and free tuition for the Fess sons. On September 8, 1906 Fess accepted the Presidency of the College. Arthur M. Judy, the Acting

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4 Yellow Springs News, September 14, 1906.

5 Fess Papers, Box 1, Folder 1.

6 Letter from Arthur M. Judy, Acting President and Chairman of Board of Trustees, Antioch College to Fess, September 1906, Fess Papers. Box 1, Folder 1.

7 Yellow Springs News, September 14, 1906.
Président of Antioch, wrote to the new President on September 11, 1906:

First let me express my gratification that you have accepted the Presidency of Antioch.

That there may be no opportunity for difference of understanding as to the salary, I will say that it is to be $1,500 for the term of service beginning February 1907 and ending September 1907; $2,500 for full year periods thereafter. In view of your statement as to the lessening of income which your acceptance of the position entails, I feel sure that the committee would not wish it made less. I have their written authority to name that amount.

If possible I will arrange so that you can move into the President's House the last of September, as requested.

My judgment is that the committee will accede [sic] to your suggestion to allow free tuition to your sons . . . .

I believe it will be better for you to be regarded as vested with full authority as "the educational head of the institution" from September 19th, but not obligated to do any local work until the first of February . . . .

I have just sent the following telegram to the Dean: "Fess accepts announce widely temporarily present at opening; arrange proper services; inauguration later." 8

The local Yellow Springs News made note of Fess's acceptance:

Dr. S. D. Fess has accepted the presidency of Antioch College and the question of whether Antioch will live or perish is answered, so thinks the most sanguine friends.

8Letter from Judy to Fess, September 11, 1906.
To friends the news is most glorious and there are free predictions that the college will at once be placed on the road to a prosperous career.

When it became known that he had accepted there was much joy expressed for during the summer much apprehension had been felt lest he could not be induced to come to Antioch.

The citizens and friends of the college were unrelenting for him and used every means possible to bear on the trustees to secure him. As a proof of their honesty of purpose and deep interest, no finer testimonial can be cited than the noble manner in which they responded to the call for financial aid, the trustees lacking the necessary amount with which to guarantee the salary of a man like Dr. Fess, sent out a letter asking for $500 from this community. Work was begun by the local committee and in a few days $1700 had been subscribed for two years making practically $3400 that Yellow Springs people are willing to give to further the cause of Antioch. In the face of this there can be no doubt about the loyalty of the support Dr. Fess will receive here.

That Antioch will go forward there can be no doubt.9

The Yellow Springs News praised Fess as a man who had a national reputation and who had traveled the length and breadth of the land10 lecturing at Chautauquas and Teachers'

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9Letter from Judy to Fess, September 14, 1906.

10 Fess's lecturing had been restricted mostly to Ohio, Illinois and the surrounding states, therefore, this statement is somewhat exaggerated.
Institutes. The newspaper predicted that the President-elect would attract many students to the college because of his reputation.\textsuperscript{11}

On September 19, 1906, Fess was sworn in as President. The Antiochian, the college newspaper, called his inauguration "The most auspicious opening that has taken place at Antioch since the time of Horace Mann."\textsuperscript{12} In his inaugural Fess stated that his immediate work would be to get students to Antioch and then he would strive for improvements.\textsuperscript{13} In the latter part of September Fess moved his family into the President's home, a large, square, three-story brick, two-porched home with shutters. The home was located in a wooded section on the campus and contained a small plot for a garden.\textsuperscript{14} He, however, did not begin his residency until February 1907 because of his commitments in Chicago.

Antioch College was founded in 1851 by the Christian

\textsuperscript{11}Yellow Springs News, September 14, 1906.

\textsuperscript{12}The Antiochian, Vol. XXXI, October 1906, 14-15.

\textsuperscript{13}Ibid.

\textsuperscript{14}Personal interview with Lehr Fess, October 14, 1963, and from personal observations of photographs. The house was destroyed by fire in 1920.
Denomination. Horace Mann, who was a leading pioneer in the common school system and the normal school system in the United States, became the first president in 1852. He had refused the nomination as governor of Massachusetts to take the presidency. Antioch was one of the first coeducational colleges in the United States and one of the first to accept Negro students. It also was one of the first to declare its absolute non-sectarian principles, but on a Christian basis, and among the first colleges to establish the elective system in curriculum. In its first year 1,000 students had clamored for admission, although only one-fourth of them could be accommodated. In 1854, 362 students enrolled and in 1855 there were 530. Educators, statesmen and famous men of all character came to Mann's free independent, coeducational and non-sectarian school. The Franklin Chronicle noted that "The eyes of the nation turned to this unique 'experiment in the west.'"16

In 1857 a financial crisis hit the college which was


16 Ibid.
sold for its debts. Peter Cooper of New York and Joseph Quincy of Boston, however, renewed completely the financial standing of the college, but with the understanding that all connection with the Christian Church should be abandoned and incorporation should be secured under the laws of Ohio. Both Cooper and Quincy became members of the board under the new arrangement. The institution began a new life, but in 1859 Horace Mann died, and the college lost its guiding hand. 17

The college had gradually declined, and it was widely predicted at the time Fess became the President that Antioch would collapse because of financial problems and lack of students. 18 To restore its prestige and stability Fess was given complete charge of finances and the curriculum. He also was named a member of the board of trustees, and he served as President of the Board from 1907 to 1917. He, therefore, assumed the responsibility for the success or failure of the effort at restoration. 19 When Fess accepted the Presidency, Antioch had four college buildings, which

17Ibid.
18Saturday Evening Post, August 23, 1913.
19Ibid., and the letters between Antioch and Fess, 1906, Fess Papers.
were fast falling in decay. The Franklin Chronicle remarked that by actual count twenty-four students greeted Fess upon his arrival at Antioch, but the school year for 1906-1907 listed a total enrollment of seventy.

The new President entered upon his task with vigor and enthusiasm. He believed that his first task was to increase the enrollment. Because of his former association with Ohio Northern, his acquaintance with high school principals and teachers, and his contacts made through his lecturing, he was able to increase the enrollment. His reputation as a teacher no doubt influenced some students to enroll at Antioch, where he assumed the task of teaching history and constitutional law. Misses Susan and Mary Fralick, former students of Fess, emphasized that he was an excellent and

20 Franklin Chronicle.

21 Ibid. The twenty-four students probably referred to the number of students in the crowd to greet Fess and not the total enrollment.


23 Fess Papers, 1907-1917, passim.
respected teacher who held the attention of the students. 24 They further stated that in the assemblies he usually re-
ceived great applause after his remarks. Mrs. Dean Miller
Birch, another of his students, remarked that Fess "had a
gift for creating enthusiasm" in his classes. 25 Harvard
Vallance wrote of his former teacher:

His genial personality, his eloquence, his
natural ability to speak, and his rich fund of
information in his fields left an indelible im-
pression on his students. 26

From 1902 through 1907 the yearly enrollment had aver-
age between 50 and 75 students; but for the year 1907-1908
it increased to 234 students and the following year to 273. 27
The enrollment during Fess's administration reached its peak
in 1915-1916 when there were 279 students. During Fess's
ten year service as President, 1907-1917, the annual enrollment
averaged 225 students. The enrollment, however, dropped to
a yearly average of 110 students from 1917 to 1922. 28

24 Personal interview with Misses Susan and Mary Fralick,
Yellow Springs, September 25, 1963.

25 Personal interview with Mrs. Dean Miller Birch, Yellow

26 Vallance, op. cit., 187.

27 Ibid., Appendix.

28 Ibid. Note: The decrease can no doubt be attributed
partially to other factors, especially to World War I.
In order to promote the college, he reorganized the summer school. Under Fess the summer school developed to the highest state of efficiency in its history. The summer school was run primarily for the benefit of public school superintendents, principals and teachers. He believed that strengthening the summer school would attract more public school officials, who in turn, would encourage their pupils to attend Antioch. He made the summer school more attractive and improved it by inviting guest lecturers and teachers. He also enriched the curriculum by including special courses and college courses for graduate credit.

In order to make the summer school and Antioch in general more attractive to prospective students Fess ran it concurrently with the Antioch Chautauqua which he initiated.

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29Ibid., 195.

30Fess Papers, 1907-1917, passim.


For several years prior to his Presidency he and his family had attended the annual weekly Franklin Chautauqua, which was within a few miles of Yellow Springs. During the Chautauqua the family lived in a tent, and Fess spoke at the Chautauqua and the summer school where he gave afternoon and evening addresses and sometimes was paid 125 dollars for the week's engagement.33 He had long been interested in the educational, religious and entertainment value of the Chautauqua, and he adopted the idea of a Chautauqua for Antioch, believing that it would aid the needs of the college.34 The Antioch College Bulletin stated that it "was organized primarily to stimulate a local interest in the college."35

Fess started making plans for the Chautauqua soon after becoming President. The College Bulletin of 1906 announced the coming Chautauqua for 1907 as follows:

At Yellow Springs, Antioch College will add to its summer school the features of a Chautauqua. To this end arrangements have already been affected to bring an array of talent to the place that should attract from far and near. This list includes some of the most famous lecturers on the platform.

33Personal interview with Lehr Fess, October 18, 1963.
34Fess Papers, 1907-1915, passim.
The Chautauqua will be held [June 21-30] on the famous Neff Grounds Park, near the college. These grounds afford a natural amphitheater, and are wooded with primeval oak.

Webster, Clay, Greeley, Emerson and a host of prominent men have addressed crowds on these grounds. On this ground stands the spreading oak which tradition says sheltered beneath its branches, the first Methodist meeting assembled in Ohio. The tree still stands.

The College Bulletin lauded the facilities and the locality of the Chautauqua. It emphasized the beautiful sites for tents, the park of 100 acres, and the availability of enough tents for rent for all. Season tickets to the Chautauqua were sold at two dollars per person and single admission at 25 cents. The Bulletin of 1906 stated that the program for 1907 was nearly complete: "It will consist of high grade lectures by the best available talent, entertainments of good quality and special features."

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36 The Chautauqua was sometimes held on the college campus. Neff Grounds Park was also The Glen, which was later given to Antioch College by Hugh Taylor Birch in memory of his daughter, Helen. It is now known as Glen Helen, and consists of approximately 800 acres. See Lucy G. Morgan, The Story of Glen Helen (Yellow Springs: The Antioch Press, 1931).


38 Ibid.

Fess personally arranged and contracted for many of the acts, lecturers and performers in the annual Chautauqua, but he also made use of the Lecture and Lyceum Bureaus such as the Redpath Lyceum Bureau.\textsuperscript{40} For the Chautauqua of 1907 Fess tried to secure Edward E. Hale and Senator Joseph B. Foraker (Ohio), but he was unsuccessful.\textsuperscript{41} The variety of talent for the 1907 event demonstrated the great effort that he made to make this first Chautauqua, as well as later ones, a success. The following is a list of the individual speakers and their topics. George W. Bain, "The New Woman and the Old Man"; A. W. Lamar, "A Little Lad and His Loaves and Fishes"; John W. Woolley, "Christian Citizenship"; Thomas H. Clark, "The Saloon and the Citizen"; A. W. Hawks, "Sunshine and Shadow"; Senor Lala, "The Filipine and His Problem"; S. Parke Cadman, "Seeing London"; Mrs. Lasalle Corbell Pickett, "Pickett's Charge at Gettysburg"; Captain Jack Crawford, "Reminiscences"; William Spurgeon, "An Englishman's Impressions of Brother Jonathan"; Governor H. A. Buchtel (Colorado),\textsuperscript{40}

\textsuperscript{40}Fess Papers, \textit{passim}, 1907-1915.

\textsuperscript{41}Letters from Hale to Fess, February 6, 1907; Foraker to Fess, February 4, 1907 and May 20, 1907, Fess Papers, Box 1, Folder 2.
"How We Got Our Bible"; and Herbert S. Bigelow, "Initiative and Referendum."  

The audience was also entertained by Mr. and Mrs. Bowden who presented a moving picture recital of "Hiawatha." Professor Ladru Layton and Paul Lawrence Dunbar gave two recitals entitled "Ask Davis" and an "Evening with a Cartoonist." The program included several musicians who presented musical numbers: Mrs. Maud Wents McDonald and Mrs. W. H. McGervey, Contraltos; The Dixie Jubilee Singers; the Otterbein Male Quartet; the Modjeska Male Quartet; the Chicago Lyceum Ladies; the Trinity Choir; The Hawken Cadet Band; The Lulu McOwen Orchestra; Miss Veronica Ferguson; violinist; Miss Bertha Darst, pianist; and Russell Black, cornetist.  

The first Chautauqua was a great success and the attendance increased daily with estimates of 4,000 in attendance the last day. Fess considered this first Chautauqua so successful in advertising the college that he immediately made plans for the following year. The Chautauqua of 1908  

set up special days, such as: G. A. R. Day, Temperance Day, Women's Day, Farmers' Day, Children's Day, Athletes' Day, and Educators' Day. Each day's program was prepared with reference to the special feature.45

The Antioch College Bulletin, in reporting on the Chautauqua of 1908, concluded that it was evident the people of the community would support a first class Chautauqua and that "there is [was] no better way to bring the community into a sympathetic touch with the college."46 The Bulletin further suggested that it would justify efforts to make the Chautauqua a permanent part of the summer school.

The Chautauqua aided both the college and the town. Delegates came from many miles away, but mostly from the surrounding counties and towns. The annual event was advertised widely and twenty-five newspapers carried displays advertising it, and scores of others, including the press of Columbus and Cincinnati, made note of it.47 The mere mention of the Antioch Chautauqua gave free advertising to the College. The Chautauqua continued to grow and draw

45 Ibid., Vol. IV, No. 2, 1907-1908, 4-5.
46 Ibid.
47 Ibid., Vol. IV, No. 4, 1908, 8-9.
larger crowds. It is estimated that in some years as many as 20,000 people attended the Chautauqua on Sundays and that usually crowds of several thousand were present during the week.

The week or ten days of the annual Chautauqua was always a festive occasion. The whole community eagerly awaited the occasion, knowing that it was the main event of the year and would bring great interest and excitement to their town. The Antioch Chautauqua had somewhat of a "carnival atmosphere" with several concession stands on the grounds. Fess's sons usually ran a checking concession, charging five cents per package. The boys in the audience, anxious to get a closer look at the entertainers, would climb the nearby trees for a "front-row seat."

Fess often served as master of ceremonies, his main

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48 Ibid.
49 Personal interviews with Misses Susan C. Fralick and Mary Fralick, September 25, 1963; Mrs. Dean Miller Birch, September 25, 1963; and Lehr Fess, October 18, 1963.
50 Ibid.
51 Personal interview with Lehr Fess, October 18, 1963.
52 Personal observation of a photograph of Antioch Chautauqua, Lehr Fess Papers.
purpose being to introduce the guest speakers. He, however, was always one of the main speakers, and frequently he was called upon to "fill-in" because of someone's absence.53 Many of the celebrities were dinner and overnight guests at the Fess home.54 One can easily imagine that Fess fully enjoyed their informative, if not always scholarly, discussions. Fess brought many leading personalities of the day to Antioch including: Champ Clark, Joe Cannon, A. J. Beveridge, Jane Addams, William J. Bryan, Theodore Roosevelt and Senator Warren G. Harding, and the famous Coburn Players.55 He also sent many invitations to people who could not come. Among these were: Gifford Pinchot, Ben R. Tillman, Booker T. Washington and Woodrow Wilson.56 Wilson, then Governor

53Personal interview with Susan G. and Mary Fralick, and Mrs. Dean Miller Birch, September 25, 1963.

54Personal interview with Clara Brooks, September 25, 1963.

55Valance, op. cit.; program of Chautauqua found at Antiochiana Library, Antioch College; letter from Fess to W. J. Galvin, editor of Greene County Journal, May 14, 1915; Fess Papers, passim; and Antioch College Bulletin, passim.

56Letters from Pinchot to Fess, March 28, 1911; Tillman to Fess, January 27, 1908, February 15, 1908, and February 22, 1908; Washington to Fess, January 25, 1908; and Woodrow Wilson to Fess, March 24, 1911, Fess Papers, passim.
of New Jersey, replied to Fess's invitation:

Thank you sincerely for your letter of the twenty-second. I am very much complimented that you should desire me to lecture before the Antioch College at Yellow Springs, but unhappily I have reached the limit of both my strength and of my official liberty in the matter of speaking engagements and simply dare not add any more.

Cordially and Sincerely yours,
Woodrow Wilson57

Although Fess had assistance in the preparation for and the supervision of the Chautauqua, he felt that its success or failure depended primarily upon his management. He contracted for and overlooked the building of the speakers' platform, the arrangement of seats, the printing of tickets, advertising, the rental of tents and cots, and numerous other details.58

The Chautauqua contributed to the social, religious, cultural, and educational needs of Antioch and Yellow Springs. It also benefitted the community economically as the influx of people gave a temporary boom to the local economy. The Chautauqua sometimes showed a small profit which was turned

57 Wilson to Fess, March 24, 1911. There is a possibility that this letter may have referred to a commencement address and not the Chautauqua.

58 The Fess Papers, 1907-1916, passim. The Fess Papers contain many bills, contracts and correspondence concerning the facilities and other details of the Chautauqua.
over to the College. Franklin W. Hooper, a trustee of the College, wrote to Fess suggesting that even though the Chautauqua of 1908 had shown a deficit of 282 dollars, the two years' experiences had illustrated that it could be made to pay.\(^{59}\)

There can be no doubt that the Chautauqua nourished a greater interest in Antioch. The growth of the summer school and the increase in student enrollment can be partially attributed to the Chautauqua. The well-known speakers with their discussions of current and controversial issues, moreover, contributed to the enlightenment of the audiences. Fess, no doubt, was greatly influenced by the ideas discussed as he was vitally interested in many of these controversies as a member of the Ohio Constitutional Convention in 1912 and later as a legislator.

In 1911 Fess was elected to the Ohio Constitutional Convention of 1912, which was in session during the summer of 1912. Thus he was unable to take personal charge of the Chautauqua. In November 1912 he was elected to the national House of Representatives and with these additional duties as

\(^{59}\)A letter from Franklin W. Hooper, to Fess, July 19, 1908, Fess Papers, Box 1, Folder 2.
a Congressman, he was unable to devote much time to the annual event. By 1914 and 1915 the Chautauqua at Antioch was in decline even though Fess hoped that it would continue.60

In a letter to a Mrs. Fred Myers of Dayton in 1914, Fess wrote: "Replying to your letter of the fourth I am writing to state that the Chautauqua has been deferred owing to my inability to be on the grounds."61 Fess also had become somewhat disillusioned as a result of his failure to raise the endowment for Antioch, and this caused him to have less interest in the Chautauqua.62 Other people conducted it, but they did not display the personal interest or have the deep concern for its success which Fess exhibited. By 1917 the annual occasion was an event of the past. Its downfall cannot be attributed solely to Fess's disassociation with it, as changes within the American society affected the decline.63

60 Fess Papers, 1913-1916, passim.

61 Ibid.; and personal interview with Lehr Fess, October 18, 1963.

62 Ibid.

63 See footnote 32 this chapter.
Antioch was near collapse because of the lack of financial support, mainly due to the lack of a productive and adequate endowment. Fess immediately took steps to solve this critical problem. In order to remain in the Ohio College Association, Antioch needed an endowment of 200,000 dollars. Its endowment was only 100,000 dollars. The yearly revenue, apart from students' fees, totaled five thousand dollars, and its buildings and equipment were valued at 155,000 dollars. Soon after assuming the Presidency, Fess took steps to establish local and national organizations of alumni for the purpose of stimulating and maintaining their interest in the college. He hoped, with their support, to establish a permanent and adequate productive endowment. During his Presidency he continually urged and solicited greater financial support for the college by the

64 Antioch College Bulletin, Vol. V, No. 4, 1909-1910, 4-10. Also there are many references to this needed endowment in Fess Papers, passim, 1908-1916.

65 Letter from James Bertram, personal secretary of Andrew Carnegie, to Fess, February 27, 1911, Fess Papers, Box 3, Folder 2.

66 Letter from James Bertram to Reverend Leon Harvey of Antioch College, March 1, 1907, Fess Papers, Box 2, Folder 1.


alumni and its friends, but his appeals and effort were for the most part unavailing.

As an additional means to raise the needed endowment of 100,000 dollars, Fess conceived the idea of creating an endowment in memory of Horace Mann. Fess hoped that a fund in behalf of Mann would attract many contributors from the field of education. In 1909 Fess wrote a letter to Edmund A. Jones, State Commissioner of Common Schools in Ohio, explaining his idea. Fess and Jones believed that by asking the public school teachers to contribute one dollar each an endowment of 25,000 dollars could be raised. Jones suggested that Fess should visit the local teachers' associations and, in addition, should distribute printed information on Mann to advertise his cause. Fess realized that he was faced with an enormous task in selling his idea to the teachers as many of them were more interested in other colleges. Many teachers also received small salaries and knew little or nothing about Horace Mann.

Fess spoke before the Ohio State Teachers' Association at Put-in-Bay in the autumn of 1909 and outlined his plan. His speech was received with wide applause and approval.

69Letter from Edmund A. Jones to Fess, April 26, 1909, Fess Papers, Box 1, Folder 3.
70Fess Papers, Box 1.
The Association Resolved: "That we heartily endorse any reasonable movement having for its purpose such preservation." Fess hoped that the endorsement by the Teachers' Association would prepare the way for a systematic organization in each county in the state at the coming sessions of county institutes.

In order to gain additional support for the Horace Mann Memorial Fund, Fess sought the endorsement of leading educators. With these endorsements he hoped to encourage greater participation by the school teachers. He received endorsements from: Dr. Edward Everett Hale; George L. Cary, an associate of Horace Mann; F. G. Blair, Superintendent of Schools, Cleveland; O. T. Corson, Head of Ohio Educational Monthly; and W. W. Boyd, Dean of the College of Education, Ohio State University.

Fess wrote to many high school superintendents, principals, and teachers throughout Ohio and surrounding states to determine if they were in sympathy with his idea and would support it. The response was generally very favorable.

72 Ibid.
73 Ibid., and Fess Papers, Box 1, Folder 3.
although a few returned adverse opinions. One high school superintendent replied:

It can't be done but I will not tell anybody but you. On the contrary I'll talk for Antioch and pray that you are the one man in a million that can bring to a successful issue your plan to raise funds for Antioch.

Many of the county school systems and city school systems of Ohio, as well as several in Pennsylvania, and a few in Michigan, Indiana, and Illinois contributed to the Horace Mann endowment. Many of the Teachers' Associations, however, would make a pledge and never fulfill it. Hundreds of teachers, superintendents and principals, on the other hand, contributed "their dollar." Yet, the goal of 25,000 dollars was not met. Fess's plan had proved to be very expensive as it cost much for envelopes, letters and advertisement.

Fess's efforts toward raising the Horace Mann Memorial Fund was not aimed only at the public school teachers. He spoke on "Horace Mann" at hundreds of educational meetings

74 Fess Papers, Box 1, passim.
75 Letter from J. D. Simkins, Superintendent of Schools, Newark, Ohio, to Fess, May 3, 1909, Fess Papers, Box 1, Folder 3.
76 There are many letters in the Fess Papers from school teachers, principals, and superintendents relative to the Fund.
77 Personal interview with Lehr Fess, October 18, 1963.
during his Presidency, hoping to arouse interest in the cause of Antioch. On January 28, 1914 Fess made an appeal for financial aid for Antioch before the alumni of Brown University at their annual meeting in Boston. He was always ready and willing to present the "cause of Antioch."

Because of its small endowment, Antioch was threatened with expulsion from the Ohio College Association. Such a step would have been a severe blow to the institution. Fess wrote letters to several College Presidents of Ohio in 1910 requesting them to aid in securing an extension of time to meet the required $200,000 endowment for membership. They replied that the Association would try to deal wisely in the matter of any reasonable concession. A reply from President W. O. Thompson of The Ohio State University to Fess stated: "In my judgment no drastic action will be taken." The Association, realizing that Fess and Antioch were striving

78 Dorothy Hall, a typewritten, unpublished, undated, and untitled sketch on Fess and Antioch College (Antiochiana file, Antioch College).
79 U. S. Congressional Record, 63rd Cong., 2d Sess. (1914), App. 146.
80 Fess Papers, Box 2, Folder 4.
81 Letter from Thompson to Fess, December 13, 1910, Fess Papers, Box 2, Folder 4.
to meet the Association requirements, did not expel Antioch, although the threat remained for several years.\footnote{Fess Papers, 1909-1916, Passim.}

Fess, in order to ease the financial problem, tried to get state aid, but this proved to be unsuccessful. Mr. Granville W. Mooney, Speaker of The Ohio House of Representatives, replied to Fess:

I have your letter of April 4th and in reply regret very much to be obliged to say to you that I do not think there is any possible chance of the legislature appropriating the money which you desire for a memorial to Horace Mann. My reason for thinking so is that the bill would, undoubtedly, be unconstitutional... the legislature is not allowed to appropriate money for any other than public institutions.\footnote{Letter from Granville W. Mooney, Speaker of Ohio House of Representatives, to Fess, April 12, 1910, Fess Papers, Box 2, Folder 1.}

Even before Fess came to Antioch, efforts had been made, unsuccessfully, to get financial aid from the Andrew Carnegie Foundation.\footnote{Vallance, \textit{op. cit.}, 190-191.} Fess renewed these attempts. In a letter from Carnegie's personal secretary, James Bertram, to Reverend Leon Harvey of Antioch in 1907, Carnegie stated:

Your $155,000 of buildings and equipment and $120,000 of endowment are ample for the number of students you have. Mr. Carnegie considers it is
not for him to initiate artificial growth in a college which has been standing still or going back in attendance during the last few years.\footnote{Letter from James Bertram to Rev. Leon Harvey of Antioch College, March 1, 1907, Fess Papers, Box 2, Folder 1.}

This letter, no doubt, encouraged Fess to hope for some aid in the future if the college would launch an active campaign to increase its enrollment, its endowment, and overall valuation.\footnote{Antioch College Bulletin, Vol. V, No. 4, 1909-1910, 4-9.} Fess, therefore, continued his appeal for aid.

In a letter from Bertram to Fess in 1911, Bertram wrote (of course, speaking for Carnegie):

\ldots One cannot but help thinking that a college which has existed for nearly sixty years, with only one tuition building and but $5000 a year revenue apart from students' fees has not justified its existence and that artificial stimulation would be unwise, especially as Ohio is acknowledged to be over-colleged already.\footnote{Letter from James Bertram to Fess, February 27, 1911, Box 3, Folder 2.}

On March 23, 1911 Fess wrote to Carnegie:

I have not made as rapid progress in the finances of the college as I have in the attendance of students. When I came the student attendance was so small that my appeals for assistance were ineffective. I at once set about to increase the attendance. From less than fifty four years ago, our number has increased to one hundred and sixty. I feel we are now in a position to ask for financial assistance.\footnote{Letter from Fess to James Bertram, March 23, 1911, Fess Papers, Box 3, Folder 3.}
Fess would not relent in his attempt to establish an understanding with Andrew Carnegie. Fess believed that if he or a representative of Antioch could personally see him, instead of having to negotiate through his personal secretary, they might achieve success. In April 1911, Franklin W. Hooper, a resident of Brooklyn and a graduate and trustee of Antioch, wrote to Fess: "I agree with you thoroughly that we must get at Mr. Carnegie personally, and not through his secretary."89 Antioch, however, never received any aid from the Carnegie Foundation. Lehr Fess expressed it precisely when he remarked: "Father never got his foot inside Carnegie's door."90

Fess also sought aid from Mr. and Mrs. John D. Rockefeller, but was unsuccessful. The Rockefellers had contributed to the establishment of a fund to aid small colleges. Fess appealed to the General Education Board which supervised the fund.91 Fess wrote personally to Mrs. 

89Letter from Hooper to Fess, April 22, 1911, Fess Papers.
90Personal interview with Lehr Fess, October 18, 1963.
91Copy of a letter from George H. Shull, graduate of Antioch living in Santa Rosa, California, to Dr. Daniel C. Gilman of Johns Hopkins University and a member of the General Education Board, March 7, 1907, Fess Papers, Box 1, Folder 2.
Rockefeller in April 1911, appealing for aid. In reply, Mrs. Rockefeller's personal secretary stated: "Since making these contributions to the General Education Board] Mr. and Mrs. Rockefeller are declining to consider, as individuals, applications of this character."\(^{92}\)

There is a possibility that Fess may have sought aid for Antioch from James J. Hill, the railroad magnate, and, from William Randolph Hearst. In a letter from a Ross F. Wicks to Fess, Wicks remarked:

_Saw Hill. He will not do us much good. I am frank in saying to you, I was not well impressed with outcome of conference. He will go with us to see Herst [sic].\(^{93}\) We will not need him for Herst. . . . Now don't get discouraged. I have another tack. The card is from Mrs. Hebden. I crossed sea with her two years ago. She is a refined old lady about 70--Lives in town where Carnegie lived and played with him. He has given her quite a little money to spend for her boys in getting an education. . . . I have written her a long letter asking her to help us and to give me a formal note of introduction to him. Also told her you would write her a note and tell about school and needs. This may do a lot of good in getting next to the old man._\(^{94}\)

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\(^{92}\)Letter from personal secretary of Mrs. Rockefeller to Fess, April 7, 1911, Fess Papers, Box 3, Folder 4. This letter refers to a Fess letter of April 3, 1911.

\(^{93}\)This could be a misspelling and may refer to William Randolph Hearst.

\(^{94}\)Letter from Wicks to Fess, date and place unknown, Fess Papers, 1910 Folder. The relationship between Fess and Wicks is not known.
In another letter from Wicks to Fess, Wicks stated:

Just a line, had a talk with Herst last eve. Fine he will see us. Sorry I did not have your note here to show him. Will try and see Hill Sunday. Met Herst at Society doll show. . . . The doll show, to which I had invitation gave me a good chance to meet the 400.95

During Fess's administration some marked improvements were made in the physical plant at Antioch, notably in the construction of a new gymnasium. Fess made plans to change the large chapel on the campus into an athletic hall. Through the generosity of Mr. Edwin S. Kelly96 of Springfield, Ohio, the overhauling was completed in 1911 at a cost of one thousand dollars. Mr. Kelly contributed the full amount.97 General improvements were made in the ladies' and men's dormitories, and in 1911 improvements were made in the ladies' dormitories and in the construction of a new water works at a cost of three thousand dollars.98

95Ibid., a later letter but with no date, but heading given as Hotel Marseille, Broadway X, 103 Street.

96Mr. Kelly was the owner of the Kelly-Springfield Tire Company.

97Vallance, op. cit., 192-193. In the Fess Papers are several letters, receipts and bills related to this project.

98Ibid. In the Fess Papers are numerous papers relative to improvements in the physical plant.
Not all of Fess's efforts, however, were devoted to such matters as finances, endowments and plant improvement. He also sought to uplift the educational standards of the college. Early in his administration a faculty committee was appointed to study the entrance requirements of other colleges and compare them with those of Antioch. The committee report stated that for Freshman Standing the requirements of Antioch were equal to those of the other colleges in the state.99

In 1910 the Preparatory School was made a separate unit, and the names of its faculty were listed separately in the bulletin. The name was then changed from Preparatory School to Academy, and a four year course was substituted for the old three year one. Some of the studies from the college were then placed in the Academy.100

In the college the elective system was enlarged, with new courses introduced in social and economic history and with the addition of a one year course in engineering. New emphasis was placed in the curriculum upon English, foreign languages, both ancient and modern, and upon the physical


100Ibid., 194.
and biological sciences. Bible literature was made a required study. In 1911 the college was reorganized on the semester plan. Heretofore it had operated with three terms: Fall, Winter, and Spring. Fess also added to the library. In December 1907, he purchased about two hundred books at a cost of over four hundred dollars. These books included many of the world's great classics. Among other books were: Appleton's *Scientific Library* (74 vols.); *Harper's Encyclopedia of United States History* (10 vols.); *Life and Letters of Charles Dickens* (6 vols.); Hume's *History of England* (6 vols.); Macaulay's *History of England* (5 vols.); John Fiske's *Works* (12 vols.); Schiller's *Works* (6 vols.); and Lamb's *Tales from Shakespeare*.

Early in 1909 a committee from the College of Agriculture at The Ohio State University was appointed "to promote a closer affiliation of Ohio State with the other Colleges in the state" in the field of agriculture. Different programs of study were suggested for the affiliation. The course of

101Ibid., 194-196.

102An invoice from Leary, Stuart and Co., Book Buyers and Sellers, Philadelphia to Fess, December 10, 1907, Fess Papers, Box 1, Folder 2. There are several other references to purchase of books.
study would involve both participating schools with perhaps a degree of Bachelor of Science in Agriculture or a Bachelor of Arts being granted. The Ohio State University invited Antioch to present its ideas on the course of study and other necessary details. Fess continued to correspond with Ohio State University and he hoped that an arrangement could be worked out to bring about such a program. He believed that such an arrangement would increase the enrollment and the accrediting of Antioch. The Antioch College Bulletin reported in 1915-1916:

By an arrangement entered into between Antioch College and Ohio State University, a combination course in science and agriculture has been agreed upon. By this arrangement the first three years of the work in the Department of Agriculture may be carried on at Antioch College, for which the University will give full credit in their requirements for the degree of Bachelor of Science in Agriculture.

The Antioch College Bulletin of 1916-1917 noted that Antioch would confer the Bachelor of Science degree after three years study at Antioch and one year at Ohio State. After the second year at Ohio State, making a total of five years.
years, Ohio State would also grant a degree of Bachelor of Science in Agriculture.106

Fess was to receive a yearly salary of $2,500 as President and teacher at Antioch. He was guaranteed this salary for three years. The College hoped to meet its commitment by the expected increase in enrollment. It, however, failed in this commitment, and by 1908 or 1909 Fess was being paid only $1,000 a year.107 Although he remained active as a speaker at Teachers' Institutes, high school commencements, and numerous other events he was not able to meet his financial needs.108 In 1910 he sold his farm at West Newton for $5,000 to help ease the financial strain. He, however, turned over a portion of this money to help Antioch.109 Harvard Forrest Vallance in his Doctoral Dissertation on a "History of Antioch College" revealed:

Mr. Fess himself is authority for the statement that in five years he spent $6000 in the Antioch

107Personal interview with Lehr Fess, October 18, 1963; also, Vallance, op. cit., 203-204.
108Personal interview with Lehr Fess, October 18, 1963 and Fess Papers, 1907-1917, passim.
109Personal interview with Lehr Fess, October 18, 1963.
community, besides his salary of only $1000, most of which he did not receive. 110

In the autumn of 1911 Fess ran successfully from Greene County as a representative to the Ohio Constitutional Convention of 1912. Lehr Fess stated that his father’s main reason for serving as a delegate was because it paid $1,000, and his father was "broke" and needed the money. 111 In 1912 Fess was elected to the national House of Representatives where he served five consecutive terms, which provided for a steady income. 112

Fess’s growing interest in politics and his increasing duties and responsibilities as a Congressman, brought about by the tensions of World War I, led to his resignation as President of Antioch in 1917. His decision to resign, however, was partially influenced by his disappointment and disillusionment in failing to solve Antioch’s problems, especially in regard to the financial situation. 113

110 Vallance, op. cit., 203-204. During that time Fess was receiving an income from his public speaking, lectures, et cetera.

111 Personal interview with Lehr Fess, October 18, 1963. Lehr Fess, "The most unforgettable Character I have ever known."

112 This will be discussed later.

113 Vallance, op. cit., 204; also personal interview with Lehr Fess, October 18, 1963.
In his letter of resignation he said:

For some time I have been convinced that in case congress is called in special session which would compel an enforced absence from Ohio, I would be compelled to resign the presidency of Antioch.

The college must have an active head who can represent it before the public. So long as like situation now obtaining continues, the college must suffer.

I therefore tender my resignation to take effect on the next Commencement, June fifth, 1917. I shall be willing to continue as a member of the Board of Trustees, and will do all in my power to assist the College in whatever way I may be able to do so. I have no attachment more vital in interest than Antioch's future. The step I am now taking is primarily for the good of the college.11b

Fess was a trustee of the College from 1907 to 1920. He was President of the Board of Trustees from 1907 to 1917 and in 1920 he was appointed an honorary trustee, serving until his death in 1936.

Fess must be given credit for keeping the College alive through ten of its most difficult years. He organized, lectured for, and promoted the cause of Antioch. He increased the enrollment from around 70 to over 200. He raised $50,000 endowment. His reorganization of the Summer School and his establishment of the Chautauqua contributed much to

11b Letter of resignation from Fess to Dr. George D. Black, Secretary of the Board of Trustees, Antioch College, March 28, 1917, Fess Papers, Box 38.
the college. He raised the scholastic standards of Antioch and the scholarly level of its faculty.\textsuperscript{115} Vallance, in his evaluation of Fess's contributions to Antioch wrote:

\begin{quote}
That measured by his achievements, his sacrifices, his devotion he was a worthy successor to such eminent predecessors as Mann, \ldots\; there seems little room for doubt, measured by student attendance he [his] was one of the most successful administrations in the history of the college.\textsuperscript{116}
\end{quote}

Fess, undoubtedly, had the opportunity while at Antioch to accept more lucrative positions in the field of education. Lehr Fess stated that his father had the chance to move elsewhere but that the Presidency at Antioch presented a challenge which he was determined to meet. Fess believed that there was a "job to be done" at Antioch and that he had assumed that responsibility and should, therefore, do his utmost to achieve that goal.\textsuperscript{117} A letter from President William Oxley Thompson of The Ohio State University indicated that Fess may have had an opportunity for the Presidency of Otterbein College. The letter stated:

\begin{quote}
My own feeling has been that after a little time you would either fasten yourself there or would
\end{quote}

\textsuperscript{115}Dorothy Hall, \textit{op. cit.}

\textsuperscript{116}Vallance, \textit{op. cit.}, 204.

\textsuperscript{117}Personal interview with Lehr Fess, October 18, 1963.
be invited to a more prominent presidency when a
vacancy comes along.

I should feel like remaining at Antioch if
I were in your place unless I had a distinctly
denominational enthusiasm for which Otterbein
offers an opportunity.\textsuperscript{118}

Thompson suggested that he believed Fess in time would be
offered a more desirable college presidency and that Antioch
would serve as a good training ground.

Fess probably was offered the superintendency of the
Cleveland school system in 1912, but chose to decline it.
A Henrietta P. Gravel wrote to Fess: "There is no longer
any question but that the position of Sup't. [sic] is yours
if you want it."\textsuperscript{119} In a letter from William Hooper, trustee
of Antioch, to a Reverend Milton J. Miller of Illinois,
Hooper wrote, relative to the superintendency at Cleveland
and the Presidency of Miami University of Ohio:

I found in my arrival [at Antioch] that Dr.
Fess had just declined the superintendency of the
public schools of Cleveland, which position had been
offered him at $10,000 a year for a term of five

\textsuperscript{118}Letter from Thompson to Fess, February 18, 1909,
Fess Papers, Box 1, Folder 3. Evidently from comments in
the Thompson letter, Fess had written to him on February 15
relative to the Otterbein position.

\textsuperscript{119}Letter from Gravel (?) of Cleveland, Ohio, to Fess,
June 6, 1912, Fess Papers, Box 5, Folder 4.
years, and a prospect of a renewal at the end of five years. Dr. Fess had also been tendered the presidency of Miami University at a salary of $5,000 a year.\textsuperscript{120}

\textsuperscript{120}Letter from Hooper to Miller, June 13, 1912. Probably Hooper, who lived in Brooklyn, was in Antioch for June graduation and this information was told to him by Fess. Fess and Hooper confided in each other. There are many letters between Hooper and Fess in the Fess Papers, but related mostly to the administration of Antioch.
CHAPTER IV

INTRODUCTION TO POLITICS

In his political beliefs, Fess was considered to be the "black sheep" of his family, as he was its sole Republican.\(^1\) Henry Fess, his father, was said to have been a "Copperhead" Democrat during the Civil War.\(^2\) Fess's younger brother, Charles, in a newspaper interview in 1928, stated that Simeon as a boy did not seem to be interested in politics, "as his mind was wholly on education."\(^3\) One can always speculate as to the origin of one's beliefs, and as to what factor or factors contributed to the development of them. In regards to Fess's Republicanism, his younger brother attributed it to his years spent with his

\(^1\)The Lima Star and Republican Gazette, April 8, 1928, article, "Lima Brother, Sister of Senator Fess tell Keynoter's Early Life." Also, personal interview with Lehr Fess, October 18, 1963.

\(^2\)Personal interview with Lehr Fess, October 18, 1963.

\(^3\)The Lima Star and Republican Gazette, April 8, 1928, article, "Lima Brother, Sister of Senator Fess tell Keynoter's Early Life."
brother-in-law, George Brown, who was an ardent Republican. His political views, no doubt, were partially determined by his friendship with John Davison and James Hay, both of whom were Republicans. John Davison's father, for whom Fess worked and lived as a young man, was also of that party, and he often discussed public affairs; he especially had the knack of provoking discussion and debate.

Fess was first actively attracted to politics in 1883 when he was twenty-three years old. The nation was then echoing to the cry of "Blaine, the man from Maine" and songs about the "The Plumed Knight." Rhoda Brown, Fess's niece, related that her father, George Brown, was an ardent supporter for Blaine. She said:

He [her father] was bitterly disappointed when Blaine was defeated. He shed tears -- so did I. He so greatly admired Blaine & [sic] talked so much about him & his policies. . . . That year [1884] father put up flag pole, floating a common size flag, our house painted red, white

4Ibid.
6Lehr Fess, "Historical Sketch."
& blue. The body of house a brilliant red, under
the eaves the blue & other trim in white, colors
like the flag. He was sure patriotic ... . We
sang campaign songs daily ... . It was a stir-
ing campaign at our house. Your father [Fess]
& mine discussed the issues ... . Uncle Simeon
would have been 23 [sic] then and with that serious
mind of his would have decided on his politics &
been voting. If my father had any influence he
would be a Republican.

Dr. Lehr, President of Ohio Northern, was a Republican, and he devoted himself to the instillation of political am-
bitions in his students. Because of the close friendship
between Lehr and Fess, the latter, no doubt, was influenced
by his teacher and adviser in his political beliefs and in
his later decisions to seek public office.

The "Table of Information" for the graduating class of
1889 at Ohio Northern listed Fess as a Republican.

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8Lehr Fess, "Historical Sketch."

9The Herald, July 1, 1904, an article on Dr. Lehr
noted that he became a Republican in 1857-1858.

10American Mercury, article by William C. Murphy, Jr.,
"Preceptor Senatorium," December 1928, 411-418. During the
mid-1920's three of Lehr's students: Fess, Frank B. Willis
and Arthur R. Robinson of Illinois, served in the United
States Senate.

11The Herald, December 1889.
before the Republican county convention," but the next week's edition of August 11, mentioned that he had not received the nomination.\textsuperscript{12} While a student and a teacher at O.N.U. Fess had debated on various controversial issues, and his position on the questions would indicate that he was a Republican.\textsuperscript{13} Fess became active in Republican campaign politics and by 1893, at the age of thirty-two, he was such a veteran campaigner that the official roster of state campaign speakers for that year included his name.\textsuperscript{14}

In 1896 the issue of the free coinage of silver and sound money brought Fess to the political forefront. He was challenged to a debate on the issue by a Populist, Thomas Ruffner.\textsuperscript{15} The debate took place at West Rushville, Fairfield County\textsuperscript{16} and on this occasion \textit{The Herald} commented

\textsuperscript{12}Biographical sketches of Fess never mention this incident, and Lehr Fess states that he was unaware of his father's running for office in 1893. Evidently Fess was not a serious candidate.

\textsuperscript{13}\textit{The Herald}, \textit{passim}, 1886-1900.

\textsuperscript{14}\textit{The Ohio State Journal}, December 24, 1936.


\textsuperscript{16}West Rushville was the home of Fess's wife, and probably this association affected the selection of the site of the debate.
on Fess's defense of sound money: "in clear, concise, plain but vigorous statements, without a tone or gesture offensive to his opponent, Mr. Fess wiped away the cobwebs from in front of the eyes of the doubtful and held the audience spellbound."17 Fess, four years later, was challenged to debate the money issue by Congressman Tanneyhill of the fifteenth district. The event took place at McConnelsville, Tanneyhill's hometown, and it helped to popularize Fess's name in that area of the state.18

Fess's sound money beliefs led to a debate with the Populist and ex-governor, John St. John of Kansas. The debate occurred on the twenty-ninth of August at the County Fairgrounds in Ada. It was sponsored by the three literary societies of Ohio Northern University who charged ten cents admission, with children and representatives of the press admitted free. St. John charged thirty-five dollars for participating while Fess asked for no fee, but later he was presented with twenty-five dollars by the literary societies.19

17 The Herald, July 31, 1896.
18 The Herald, January 19, 1900.
19 The Herald, August 28, 1896 and September 4, 1896.
The community anxiously awaited Saturday's event. Friday's local paper advertised it with a front page headline entitled, "All Ready" and then went on to report:

The already famous debate between Ex-Governor John P. St. John, of Kansas, and Prof. S. D. Fess of O.U., will occur tomorrow, the 29th, on the fair grounds, and will begin at 1:30 p.m. . . .

This great forensic meeting has been widely advertised all over the state, and reports come from all points of numbers who will attend . . . . Gov. St. John is one of the ablest advocates of the silver cause, while our own Prof. Fess, who is thoroughly acquainted with the financial situation and believes in the justice of his cause, by his eloquence and logic is amply able to meet him. The whole land should hear the debate. It will instruct young and old.

Afterwards both sides were happy and claimed the victory. The crowd was estimated to be from 3,000 to 5,000, with 2,600 tickets being sold.

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20 *The Herald*, being the local paper, and wanting to boost the importance of the debate was somewhat exaggerating. Research in the Cincinnati *Times-Star*, the Cleveland *Plain Dealer* and The *Times-Democrat* (Lima) made no mention of the event from August 28 to 30. The *Ohio State Journal* mentioned the debate in a small front page item on Sunday, August 30. The *New York Times* and the *Washington Post* of August 28 to 31 made no mention of the debate.


22 *The Herald*, September 4, 1896 and the *Ohio State Journal*, August 30, 1896. The *Journal* stated that there were 1000 present of which 3,000 were farmers.
The Herald, in an editorial, predicted:

Prof. Fess's speech is admitted by all to be the crowning oratorical effort of his life. In the light of this debate it is not hard to predict a brilliant future for him in the councils of the nations. Last Saturday he showed us as never before his rare talents as a statesman, orator and logician. And Ada is proud to claim the man who has risen from poverty to a place among the foremost of this land solely on his merits.23

Rhoda Brown, Fess's niece, who was present at the debate, remembered the wonderful occasion. She said:

Father [sic] I drove to Ada and there was such a throng we could hear by standing back of the platform. Father was so eager to hear it but I have forgotten the subject but I do remember when it was over he was almost exhausted & besieged by handshakers. . . [then] a group of fellow students picked him off that platform, placed him on [their] shoulders and carried him all the way home back to town. I looked at father in wonderment & his eyes were filled with tears.24

The Herald of January 19, 1900, in a biographical sketch on Fess, stated that his speech was made a campaign document in some of the western states, and, in addition,

23The Herald, September 4, 1896.

24Letter from Rhoda Brown to Lehr Fess, April 23, 1959, Lehr Fess Papers. Rhoda Brown would have been twenty-one years old in 1896 and, therefore, she should have remembered the occasion.
had brought him national prominence among politicians.\textsuperscript{25} Fess was also invited by the National Committee to take the stump in the West, but the state committee refused to let him go. He was then called into the Ohio field and gave over sixty campaign speeches for McKinley throughout the state.\textsuperscript{26}

In 1897, Fess's name was presented to the Hardin County Republican convention as a candidate for State Senator for his district.\textsuperscript{27} The convention was held in Kenton on June 19th with four candidates in the running.\textsuperscript{28} On the first ballot Fess received the largest number of votes, 113-1/2 out of a possible 285, with 143 votes necessary for election. On the second ballot candidate John S. Rice withdrew and Fess's vote increased to 130; his nearest

\textsuperscript{25}The Herald was very loyal to Fess. This statement is no doubt greatly exaggerated, as there was no evidence that Fess came into national prominence among politicians because of this speech.

\textsuperscript{26}The Herald, October 30, 1896 and January 19, 1900.

\textsuperscript{27}The district included Marion, Union, Logan and Hardin counties.

\textsuperscript{28}The other three candidates were John S. Rice and H. J. May of Kenton, and J. R. Dunlap of Marion township, The Herald, June 25, 1897.
rival received 111. On the third and final ballot Fess received 137 votes, but his opponent, H. J. May, received 143 and was declared elected. There was some doubt as to the final ballot, but Fess never challenged the result.29

In 1900, Fess ran as Republican candidate for Congress from the eighth district. The Herald of March 23, in announcing and endorsing his candidacy, reported:

The Little Giant [Fess] has been heard from. Hardin County has also been heard from. The result is that at the great congressional convention of Hancock, Hardin, Union, Logan, Delaware and Champaign Counties at Marysville, April 10, Hardin will endorse the brilliant orator and schoolman, Prof. S. D. Fess.

Fess had won the Hardin County endorsement by winning over two other candidates. There were 263 delegates with a majority vote necessary for election. On the first ballot Fess received 94-1/2 votes which made him a close second. On the second ballot he took the lead with 98-1/2 votes, and he gradually increased his number on the next two ballots until he won on the fifth with 161-5/6 votes to his nearest opponent's 101-1/6.30

29The Herald, June 4, 1897 to June 25, 1897. The issue of June 25 suggested the vote on the third ballot was really a tie, and that an error had been made. It stated that the mistake was realized rather late and that Fess did not push the issue for a recount.

30The Herald, March 23, 1900.
In the district convention, which lasted five days, Fess was defeated by Judge Warnock of Urbana, who won on the 401st ballot. Professor Frank B. Willis of Ohio Northern University, a former student and later a colleague in the Senate with Fess, presented Fess's name to the convention. Fess had the solid support of Hardin County and a large following in Logan and Union but only a small backing in Hancock, Delaware and Champaign Counties. On the first ballot Fess received 39 votes, giving him third place. Warnock was in first place with 78. One hundred and seventeen votes were necessary for election. On the 369th ballot the trend to Warnock began, and on the 401st Warnock was nominated, with 147 votes to Fess's 39. Warnock went on to win the seat to Congress in the general election in November.

Lehr Fess related an incident concerning this 1900 Convention which may have cost Fess the nomination. Lehr said that the Union County delegation offered to vote for his father if he would agree to follow the party committee's recommendation in connection with the appointment of a

31 The Herald, April 13, 1900 and the Greene County Tribune, April 11, 1912.
certain postmaster. Fess replied, "No," though he knew that it would probably cost him the nomination. Lehr further related that Willis, his father's campaign manager, felt so upset about Fess' losing the nomination that he "went home and cried like a baby." 

One can speculate as to what effect a victory in 1900 would have had on Fess's future, as this defeat was a factor in Fess's decision, in 1902, to leave Ohio Northern University and matriculate at the University of Chicago. Lehr Fess believed that his father's failure to win in 1900 was such a disappointment that it caused him to decide against politics as a career and instead, he decided that his main interests should and did rest in the field of education.

32 Lehr Fess stated that due partially to this incident his father after he entered Congress, never turned down a party recommendation concerning appointments, except on two or three occasions, when he thought the suggested appointee was incompetent. In those instances he would then contact the county Republican chairman and have someone else recommended.

33 Personal interview with Lehr Fess, October 18, 1963.

34 Ibid.
disturbed his plans and he would again seek the road of politics and public office.

At the general election in 1910 the question of holding a Constitutional Convention was submitted to the people of Ohio, who approved it by a vote of 932,262 to 693,263. The General Assembly passed a bill providing for the election of delegates to the convention. The law provided for nomination by petition, without reference to party. Two percent of the electorate at the last general election of the county had to sign the petition, and in no case could the number of signers to the petition be less than 300. The names of all the candidates were placed on a separate ballot without reference to party designation.

Fess, who had struggled for four years to keep Antioch alive, had exhausted his savings and himself to the point of a nervous breakdown. He saw in the Constitutional Convention, however, the opportunity to earn a $1,000, and thus he became a candidate, although a somewhat reluctant one. He was

35Ohio Constitutional Convention, 1912, C. B. Galbreath, Secretary (Columbus: The H. J. Heer Printing Co., 1912), 177.
36Ibid.
37Lehr Fess, "The most unforgettable Character I have ever Known."
38Ibid.
well known in Greene County for his work at Antioch and therefore he received the support of religious organizations in the county. He campaigned throughout the county, and he spoke for many of the progressive issues which became focal points in the convention.39

Fess was elected as a progressive. The progressives won 90 of the 119 seats in the assembly in the general election of 1911. In reference to this the Ohio State Journal, at the time of Fess's death in 1936, reported:

In the Constitutional Convention, which was Fess's first personal political venture, he was one of the leaders in the fight for the initiative and referendum, workmen's compensation, woman suffrage, child labor legislation, minimum wage and eight-hour day provisions.40

The Convention convened on January 9, 1912 in the halls of the state House of Representatives in Columbus, and it continued its work until June 7, 1912, although it was not in continuous session. Reverend Herbert S. Bigelow of Cincinnati became the progressive or liberal candidate for president and Caleb H. Norris of Marion, the conservative

39"Ohio's Opportunity to Aid the Nation." Campaign literature, 1934, Fess for Senate committee, 11. Also personal interview with Lehr Fess, October 18, 1963.

40Ohio State Journal, December 24, 1936.
or reactionary candidate.\footnote{Bigelow later received considerable attention for his pacifist activities during World War I.} Fess also was given some consideration, as \textit{The Columbus Citizen} of January 5th reported that Fess might be entered as a candidate for the high office, but the same newspaper on January 11th noted however, that he declined to permit the use of his name for the position. Before the convention convened Bigelow seemed to be sure of the election as he received the pledge of 60 votes.\footnote{\textit{The Columbus Citizen}, January 8, 1912.} In a letter of December 9, 1911, Bigelow had written to Fess stating that he (Bigelow) was assured of enough votes for the presidency. He said that he had not wanted the position but had accepted it in order to keep the reactionaries from gaining control. He thus had become an active candidate, and he concluded that there was no longer any doubt as to his election.\footnote{Letter from Herbert S. Bigelow to Fess, December 9, 1911, Fess Papers, Box 4, Folder 3.}

Bigelow won the presidency on the 11th ballot with 62 votes. Fess nominated Professor Henry W. Elson of Ohio University for the presidency, and he voted for him on every
ballot until the 10th and 11th when he swung his vote to D. F. Anderson, a lawyer from Youngstown. Fess received three votes on the 5th and 6th ballots, and support for him increased to 10 on the 8th and 9th. His vote decreased on the 10th ballot to six votes and on the final to none. * * 5

Fess and Bigelow, no doubt, were acquainted, for the latter had spoken at the Chautauqua at Antioch in 1907, on the "Initiative and Referendum." The December 1928 issue of the American Mercury commented on Bigelow:

In 1912, however, it was not Pastor Bigelow's attitude toward war [pacifist attitude during World War I] that was disturbing to the powers that be in Ohio; it was his reputed leaning toward those radical devices of the Devil known as the initiative, referendum and recall, together with such other heresies as direct primaries.

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47 Daniel R. Beaver, A Buckeye Crusader, A Sketch of the Political Career of Herbert Seely Bigelow, Preacher, Prophet, Politician (Copyright 1957), located at The Ohio State University.
championed the cause of old age pensions, the single tax, and the public ownership and operation of public utilities, causes to which Fess did not adhere. Probably Fess did not vote for Bigelow for president because he believed him to be too radical in his ideas.

No provision for a vice president had been made when the convention met, but the committee on rules decided to create the position. Fess then became an active candidate for the vice-presidency. Several other candidates were in the running: Ed Doty, an industrialist of Cleveland, Professor George Colton of Hiram University, and D. F. Anderson of Youngstown. The balloting took place on January 17th after Fess had been nominated by S. A. Hoskins, a lawyer from Wapakoneta. On the first ballot Doty received 47 votes, Anderson 36, and Fess 31, but Anderson then withdrew and most of his votes swung to Fess. On the second ballot Fess won with 62 votes to Doty's 52. Doty and Fess during the course of the convention debated their

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48 The Columbus Citizen, January 11, 1912.
49 The Columbus Citizen, January 16, 1912.
50 Fourth Ohio Constitutional Convention, 2.
51 The Columbus Citizen, January 17, 1912.
disagreements on several issues, but, near the time of ad-
journment of the convention, Doty offered a resolution of
thanks to Fess for serving as vice-president. He said that
Fess: "Has proven a most able and impartial presiding offi-
cer, . . . ," to which Fess replied:

I admire the man who can stand up and oppose
me with vigor and at the same time have nothing
personal against me. I admire the fellow who can
fight openly and when it is all over realize that
there was nothing personal in it, but that it was
only a difference of opinion. I remember when I
first came into the Convention, I am very frank
to say, I did not like Mr. Doty at all. Now I
want to say that as I go out of the Convention
there is no one for whom I have a deeper regard
than my friend and open fighter who is always on
the fighting line.52

Fess was one of the leading drys at the convention and was
selected as vice-president in a conciliatory move by the
progressives, in the hopes of gaining the future support
of the dry forces.53

Fess in his vice-presidential acceptance speech said:
"The Constitutional Convention is a sacred thing in my mind,
and to have any part in its deliberations is an honor I
appreciate."54

52Ohio Constitutional Convention, 1912, Proceedings
and Debates, Vol. II (Columbus: The Heer Printing Co.,
1912), 2021.

53Beaver, op. cit., 26.

54Ohio Constitutional Convention, 1912, Proceedings
To assist in the selection of the standing committee Bigelow had sent letters to each member requesting him to designate his preference.\(^{55}\) Fess was appointed to the committees on: arrangement and phraseology; liquor traffic; and submission and address to the people. He was also selected as chairman of the committee on education.\(^{56}\) In a letter to Fess, prior to the convention, Bigelow had requested him to take charge of the management of the initiative and referendum measures in the convention and had requested him to make comments on them.\(^{57}\) Since Fess was not appointed to that committee, which was one of the most important of the convention, it is believed that Fess declined such an appointment. He, however, was elected chairman of a special seven member committee which drew up the final drafting of the initiative and referendum proposal.\(^{58}\)

It had been believed by many observers that it would

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\(^{55}\) *The Columbus Citizen*, January 16, 1912.

\(^{56}\) *Fourth Ohio Constitutional Convention*, 6.

\(^{57}\) Letter from Bigelow to Fess, December 9, 1911, Fess Papers, Box 4, Folder 3. It is not known if Fess replied to this letter.

\(^{58}\) *The Columbus Citizen*, May 30, 1912; and Beaver, *op. cit.*, 31.
be impossible to reform the state government of Ohio in 1911 because of the conflicting interests arrayed against each other. Many progressive ideas were acted upon and adopted by the convention, although not without debate. Even the progressives were not united on every issue. Numerous progressive measures were passed by the convention and later presented to the people as proposed amendments to the Constitution to be voted upon by the electorate. Such amendments related to: the initiative and referendum; impeachment of officials; liquor control; woman suffrage; uniform property tax; workmen's compensation; eight hour work day; direct primary; short ballot; municipal home rule; inheritance and income tax; state civil service; reform in jury system, judicial reform; and the control of the issuance of stock by corporations and the activities of banks.

Many other issues, not necessarily progressive, were also discussed in the convention. Proposed amendments were adopted relative to: taxation; eligibility to vote; veto power of the governor; wrongful death; conservation of

59 Beaver, op. cit., 19.

natural resources; injunctions; liens; abolition of capital punishment; state commissioner of education; justice of the peace; and several other issues. 61

During the eighty-two days the convention was in session, 340 proposed constitutional amendments were submitted for consideration, and action was required on 162 resolutions. This made a total of 502 questions determined during the eighty-two days. Eventually forty-two constitutional amendments were submitted to the people. 62 Fess voted for the adoption of forty-one of these proposals. 63

Fess took a very active part in the discussion and the debate on the many issues presented to the assembly. As chairman of the committee on education, he presented several proposals to the convention. 64 He, moreover, both

61 Ibid.
64 Ibid., 2167-2168. The General Index indicated that Fess took a very active part in the convention. Fess's political campaign literature of later years emphasized his role in the Constitutional Convention.
proposed and drafted the amendment which created the office of State Superintendent of Public Instruction in place of the former State Commissioner of Common School. Under the new setup the governor appointed the state superintendent of schools for a term of four years. In presenting his proposal to the convention Fess said:

"It was for the purpose of making this a constitutional office instead of a legislative office that I offer this proposal. The Department of Education ought to be in the Constitution, and that is the whole purpose of this."

"The only thing I want to do is to give the present school department more powers than simply to be a statistician. Our school head has done a great amount of work with very little authority. We want to give him authority commensurate with the office."

In connection with Fess's proposed amendment, the Columbus Citizen of May 11th reported that some of the schoolbook companies had lobbyists in Columbus trying to defeat his proposal to create the position of superintendent of education to take the place of the existing state school

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commissioner. Under the Fess proposal as adopted, the super-
intendent would be appointed by the governor, whereas the
office was then an elective one. The Fess proposal passed
in the convention by a vote of 79 to 11 and in the special
election of September 3, 1912, it was ratified by the people
of Ohio.

Fess expressed his opinion in the convention on several
of the progressive issues proposed. In endorsing the amend­
ment for an eight-hour work day on state construction pro­
jects he said: "I hope this convention will put itself on
record in giving its support to the eight hour day propo­
sition."67 In approving of the idea of municipal home
rule he stated that it was one of the questions that had
been of interest to him for a great many months, if not years.
He concluded that the greatest problem Ohio ever had had
been due to the result of its relations with the power of
the federal government, and in his opinion a similar problem
existed in Ohio because of a conflict between the cities and
the counties.68 He saw municipal home rule as a remedy for
this problem.

67 Ohio Constitutional Convention, 1912, Proceedings
68 Ibid., 1488.
An amendment was proposed for the passage of a $50 million bond issue for the improvement of roads in the state. The amendment was endorsed by the convention but was defeated by the people in November. Fess approved of the amendment and during the course of the discussion on the proposal he became involved in debate with another delegate, John Roehm of Montgomery County. Roehm was against the measure and asked Fess if $50 million would build an adequate system. Thereupon Fess replied: "No, sir; but that is a very good start." Roehm then suggested the possibility of raising the limit to $200 million or $300 million. To this Fess replied: "In other words, if one highball is good then ten would be better." To help illustrate his point Fess continued his discussion by relating an anecdote involving Abraham Lincoln and Thaddeus Stevens. Lincoln said to Stevens:

The difference between us Stevens is just this: I want to start somewhere so that I can get somewhere, and you want to get somewhere without starting anywhere. Don't you think we will get more by letting the hen hatch the egg than by smashing the egg.\(^{70}\)

\(^{69}\)Ibid., Vol. I, 307-308.

\(^{70}\)Ibid.
Fess concluded that the state needed roads at that time and would continue to need them until some measure as this was put in force.\textsuperscript{71}

A woman suffrage amendment was passed by the convention, but it was defeated at the special election. Fess expressed himself as being very favorable to such an amendment.\textsuperscript{72} In the discussion on the amendment it had been suggested that women voted in Denver, Colorado, but that it had not improved the government of the city. Fess then asked whether the bad government of Denver was due to the voting of the women but the question went unanswered.\textsuperscript{73} Later in the discussion it was stated that women usually did not exercise their right to vote, hence the question arose as to why they should be given the right. To this statement Fess remarked: "I think that was well answered by the author of the bill that even if only one woman wants the right, she should have the right

\textsuperscript{71}\textit{Ibid.}

\textsuperscript{72}Fess also took up the cause for the National amendment on woman suffrage. This will be mentioned later.

so far as natural right goes, and that we should not deny the right to her."  

Fess said that if women did not exercise their privilege of voting then an effort should be made to emphasize their responsibility; for their failure to use their privilege was no reason to deny it to them. He added that some people claimed that woman suffrage would destroy the chivalry that belonged to womanhood. Fess disputed this belief: "All I can say about that is this: If I am on a street car and a woman comes in and I still continue to occupy a seat while she stands, that is no argument that I am not a gentleman."  

Fess then asked the assembly four questions: Does woman need the protection of government? Does woman understand the machinery of government? Is the intelligence of woman such that she can exercise good judgment in selecting officers of government? and, Is woman capable or does her position argue for her the right to participate in government to make her understand the position she occupies in

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74 Ibid., 619-620.
75 Ibid., 620.
this modern time? He then answered all these questions in the affirmative and gave his opinion for such conclusions. He concluded his discussion by asking:

Who is the maker of the citizen today? Who teaches the schools of our public school system? Who maintains the membership of the churches of today? Who has the finger upon the production of the better citizenship today? Is it the father? The father leaves the home and he is busy.

I shall use my influence upon the platform to have the men themselves see that we can regenerate in some manner the body politic of the state of Ohio by the influence of the mothers and sisters and wives whose presence alone will not deteriorate, nor degenerate, but will uplift.

The progressives were fairly united on the question of direct primaries and the direct election of Senators. On the proposal for the nomination of Senators through a primary, Fess believed that the delegates could not go before the people with a more popular proposal because there had been so much criticism, and just criticism, arising out of the method of electing United States Senators. In his opinion the proposal was not to be construed as an attack upon the Senators but was rather as an effort to save them

\[76\text{Ibid.}, 621.\]

\[77\text{Ibid.}\]
from situations in which they sometimes got involved under the existing system.\textsuperscript{78}

In 1926, Fess expressed the importance of the primary system in making possible his election to the Senate. He stated: 

\begin{quote}
"I am one who has served the public since 1912, and who is a beneficiary of the primary system, for in all likelihood I could not have been nominated in a political convention under the old regime."\textsuperscript{79}
\end{quote}

Fess, however, later questioned the operation of the primary system in Ohio. He said that although it was theoretically correct, and that even though he had voted for it in the Constitutional Convention of 1912, as it existed (1924) it presented certain weaknesses. In his opinion, in practice it had the tendency to eliminate the highest type of public servant and opened the way for the person who had little to do except to spend his time seeking office. He believed that it also involved the danger of destroying party responsibility, but he concluded that the old convention system where bosses dictated should never be resumed. He was of the opinion that there ought to be some plan by which elected delegates representing

\textsuperscript{78}Good, \textit{op. cit.}, 35.

\textsuperscript{79}Letter from Fess to William H. Parry, Lawyer of Newark, N.J., May 12, 1926, Fess Papers, Box 27, Folder 6.
the people could recommend to the people a ticket. To him
the operation of the primary system was a leading problem
facing the country in 1924 and was one which would require
considerable thought in arriving at a proper solution.\textsuperscript{80}
The defects in the primary system in Ohio could be cor­
crected, he judged, in part at least, through a pre-primary
convention to recommend to the people a ticket. He, how­
ever, would oppose this plan unless it was made legal
through an act of the legislature so that the pre-primary
convention would be not only official, but representative.\textsuperscript{81}

Two of the bitterest fought issues in the convention
were the problem of liquor, and the initiative and refer­
endum. On February 12, two liquor amendments were brought
out of committee, as the vets and drys could not agree.
Edmund King of Erie County, leader of the vets, provided
for an amendment which called for unrestricted license.
The drys feared that this would destroy gains that had been
made through local option laws. D. F. Adams of Mahoning

\textsuperscript{80}Letter from Fess to John F. Smith, Department of
Public Speaking, Otterbein College, November 4, 1924, Fess
Papers, Box 27, Folder 6.

\textsuperscript{81}Letter from William R. Parry, Lawyer of Newark, N.J.,
May 12, 1926, Fess Papers, Box 27, Folder 6.
County then submitted a proposal which would safeguard these laws and at the same time limit the number of saloons according to population.\textsuperscript{82} It was agreed by both sides that the liquor question would be submitted to the people separately from the rest of the Constitution. The convention spent several weeks in animated discussion. The drys appealed to the "higher law" and emphasized how many often came to the brink of destruction through alcohol. The wets based their case upon the guarantee of personal liberty granted in the Constitution. As the controversy continued the license law was almost lost sight of in the debate on the merits of the brewery owned saloon and prohibition.\textsuperscript{83}

Bigelow suggested submitting two amendments separately to the people on the same ballot, one for license and one for prohibition or some lesser restriction, and then let the people decide. Extremists, however, on both sides, were against this proposal. Finally, D. F. Anderson of Mahoning County suggested a compromise. The idea of license was accepted, but saloons were to be limited to one for each five hundred population. In addition the brewery owned

\textsuperscript{82}\textit{Beaver, op. cit.}, 27.

\textsuperscript{83}\textit{Ibid.}
saloon was outlawed. This compromise met with approval from
the Convention. It was submitted to the voters and approved
by them in the special election.\(^{84}\)

Fess, as a radical dry, was opposed to license in any
form.\(^{85}\) On February 28, the debate centered on the traffic
in intoxicating liquors. Delegate Stanley E. Bowdle of
Hamilton County, a wet, had suggested that the German philos­
ophers such as Hegel, Goethe, Schiller, and Kant had written
"with a beer in their hand." Bowdle then asked: "What
philosopher will ever be found emanating from a dry county
the equal of Schlegel?"\(^{86}\) Fess challenged Bowdle's opinion
and he replied in the following language:

\[\ldots\] the idea that it is the beer mug that
is a concomitant of greatness in literature and
scholarship, is too far afield for anyone to give
a single moment of respectful attention to it.
\[\ldots\] I know that much was said jocularly, but a
constitutional convention discussing a question
based upon morals has not any business giving time
to jocular exuberance—none whatever.\(^{87}\)

Fess was then granted unlimited time to discuss the liquor

\(^{84}\)Ibid.

\(^{85}\)Greene County Tribune, April 4, 1912.

\(^{86}\)Ohio Constitutional Convention, 1912, Proceedings

\(^{87}\)Ibid.
question. He discussed it eloquently and gave numerous illustrations of its evils. He used many quotations to illustrate his points and on one occasion he compared Lincoln's "half-slave and half-free speech" with the liquor problem. He said "Now, my friends, we can not be half sober and half drunk in America nor in Ohio." 88

The discussion on the initiative and referendum question probably consumed more of the time of the delegates than any one other single issue. 89 On February 20th Teddy Roosevelt had spoken before the convention and had endorsed the initiative and referendum. 90 The progressives were split on the issue. The advocates of the direct initiative, which permitted the voters to enact laws without the influence of the state legislature, formed one wing, and those who preferred the indirect initiative, which required every bill to be first submitted to the legislature, formed another. 91 A major fight on the controversy also revolved about the percentage of voters' signatures required on petitions.

88 Ibid.
89 The Columbus Citizen, passim, January 9 to June 7, 1912.
90 The Columbus Citizen, February 21, 1912.
91 Beaver, op. cit., 19.
The Greene County Tribune reported that one of the most exciting scenes of the convention occurred on March 20th when in the midst of the initiative and referendum debate, President Bigelov refused to accept an appeal from his decision; he then declared the convention recessed and left the chair. In the midst of the excitement vice-president Fess took the chair and deliberately straightened out the parliamentary tangle. At the same time he restored order and good will so that the business of the convention could be continued. The Tribune then indicated: "For this act of courage and skillful diplomacy Dr. Fess has been widely commended by the state press." The Columbus Citizen reported the incident under the sub-heading, "Fess Takes Chair." It reported:

President Bigelov, despite cries for a "division" and demands for "fair play," declared the motion for recess carried. He then left the speaker's stand and walked to his office, while the delegates called for Vice President Fess. Fess responded to the call and received an appeal from the decision of President Bigelov. The

92The incident concerned mainly the question of the percentage of signatures required on an initiative petition, Beaver, op. cit., 29.

93Greene County Tribune, April 11, 1912.

94Ibid. There are several letters from friends to Fess congratulating him on his assuming the chair in this incident, Fess Papers, Box 5.
appeal was sustained by a vote of 40 to 66. The convention then resumed with Vice President Fess in the chair.\footnote{The Columbus Citizen, March 21, 1912.}

Lehr Fess, who was in the balcony on the day of the incident, recalled his father's actions. Lehr stated that Bigelow went down one aisle and his father up the other and as the latter took over the chair, E. T. Lansing, a delegate from \\textit{\textbf{M}astabula County yelled: "Keep your feet on the ground Simmy."\footnote{Personal interview with Lehr Fess, October 18, 1963.} The next day, however, Bigelow apologized to the delegates for losing his temper.\footnote{The Columbus Citizen, March 21, 1912.}}

Frank B. Willis, then serving in the National House of Representatives, sent a letter of congratulations to Fess for the above mentioned incident and also for his role and conduct in the convention. He wrote:

\begin{quote}
I want to congratulate you on the great record you are making at Columbus. I read the papers every day and I can see that you are one of the few big men in that Constitutional Convention. All your friends are proud of you. When you took the gavel the other day after the President had undertaken to adjourn the convention against its will you played a masterly stroke. I have heard much favorable comment at this end of the line concerning your work.\footnote{Letter from Willis to Fess, March 26, 1912, Fess Papers, Box 5, Folder 1.}
\end{quote}
In order to settle the dispute over the initiative and referendum, Bigelow finally called together a special committee, which included Fess, who was appointed chairman, to work upon a substitute measure. Fess considered the principle of the initiative and referendum to be of major concern to the convention, as he strongly believed in it. This committee discarded the idea of the direct initiative and lowered the figures from eight percent of the electors voting in the preceding gubernatorial election to six percent for the indirect initiative. Ordinary legislation might be proposed to the general assembly by the initiative of three percent of the voters, and in the event that the assembly failed to act within four months, an additional three percent of the voters might secure a vote on the proposal by the electorate. Ten percent of the qualified voters could petition to initiate constitutional amendments. Under the referendum, legislation passed by the general assembly, except for "tax levies, appropriations for the current expenses of the state government and state institutions, and emergency laws necessary for immediate preservation of the

public peace, health or safety," might be referred to the de­
cision of the electorate upon petition of six percent of the
voters and might not become effective, if delayed by petition,
until such approval had been given. The committee compromise
or substitute amendment was passed by the convention and was
later approved by the people.100

On May 8, in a discussion on the short ballot, a sug­
gestion was made to limit debate on proposals because of
time.101 The motion was made to the president to do so.
Fess protested against this manner of procedure and in an
appealing denunciation of this motion he uttered:

I want to raise my voice in protest against
this manner of proceeding, which you can evidently
see the end of [sic]. You propose to deal with the
next twelve proposals in order to get rid of them,
and I want to say it is absolutely out of order and
most reprehensible for us to end this convention
like a legislative body, the errors of which may
be corrected in two years, while our errors cannot
be corrected except by the people. It is an outrage
upon this body of men for you to undertake to call
off debate upon important measures and thwart the

100Beaver, op. cit., 31; the Columbus Citizen, March
28, 1912 and May 30, 1912. Eugene H. Roseboom and Francis
P. Weisenburger, A History of Ohio (Columbus: The Ohio State
Archaeological and Historical Society, 1956), 323. Others
on the special committee included Bigelow, Judge Hiram Peck
of Cincinnati, Robert Crosser of Cleveland and John D.
Fackler. Crosser had been a leader in the fight for the
direct initiative.

101At this time they were considering talk of recess
and adjournment by the middle of May.
will of the people by this sort of procedure. It is going to be done on every proposal and there seems to be only one thing sought and that is to get rid of this business now. I am going to stay here and fight for the rights of these people as long as I have breath, and I am going to see that they get them.102

Following these remarks a short and amusing discussion occurred between a delegate, Hoskins, and Fess which illustrates the latter's serious thoughts on the controversy:

Hoskins: "I want to --"
Fess: "You have had your say twice upon this measure and I was not allowed to speak."
Hoskins: "I want to ask you a question."
Fess: "What do you want to ask?"
Hoskins: "Now smile."
Fess: "No, I will not smile."103

The convention voted, after heated debate, to submit the forty-two proposed amendments to the people and let them vote on each one separately.104 It was believed that if the people voted on them as a whole the entire work of the convention might be defeated by the combination of antagonistic groups. The liberals, especially, desired to vote on each amendment separately as this would permit them to make a


103 Ibid.

104 The Columbus Citizen, June 1, 1912.
full and aggressive educational campaign on their amendments.105

The delegates set September 3, 1912 as the date for the special election to ratify the work of the convention. They adjourned June 7, 1912. Before adjournment, however, the convention gave official thanks to Fess for his service as vice-president, President Bigelow offering the following:

Resolved: That the thanks of the members of this Convention are hereby given to the Honorable Simeon D. Fess, Vice President of the convention, for his uniform courtesy, his splendid ability while presiding, and the fair and impartial manner shown by him to all members and all matters coming before the Convention.106

Between adjournment and the special election, Fess traveled widely over Ohio to discuss and explain the amendments to the people.107 He firmly believed in the purpose and achievements of the convention and felt the people of Ohio should uphold their efforts. In the election thirty-five of the forty-two amendments were ratified. Among those rejected were the bond issue for improved roads and woman

105Beaver, op. cit., 34; and the Columbus Citizen, June 6, 1912.

106Notice of "Official Thanks," Fess Papers, Box 6, Folder 5.

107Personal interview with Lehr Fess, October 18, 1963; and the Ohio State Journal, December 24, 1936.
suffrage. The progressives had won a resounding victory, and Fess had been an important element in that triumph. It is, however, rather paradoxical that Fess voted for all the proposals in the convention, yet his home county of Greene voted against forty-one of them, ratifying only the amendment to license the traffic in intoxicating liquors.

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108 Beaver, op. cit., 32; and Vote on Amendments to Constitution of Ohio, op. cit.

109 Vote on Amendments to Constitution of Ohio, op. cit. In The Xenia Republican, September 5, 1912, was an article entitled: "Work of Con. Con. Repudiated in Greene County" which stated that Greene County seemed to be satisfied with the government implements with which their forefathers worked.
CHAPTER V

ELECTION OF 1912 AND CONGRESSIONAL YEARS—1913-1918

The Ohio Constitutional Convention rekindled in Fess the desire for public service as the discussion and debate over public issues in that assembly whetted his appetite for more. Lehr Fess asserted that once his father was "bitten by the bug for public service, he continued to suffer from a pleasant but incurable disease."¹ His previous attempts to enter the political arena had met with failure, but Fess believed that because of his association with Antioch, his activity as a public speaker and his participation in the Convention had publicized him so that he would have a good opportunity of winning the congressional seat in his sixth district.²

¹Lehr Fess, "The most unforgettable Character I have ever Known."

²The sixth district included the counties of: Brown, Clermont, Clinton, Highland, Warren, and Fess's home county of Greene.
Many of Fess's friends throughout the congressional district had urged him to run in the primary which was to be held on May 21, 1912. To help him in his decision as to whether he should become a candidate, Fess sent letters of inquiry to his friends and influential people within the district concerning his aspirations, and the replies proved to be most favorable. One such reply from a Presbyterian minister read: "Permit me to say in reply that so far as I know there is no one to whom I could give a more cheerful and hearty support."\(^3\)

On March 21, he announced his official candidacy:

> In accordance with the wishes of many friends and in obedience to a well defined ambition to serve the public in a representative capacity, I have decided to ask the Republicans of my district to give me their confidence as their representative in Congress.\(^4\)

Fess was unable to conduct a very active personal campaign in the primary because of his responsibilities in the convention, but his personal friends and his sons campaigned for him extensively. The Convention, however, was not in

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\(^3\)Letter from John A. Ewalt of Loveland, Ohio, to Fess, March 20, 1912, Fess Papers, Box 5, Folder 1. The Fess Papers contain several letters encouraging him to run. Lehr and Lowell Fess asserted that their father sought the advice and opinion of several people concerning his aspirations.

\(^4\)Greene County Tribune, March 21, 1912.
continuous session, and Fess was able to make some personal appearances. Some of the newspapers in the district gave him their active support and, in addition, the reports in the newspapers of his activities in the Convention, no doubt, aided his campaign.

Fess was challenged by four other candidates: Dr. H. M. Brown, R. A. Haynes, Marcus Shoup and Seth Brown. The last mentioned had represented the district in the 55th and 56th Congress (1897-1901). Fess won the primary in a close contest with a plurality of 681 votes over his nearest rival.

Fess received many letters of congratulations, one of which was from Senator Theodore E. Burton (Ohio), who said: "Accept my very hearty congratulations and assistance in any way that lies in my power."

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5Greene County Tribune, Clinton Republican (Wilmington), The Xenia Republican, and The Western Star (Lebanon) supported Fess's candidacy.


7The candidates and their votes were: Fess (4195), Shoup (3544), Dr. Brown (3039), Seth Brown (2443) and Haynes (1066).

8Letter from Burton to Fess, May 23, 1912, Fess Papers, Box 5, Folder 3. The Fess Papers contain many letters of congratulations.
In the general election which was to be held November 5, Fess was opposed by the Democrat, D. K. Hempstead of Wilmington, who had been the secretary to Mathew R. Denver. Denver had served the district in congress for the past six years and had declined to run in 1912. Hempstead had also been an engrossing clerk in the National House of Representatives. Fess was considered the underdog in his fight against Hempstead.

Fess launched upon a very active campaign, although it was delayed somewhat from June to September by his campaign throughout Ohio for the ratification of the Constitutional amendments. He conducted an extensive speaking tour throughout the six counties. An advance guard, featured by a musical sextet, announced his coming into a community by passing out campaign literature and singing political parodies of popular songs such as Everybody's Doing It. The Xenia Republican reported that the "Fess Special" arrived at the Opera House in Xenia with sixty carloads of loyal Republicans from Yellow Springs, and as he rose to speak there was "applause, cheers and stamping that undoubtedly

9The Clinton County Democrat, October 31, 1912.
surpassed any ovation accorded a statesman in this city in years."10

In his campaign, Fess attacked the Democrats for censoring the news and asserted that people wanted to think for themselves and desired a fair and impartial discussion of issues of government. He declared that he would not say anything that would reflect upon the character of any one of the Democratic leaders; that he knew Wilson, the Democratic presidential candidate, personally, having appeared with him four times on the speaking platform. He remarked that Wilson was clear headed, courageous and an honorable gentleman, "yet he takes a stand upon industrial problems that would make it impossible for me to support him [even] if he were a member of my own family."11 He criticized the proposed lowering of the protective tariff by the Democrats because in his opinion it would create a hardship, especially upon the debtor farmer who would get less money but would find his mortgage the same.12

Although Fess was an admirer of Theodore Roosevelt,

10 The Xenia Republican, October 24, 1912. Lowell Fess stated that he was a member of the musical sextet.

11 Ibid.

12 Ibid.
he remained loyal to President Taft and the Republicans in 1912. He voted for Taft in the general election but was still much in sympathy with Roosevelt. He believed that since he was a Republican candidate, he should remain loyal to that party. In all of his campaign speeches Fess closed with a plea to vote for Taft. In 1928 in a personal letter Fess referred to the Taft-Roosevelt split. He said:

In 1912, when our Party was split, I was one of the greatest admirers of Roosevelt in the country, but I felt convinced that Mr. Taft deserved a renomination and reelection. I did not hesitate, while complimentary in the highest terms to Colonel Roosevelt, to ask for the approval of the administration of Mr. Taft, which I did in a six weeks campaign, speaking every day.  

Near the end of the campaign an attack was made upon Fess's character as he was accused of infidelity toward his wife. The rumor was circulated that he was involved romantically with a woman from Yellow Springs. Fess was greatly

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13 Personal interview with Lehr Fess, October 18, 1963. Lehr stated that his father agreed with all of Roosevelt's progressive ideas but one. He did not concur with the recall of judicial decisions. For the tensions of this period, see George E. Mowry, *Theodore Roosevelt and the Progressive Movement* (Madison, Wis., 1946.)

annoyed by the accusation, and Lehr Fess recalled that on one occasion his father broke down and wept and professed that he wished that "he had never entered the race." Fess sent out letters denouncing the accusation, and one recipient replied: "I had heard the dirty story to which you refer, but had considered it a campaign lie of the lowest and most despicable type." In order to quell and destroy the rumor, members of the trustees and faculty of Antioch and Fess's neighbors and friends published a special campaign leaflet which vouched for the moral character and reputation of their candidate.  

In a letter to G. E. Sidwell of Russellville, Mrs. Fess strongly denounced the rumor and expressed her faith in her husband. Evidently somewhat irritated she affirmed:

First of all I want to say that no truer better husband ever lived than Mr. Fess. All

15Personal interview with Lehr Fess, October 18, 1963. Lehr stated that his father was "very touchy on personal attacks" but that after he was elected to the Senate in 1922, he was not so concerned and he often said "to let the chips fall where they may." There are several letters in the Fess Papers relating to this incident. Lehr Fess stated that the rumor was supposed to have originated at the Hempstead Campaign Headquarters.


17Pamphlet located in Fess Papers, Box 34, Folder 3.
his life, he has sacrificed himself for the comfort and happiness of his wife and children. We could never think of him being connected with anything wrong in a moral or a social way and we know he has not been. Some enemy seems to be at work to try to harm him but his life has been an open book and it cannot be done.

... I hope this will be sufficient to set your mind at ease and that of your friends.18

Hempstead was defeated in the election by a vote of 16,090 to 17,300, Fess winning with a plurality of 790. The election was considered a mild upset as the Democrats "swept the country." The Democrats won the Presidency, the Ohio Governorship (James M. Cox), the state ticket in Ohio, and eighteen of the twenty-one Congressional seats.19

Fess's victory can be attributed to several factors. He had many friends associated with the churches and schools within the district, as many had heard him speak. His character was considered above approach even though it had come under attack. His prestige as President of Antioch and as vice-president of the Constitutional Convention, no doubt,
attracted many votes. As a novice in politics he had not been embroiled in the factional fight in the Republican party prior to the primary, therefore, many people looked upon him as not "playing politics." The *Xenia Republican* voiced the opinion of a majority of the voters in their editorial: "Few, if any, men could have been elected in the county with a higher reputation for probity and fineness of character."\(^{20}\) The customary letters of congratulations were received. Among these was one from a fellow delegate at the Constitutional Convention who commented: "I am unable to find in Webster's Dictionary superlatives sufficient in number or quality in strength to express my great pleasure."\(^{21}\)

Fess's personal campaign expenses for the primary and general election amounted to $261.90 which included stationery, postage, circulars, printing and distribution of circulars and cards and miscellaneous items. In addition he was assessed a total of $450 by the individual county Republican

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\(^{20}\)The *Xenia Republican*, November 7, 1912.

\(^{21}\)Letter from Frank H. Kerr of Jefferson County, to Fess, November 7, 1912, Fess Papers, Box 6, Folder 1. The Fess Papers, Box 6, Folders 1 to 5 contain many such letters.
organisation in his district. He reported having received no financial contributions for his campaign.  

Fess served five consecutive terms in Congress from 1913 to 1923—sixty-third to sixty-seventh congress. In 1914, however, the sixth district was reorganized and Greene County became a part of the seventh district. In each of the elections from 1914 through 1920 Fess won a plurality in every county of the district. In 1914 he defeated Charles R. Buroker, a Democrat, 37,847 to 22,544; in 1916, George Thorne, a Democrat, and John Rehm, a Socialist, 39,975 to 141 and 2,049, respectively; in 1918, George Thorne, 34,554 to 21,043; and in 1920, Paul F. Dye, a Democrat, 73,196 to 47,196. He declined to run again in 1922. Instead, he made a successful bid for the United States Senate.

22 Copy of the official form of the statements of "Receipts and Expenditures of Candidate for Election as Representative in Congress," Fess Papers, Box 5, Folder 5.

23 The seventh district included Champaign, Clark, Clinton, Fayette, Greene, Logan, Madison, Union and Warren Counties. The Xenia Herald and Democrat-News, November 5, 1914 stated that Fess had the unique distinction of representing one of the largest Republican districts in the United States.

24 Ohio Election Statistics, 1914-1920, Secretary of State (Springfield, Ohio: The Springfield Publishing Company, State Printers, 1914-1920). In the 1916 election George Thomas was not a declared candidate and he received no votes in Champaign, Fayette, Logan, Madison, Union, and Warren Counties.
Fess began his political career in the House of Representatives on April 7, 1913. Judging him by his activity in the Ohio Constitutional Convention one would have regarded him as a mild progressive, but he soon gained the reputation as a Republican conservative. According to Lehr Fess his father was a "wild eyed" progressive in 1912 but soon after entering Congress he followed the path of Republican conservatism.25 The New York Times in 1936, in reporting his death commented that during his long public career he had earned many titles, complimentary in the eyes of some and uncomplimentary in the eyes of many more. The Times said that he was acknowledged to be the driest of drys and a conservative of conservatives, to say nothing of being one of the staunchest of the Republican Old Guard.26 The American Mercury commented in 1928 on Fess's political beliefs:

"... Early in his career of sacrifice for the Republic, he took his stand upon the rock of 100% Republicanism and,... he has never budged from his lofty and patriotic position."

The platform of the Republican party is to him as the Ten Commandments or even the Methodist Book of Discipline. In all his career of ten years

25Personal interview with Lehr Fess, October 18, 1963.
in the House and six years in the Senate he has never broken with the leaders of his party on any important issue. He goes along because he believes that that party is unfailingly the repository of all conceivable political wisdom.  

In his many letters, Fess was both praised and ridiculed for his political philosophy. On one occasion he was accused of advancing socialistic theories, whereupon he replied: "In the light of the persistent charge of standpatism leveled at me and the general opinion here in Congress that I am too conservative, this statement is amusing."  

Fess was highly regarded as a public speaker, lecturer, debater and orator, and, upon his entry into the House he soon exalted this reputation. Because of his being President of Antioch he was commonly called "Doctor" by both his constituents and colleagues, and it was said with a great deal of respect. During his career as a legislator, he was very outspoken on issues being discussed in Congress, and frequently his remarks or speeches were quite long. As a Congressman he was regarded as one of the hardest working members of the House.  

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27 *American Mercury*, December 1928.  
28 Letter from Fess to H. I. Countryman of Struthers, Ohio, July 29, 1922, Fess Papers, Box 17, Folder 4.  
that he was generally recognized by other Congressman as being one of the most painstaking students of any matter that came before Congress.\textsuperscript{30} In giving a report or making an address in Congress he often gave statistical data to substantiate an assertion, and he therefore spent many hours in consulting the public and government records, especially in the Library of Congress, as he prepared these reports.\textsuperscript{31} In his correspondence with his constituents, especially in replies to their inquiries, he frequently substantiated his views and actions with statistical evidence and a great amount of detail.\textsuperscript{32}

Fess soon gained the reputation in the House, and later in the Senate, as being more faithful in attendance at committee meetings and legislative sessions than most of his colleagues. In reference to his attendance in the House, Fess wrote to one of his constituents that "no man has a better record for attentiveness to public service than I have."\textsuperscript{33} He received many letters a day, sometimes several

\textsuperscript{30}\textit{Cincinnati Times-Star}, February 24, 1926.

\textsuperscript{31}\textit{Los Angeles Daily Times}, April 5, 1920 and the \textit{Congressional Record}, passim.

\textsuperscript{32}Fess Papers, passim.

\textsuperscript{33}Fess to Dr. William B. Patton of Springfield, May 1, 1922, Fess Papers, Box 16, Folder 1.
hundred, and he endeavored to answer the letters soon after their receipt.34

Fess was successful in getting many pension and relief bills passed for his constituents. In the 63rd through the 66th Congress alone, he introduced nearly three hundred such bills, many of which were passed. His time was spent in performing many personal duties such as the carrying out of requests for the free garden and flower seeds and for many bulletins provided by the government. After World War I numerous requests were received asking for the government to donate condemned cannons to various communities, and Fess usually obliged by introducing the appropriate bills.35

While a member of the House, Fess received countless petitions and memorials on a great variety of subjects from many citizens, organizations and special interest groups. Often the petitions were pertinent to a resolution or bill pending before Congress. Some of these petitions and memorials included matters relative to: flood control; importation of cigarettes; tariff regulation; free speech;

34Letter from Fess to Sumner, his youngest son, July 11, 1933. The correspondence in the Fess Papers indicated that he usually acknowledged every letter within a day or two while he was in Washington, and when at home in Yellow Springs he usually took a week or two to reply.

35Congressional Record, passim, and Fess Papers, passim.
income tax laws; prohibition; commercial interests; embargoes on munitions; child-labor; postal service; declaration of war; pension and relief bills; daylight-saving time; government ownership of railroads; military vocational rehabilitation; universal military training; limitation of arms and munitions; independence of Ireland; and uniform marriage and divorce laws.36

Although Fess was very devoted to his constituents, he would often disagree with their views, and in his letters and reports to them he would explain the reason for his convictions. He explained to one inquirer that many members of the House, who believed that an advantage could be achieved locally, frequently introduced bills with no thought of their being seriously considered. He then added that in his own district suggestions came from various sources that he should introduce this or that resolution. In his opinion it would be useless for him to take such a step because it could accomplish nothing and it would also raise false hope in their minds.37 Fess believed that the people had the Constitutional right to petition and the right to use the

36Congressional Record, passim.

37Letter from Fess to Elbert H. Baker of Cleveland, February 1, 1918, Box 12, Folder 3.
mals legitimately, but he concluded that a responsible Congress­man must, in voting, heed his conscience and his per­sonal convictions and must not just be a mere registrar of his constituents' opinions. He reiterated that the clamor for or against different measures was not confined to any class of citizens, associations or organizations but that it came from all classes, determined by the measure.38

Lehr Fess commented on his father's philosophy of public service:

He felt he was hired by the voters to represent them. He would thoroughly study a problem, reach a decision and, unless otherwise persuaded, would not deviate from his convictions. He believed that if his constituency disagreed, it was his duty to go before them and endeavor to convince them he was right. If they continued to disagree, it was their right and privilege to elect someone in accord with their views.39

Lehr Fess served as his father's personal secretary from 1913 until 1919, when Lehr's brother, Lowell, who had just been discharged from the Navy, took over his duties.

Lehr was then appointed parliamentarian of the House, a

38 Cincinnati Times-Star, February 24, 1926. For the issues of the times, see Arthur Link, Woodrow Wilson and the Progressive Era (New York, 1954).

39 Lehr Fess, "The most unforgettable Character I have ever Known." The philosophy of Fess is well exemplified by his position on the question of prohibition, which will be discussed later.
position he filled until 1927 when he joined a law firm in Toledo, Ohio. Lowell remained as secretary until his father entered the Senate in 1923.40

During the ten years when Fess was in the House he played an active role as a spokesman and legislator on many of the issues. As a Republican, especially as a conservative Republican, during his first six years he was generally of the minority party. But in 1918 the Republicans triumphed in the House, and Fess and his principals became more in the ascendancy. As the war developed in Europe and then in 1917 the United States became actively involved, Fess was caught in a dilemma. His belief in a strict economy, in the philosophy of laissez faire and in rugged individualism were challenged and threatened by the needs of the war. Loyalty to the country now seemed to be opposed to his established ideas of his duty and responsibilities as a legislator. As a conservative Republican, Fess also tended to favor and sympathize with the owner-employer rather than the industrial laborer and labor unions. In his opinion

40 How Lehr Fess came to be selected parliamentarian will be discussed later as it involves a possible political deal. Lehr Fess is now a Judge on the Court of Appeals, Sixth Appellate District in Toledo. Lowell Fess is presently Executive Secretary of the State (Ohio) Personnel Board of Review.
the rising influence of the industrial laborer was a threat to the pre-eminence of the capitalists, especially the banker and the industrialist.

As a new Congressman, Fess was assigned to the committee on insular affairs and the committee on education. He remained on the committee on education throughout his ten years in the lower chamber and served as its chairman during the last four years. He was a member of the committee on insular affairs until the reorganization of the Philippine government which was provided for by the Jones Bill of 1916. In 1917, with America's entry into World War I, he was selected for the committee on foreign affairs, but he resigned in April 1918 when he was appointed to the committee on rules to replace Irvine L. Lenroot of Wisconsin who had been appointed to the Senate. From the 66th through the 67th Congress he served as a member of the committee on library. 41

During his service in the House, Fess became an advocate of vocational and agricultural education, an issue which was considered mildly progressive during this period.

In October 1913, on a discussion in the House relative to

41 Congressional Record (1913-1923), passim.
a proposal for the creation of a study commission to investigate the needs of vocational education, Fess maintained that there was no phase of national life that ought to be the subject of national concern with deeper meaning than that of education, and he felt that there was a need for such a commission. In his view the real function of government was to produce a high grade of citizenship which could come about only as a result of improvement in education. According to Fess, too many students quit high school and were not adequately prepared for citizenship; therefore, vocational education was needed to solve this problem.

In expressing the need of vocational education for farm youth, he said:

The farmer is not the man who holds the plow and drives the team. He is the thinker, the student of production, distribution and consumption. The farm must become something more than a workshop. It is now a laboratory. Its chief labor is not of the hand, but of the head as well. It must not remain the place simply to work, eat, and sleep. It must be the unit of social and industrial interests of a community and, in a still larger sense, the state.

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42 Congressional Record, 63d Cong., 1st Sess. (1913), 5368-5378.

43 Ibid.

44 Ibid.
Fess was appointed by President Wilson as a member of the Vocational Education Commission which in 1917 was responsible for the passage of the Smith-Hughes Act which provided government subsidies to vocational and agricultural education. He assisted in drafting the act and in carrying its passage through the House. In a speech before the House, advocating its passage, Fess concluded that this legislation aimed to reach that great mass of citizens who were not reached by the existing system. He contended that the act was not a cure-all for all ills, as one could not hope by legislation to abolish thriftlessness, to eliminate indolence, to inhibit failure, or to banish poverty. He reminded his colleagues that these would always be present, but that an effort could be made to make it easier to succeed and more difficult to fail.45 Because of his interest in and his promotion of vocational education, the Springfield Daily News of October 25, 1920, remarked that Fess had been nicknamed "Vocational Education" by his colleagues.46

After American entry into World War I, Fess became greatly concerned about the general educational situation

throughout the country, especially because of the loss of teachers due to war service. In 1919 he wrote to the state superintendents of schools and various other educators to ascertain facts regarding the problem. At this time there prevailed in the country a strong feeling of Americanism and an intense fear of foreigners, which was activated by the hatreds of war and the rise of communism in Russia. Fess feared that a deterioration in the nation's educational system could result because of the lack of teachers and that this would nourish a growth of un-Americanism. He concluded that proper education would cure nine-tenths of all the "isms" with which the world was then being threatened. "Lack of education does not only retard progress but feeds upon the anarchistic conditions prevalent in Russia and rapidly spreading throughout the world," he said. Fess then recommended that the country should set about on an intense system of education to embrace every agency of training in order to insure against un-American doctrines. He advised his colleagues that the one supreme demand was to exalt the teaching profession and make it inviting to

\[47\text{Ibid.}^4; \text{Congressional Record}, \text{66th Cong. 2d Sess.} (1920), 4895-4900\]
the strongest talent in the land. In his opinion the best way to do this would be to give the teachers a higher salary. 48

Fess's position on federal aid to education seems paradoxical when viewed in relation to his stand on government aid to industry. 49 No doubt, because of his personal connection with education he realized certain inadequacies and desired to overcome these to the fullest; he felt that education was vital to the perpetuity of the country. Such proposed federal aid, however, met with bitter opposition from many legislators. In 1922, in a debate on government aid to education he explained why such aid was necessary and then concluded:

There is no question about the constitutionality of the legislation for Federal Aid, nor whether we have adopted it as a policy. These are established by what has already been done. Federal activity in education has been growing steadily. 50

Fess introduced in the 63rd Congress, and in every

48 Ibid.

49 He also approved of Federal Aid to agriculture, the merchant marine, and roads, but these will be discussed later.

50 Congressional Record, 67th Cong., 2d Sess. (1922), 8072-3.
Congress thereafter until 1928, a bill for the creation of a National University at Washington, D.C., but the bills were never reported out of the committee. He retained this interest in such an institution during the remainder of his life. Fess frequently elaborated upon his plan in his remarks in the House and Senate, and often discussed his idea before different organizations and meetings. Many letters of inquiry were received concerning this National University and in a letter to a Mr. F. L. Boynton of Oklahoma, he outlined his proposal as follows:

... I am writing to state that the purpose of the National University bill is simply to make use of the rare library and laboratory facilities of the Capitol for research work.

It is not proposed to have a degree granting institution nor to make Washington the center of a great body of students, but only to open the way for the real research man or woman who is willing to spend his time in discovering what is not yet known.

As Fess outlined the project in 1924, an initial

51 Congressional Record (1913-1928), passim. In the Record are several speeches (1914-1928) on the project.

52 Letter from Fess to Boynton of Kingfisher, Oklahoma, January 28, 1924, Fess Papers, Box 25, Folder 1.
appropriation of only $500,000 would be required. After that, it could operate with a small amount of money, as the only expense connected with it would be the need for administrative quarters and a director of the work. Fess reiterated that even if it should entail great expense there was no doubt that it would prove immensely worthwhile when measured in terms of results accomplished.53 The proposed university was criticized as being too expensive and as duplicating the function of the existing colleges and universities. The Tiffin, Ohio, Advertiser, on January 2, 1924, reprinted an editorial from the Akron Beacon-Journal which denounced Fess’s bill. It reported that the proposal was not for the purpose of education but supereducation, as no one could take advantage of the program unless he had a master of arts degree. The editorial suggested that what the university was to teach no one pretended to know, but that from published accounts of the bill its primary purpose seemed to be "to train the papsuckers in the way they should go."54

As an historian, Fess was greatly concerned with the

53Letter from Fess to Mr. T. M. Wolfe of Mansfield, Ohio, January 19, 1924, Fess Papers, Box 25.

54Tiffin, Ohio, Advertiser, January 2, 1924.
preservation of the various public documents which he believed to be among the most valuable possessions of the country. In speeches in the House on June 3, 1916 and on January 11, 1921, he asserted that the building of an archives building was an imperative necessity for the safe keeping of the nation's historical documents and public records. He outlined the need for an orderly filing system with the documents being preserved in one central location in fireproof facilities.55

In 1922, in the 67th Congress he expounded the need of an archives building, and he and others proposed to have money appropriated for such a building, but the proposal was defeated.56 In a discussion in the House on February 2, 1923, on the question of the elimination of appropriations concerning the construction of an archives building, Congressman Wood of Indiana stated that there was a far more urgent need for other public buildings rather than one housing the archives, whereupon Fess replied to Wood: "If we wait for


56*The Archives of the United States Government, A Documentary History*, Vol. XVII (1921-1922), 175. This reference was found at the National Archives Building, Washington, D.C. and it revealed that Fess was very active in promoting the Archives.
that [other buildings] it will be another 100 years deferred."57

After Fess became a Senator and a member of the Committee on Library and on Public Buildings and Grounds, he continued to advocate and fight for the erection of a National Archives building and he exerted his influence on Presidents Harding, Coolidge, and Hoover for such construction.

In 1927, Fess introduced a bill to create an establishment known as the National Archives. Although it was debated briefly, then was referred to the committee on library, and later was presented to the floor, no action was taken.58

On March 5, 1934, he again introduced a similar bill which defined the National Archives and outlined matters relative to the office, the duties, the salary and the rules and regulations governing it, but once more no action was taken on the bill. During the same session, April 2, 1934, but in the House of Representatives, Sol Bloom of New York introduced a similar bill. This bill was passed in June 1934, and created the National Archives. The Senate added certain


58 Ibid., 70th Cong., 1st Sess. (1927), 347.
amendments, and Fess was among the conferees on the part of the Senate. Although Fess's name is not associated with the bill, research and evidence indicated that he exercised an important influence on the creation of the Archives.59

The problem of the Philippine Islands presented many difficulties, especially since from their acquisition in 1898 it was felt that American tenure would be only temporary. American rule had provided the islands with an effort at honest, sympathetic and intelligent administration, but the demand for independence was still heard, and there were constant outbreaks of local insurrection. A controversy raged in the Wilson administration between those who wanted to grant complete independence and those who wanted a less drastic bill because they felt the islands were of strategic importance. The Jones Act was passed in 1916. This formally pledged the United States to withdraw from the Philippines as soon as a stable government could be established and also introduced political and administrative reforms. Fess, as a member of the Committee on Insular Affairs, was actively concerned with the Philippines.

In October 1914, Fess voted against a bill which would have provided autonomous government for the islands.\footnote{Congressional Record, 63d Cong., 2d Sess. (1914), 16628-16629. This bill passed the House but failed in the Senate.} In September, in a lengthy debate which extended several days, Fess criticized the bill. He maintained that the Filipinos were not ready for independence because they had not been trained in self-government. He strongly advocated United States control until the islands had been fully prepared for independence, yet he reiterated that the United States did not want to retain them for selfish reasons. He feared that if the United States turned them loose other nations would get control. He said: "We ought not to get out of there until we can assure ourselves as well as the people of the Philippine Islands that we are not so recalcitrant that we turn them adrift to face international complications created by domestic warfare."\footnote{Ibid. (September 26-28, 1914), 15807-15852.} The discussion was continued into October, and in a debate between Representative James L. Slayden of Texas and Fess, the former remarked:

I want to say that I believe if there is a man on the floor of this House who is sincere in wanting to retain the Philippine Islands for
the benefit of the Filipinos, it is the gentleman from Ohio. I think he is deceived. But with reference to these obligations which he says we inherited as a consequence of that war does he not believe we have cherished that obligation as an opportunity for exploitation?

Fess replied:

I do not. . . . I do not only say "no," but I say you do an injustice to the American people when you thus criticize our people after they have done the most remarkable piece of work, from the standpoint of cosmopolitan philanthropy, that the world has ever seen.62

When the Jones Act came up for debate and eventual passage in the spring of 1916, Fess was still not convinced that the United States should provide for the future independence of the islands, although he voted for the Act. Representative William P. Borland of Missouri asked Fess if he were willing to recognize the logic that the time would come when the United States would agree to withdraw from the Philippines. Fess strongly disagreed and explained that "you can not give self-government; it is not a gift; all we can do is to give opportunity to develop self-government." He then added that the United States should get out only

62Ibid. (October 14, 1914), 16622.
when thoroughly convinced that its duty to those people was fully performed.63

During the 1920's, although the United States promised to give the Philippines their independence, it still retained possession. In 1932, in a discussion on Philippine independence in the Senate, Fess remained consistent with his past views. He said that all these years all that the United States had done for the islands had been primarily for the benefit of the Filipino, rather than for the benefit of the American people. He remarked: "While I have always voted against any step toward independence, I am convinced that it is coming . . . I want it understood that I have regarded them always as a liability to the United States. It was not because of their value to us, but rather a duty that it seemed to me was owed. That is the basis for all the resistance I have ever offered to the idea of independence."64

In 1934, however, the Tydings-McDuffie Act provided for


64Ibid., 72d Cong., 2d Sess. (1932), 381; 432-434.
independence after ten years. Fess, however, voted against its passage.  

The Panama Canal was a topic of controversy in 1913 and 1914 because previously Congress had granted American coastwise shipping special exemptions from paying tolls on the Canal. Great Britain protested this as a violation of earlier treaty agreements. President Wilson, who was convinced that the British were right, finally persuaded Congress to repeal the exemption. This Act of June 15, 1914 restored the equability of tolls. Fess was opposed to the measure, and in a speech in the House on March 31, 1914 he reminded his colleagues: "To vote here against a policy of free tolls upon the demand made upon us on the grounds that we have not the right to exercise control, and that demand lodged by a foreign country, the question involves the sovereignty of the American nation over an enterprise of our own handiwork." On the final vote for the passage of the Act on June 15 Fess did not vote.

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67Ibid., 10341. The measure passed 216 to 71 with 145 not voting.
Fess, in general, concurred in Wilson's intervention in Mexico in 1914 and in his policy of "Watchful Waiting." He, however, felt the United States should not subject its foreign policy to the mediation by foreign powers such as those brought together at the Niagara Falls Congress of May 1914, which was created to permit Argentina, Brazil and Chile to mediate United States troubles with Mexico. As a firm adherent to the Monroe Doctrine, he felt that the Congress was a threat to American sovereignty. In a speech in the House on May 14, 1914, a few days before the Niagara Falls Congress was to convene, Fess announced:

Now, members of the House, this is what I rose to speak about. I want to ask the pertinent question. Is there any danger in the accomplishment of these statesmen that mediation is a suppression of the Monroe Doctrine? Does it mean that we are taking a step for a Pan American doctrine to supersede the Monroe Doctrine? . . . Why, the Monroe Doctrine is based upon the position that the United States is the dominant party on the western continent when there is any question in dispute with Europe pertaining to the western continent; . . . and I frankly confess that I am afraid of the possibilities that are included in a mediation proposition where the representatives of these countries, all of which are opposed to the Monroe Doctrine, will be in a position to adjudicate questions pertaining to American policies.69

68 Fess voted on April 20, 1914 for the Joint Resolution to permit the President to employ American troops in Mexico. Congressional Record, 63d Cong., 2d Sess. (1914), 6957-6958.

69 Ibid., 8595-8599.
Fess expounded that the Mexican situation involved more than a dispute between United States and Mexico, that it also concerned European interests (by permitting mediation by the ABC Powers). He suggested that the United States was granting them power to adjust problems concerning it and other foreign powers. Such a step, he inferred, would amount to the surrender of the Monroe Doctrine. Fess, in concluding his speech of May 14, warned his colleagues:

I hope for peace, but if war results from a blunder of diplomacy at Tampico, we can not justify ourselves in an attempt to correct the blunder by taking steps that might result in far more serious results by an American policy that has stood for nearly a century. I raise this as a pertinent question and to sound a warning.

In a speech on April 23, 1914, he told the House: "I am speaking now in the hope that there will be no partisan division, as I know there will not be, in time of war, for war is here; . . . I am convinced there are some things worse than war, and one is dishonor." He impressed upon them the need for defense of the Monroe Doctrine and for keeping

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70 Ibid. For the Mexican situation, see J. Fred Rippy, The United States and Mexico (New York, 1931).

71 Ibid.

72 Ibid., 7168-7171.
European countries from interfering in Mexico. He believed that President Wilson was justified in any efforts to prevent the United States from compromising the Monroe Doctrine. 73 Fess fully expected war as the result of the sending troops to Mexico, and he did not see how anyone could hope that it would not mean war. 74 In a discussion in the House on June 23, 1916, he reviewed Wilson's policy, and he questioned the President's statements that Huerta must go, as he believed that that was a matter for the Mexicans to determine. Fess also insisted that it was a blunder to lift the embargo to give aid on the behalf of Carranza. For him, "If to recognize Huerta was wrong then the recognition of Carranza was worse than wrong."

75 On this occasion Fess advised the House on the question of the removal of American troops from Mexico:

... Now, as to whether we ought to withdraw or not, I say emphatically that we ought not. We can not under the circumstances come out at this moment. We are there, and whether we went in orderly or not—I believe we did. ... But we are in, we have not yet gotten what we went after. 76

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73 Ibid.
74 Ibid.
75 Ibid., 64th Cong., 1st Sess. (1916), 9884-9885.
76 Ibid.
The question of immigration was a serious problem and a major issue during Fess's years in the House and Senate. As a Congressman, Fess supported and voted for educational tests for immigrants. Speaking before the House in 1914, in favor of a bill to regulate immigration through a literacy test, Fess declared that the measure would not shut out the victims of religious persecution and therefore he would vote for the measure, "believing that it is in the interest of a higher citizenship and that it will bring in better immigrants." He acknowledged that the immigrants had contributed much to the development of the country and had distinguished themselves in every line of endeavor, but Fess proclaimed that American principles must be protected from the foreigners. He said, "We can not safely permit our pity to multiply the problems of our cities, to stimulate the various 'isms' born under foreign oppression and propagated here in American soil."

77 Ibid., 63d Cong., 2d Sess. (1914), 2764-5, a speech by Fess before the House, February 2, 1914. The literacy test bill of 1914 passed the House but was later vetoed by President Wilson. For the controversy over immigration restriction, see Carl Wittke, We Who Built America (New York, 1940).

78 Ibid.
American labor must be protected against the competition of cheap European labor, Fess reiterated. He had no desire to exclude the foreigner, but rather to raise the standard of the immigrant. In his views the ignorant foreign working man would increase the labor problems of the country. In his support of the literacy test he concluded: "An undesirable individual, no matter what his race, his color or his religion, should be prevented from coming here. While no test is sufficient to cover all undesirables, it must be admitted that education will assist in this selection." He surmised that a better grade of immigrant could be more easily assimilated into American ideals, for the people of the country did not want them to be foreignized by newcomers.

Fess, in discussing the veto of the 1914 literacy test bill by the President, announced to the House that one could not approve of unrestricted immigration on the basis that since one's grandfathers were illiterate, he, therefore, should not discriminate against foreigners in regard to establishing educational standards for immigration. Times had changed, he said, and it was no argument to say that since the mothers of our great sons in the past never went

79 Ibid.
school, and were illiterate, therefore you would shut out some of the greatest and most useful people in the world by literacy tests. In the vote to override the President's veto on February 4, 1915, Fess voted "yes," but the motion failed.

The Immigration Act of 1917, which was passed by Congress over the President's veto, set up educational or so-called selective requirements and restricted immigration. Fess voted both in favor of the original bill and to override the President's veto. He maintained that any restriction upon the mentally unsound, the physically defective, the morally delinquent, and the industrially vicious,—those who inevitably would become a public charge upon the government, was justifiable. He also contended that a restriction should be placed against elements who were opposed to organized law and government, those anarchistic elements.

In the "Red Scare" that reached its climax in the few

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80 Ibid., 63d Cong., 3d Sess. (1914), 3068-9.
81 Ibid., 3077.
83 Ibid., 64th Cong., 1st Sess. (1916), 4842-4843.
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years after World War I, Fess continued expounding his "Americanism" and his approval of restrictive legislation. In 1918-1921 there arose the controversy over the arrest and deportation of persons unfriendly to the ideals and principles of the United States. Fess became caught up in this xenophobia, as he feared that there was a definite threat to America. "Today it is no longer a question of doubt as to the systematic, intensive campaign of education going on against the fundamental principles of our system of representative government in certain circles widely scattered throughout the land," he contended. 84 Fess criticized those people who said that there was nothing to fear but that hysteria had gotten a hold on the country, as he maintained that actually a profound danger existed to American democracy. 85 In regard to this, Fess stated that America's problem was threefold: First, it must get rid of the undesirable who could be made subject to deportation. Those who could not be sent out must be Americanized. Second, it


85 Ibid.
must enlist every agency in a campaign of education that would include both secondary schools and higher institutions of learning. Every school board should make sure that no teacher remained in the school work who can not subscribe to American institutions. Every board of control of the higher institutions, whether private, church, or state, must purge the faculty of the communists. Third, every organization and club must enter in the campaign to rid the country of all undesirables. 86

On December 13, 1920, the House of Representatives voted to suspend immigration for one year by a vote of 296 to 42, and Fess voted in favor of the bill; the measure, however, did not pass the Senate. 87 On December 9, Fess had expressed his views on the bill:

Our laws are drafted to permit desirable immigrants but to exclude the undesirable. I hesitate to vote for total exclusion, even for a limited time. I readily admit the value of a kind of immigration, and would willingly invite it were it possible to avoid the danger of importation of un-Americanism... Rather than destroy the social and political integrity of our country and its institutions by the surreptitious seeping through of the poisonous nostrums of old world anti-government dogmas. I am ready to

86 Ibid.

vote complete exclusion of all immigration for at least such time as is necessary to deal with these elements already within our midst. 88

By the Immigration Act of 1921 the quota system was established for the admittance of aliens. This quota system was specifically designed to reduce the number of immigrants from eastern and southern Europe. Fess, remaining consistent in his view, voted for the measure. 89 In 1924, a more drastic law was passed which lowered the annual quota from three to two percent, gave a more favorable position to the people of Northern Europe, and discriminated further against eastern and southern Europeans. The Act also included a provision which excluded all aliens who were ineligible for citizenship, which really meant Asians. Fess, who had become a Senator, also voted for this Act. 90 It had been proposed that restrictions be placed on the people of South and Central America, Mexico and Canada. Fess, however, disapproved of such a step and stated: "My opinion is that having built up a body of good feeling [towards these people]...

88 Ibid., 133-134.

89 Ibid., 67th Cong., 1st Sess. (1921), 1442-3. The vote was taken May 13, 1921 in the House.

90 Ibid., 68th Cong., 1st Sess. (1924), 6449. The vote was taken April 18, 1924 in the Senate.
existing nearly 100 years, we should do nothing to destroy it."91

Fess never hesitated to expound his defense of "American principles" and his views on immigration in his speeches and for the press. In a speech before the Alliance, Ohio, YMCA in 1926, Fess remarked that United States could not throw the bars open to all foreigners who wanted to enter. Fess added that the United States had reached the point where it could no longer permit everyone who may so desire to enter its domain.92 In 1930, Fess commented upon his voting record on immigration:

I came to Congress in 1913; I have been through all this period of fighting on the immigration question, even including the literacy test, . . . ; I have seen some of the most terrific battles on the question; and, so far as I know, outside of voting against reducing the percentage to 1 [percent] today, I have never cast a vote in this or in the other body that was not for restricted, selective immigration.93

The Federal Reserve Act of December 23, 1913 provided

91Ibid., 6632.

92Alliance Daily Review, January 22, 1926. Fess gave a two hour speech on the national and international problems of the United States.

93Congressional Record, 71st Cong., 2d Sess. (1930), 7608.
for the creation of a new banking system upon regional lines and also added certain other reforms and controls. This new system was designed to introduce greater elasticity into the credit of the country, a sounder distribution of banking facilities, and more effective safeguards against speculation. Representative Carter Glass of Virginia was largely responsible for the drafting and carrying through of the measure. The Congress debated for six months over the bill, and many amendments were proposed and added before its final passage. Fess, during the debate on the act, criticized the wording of the bill. As the bill read, it stated that the notes to be issued by the Federal Reserve Banks were to be redeemable "in any lawful money," which Fess contended meant that the Treasury could refuse to pay in gold, and thus gave the bill a free silver issue. The banking and currency committee accepted the Fess amendment which said: "that nothing in the act shall be so construed as to repeal the law providing for all maintenance of the parity of all money" as provided in the provisions of the gold standard law of 1900.94 The Fess amendment was the only amendment of the two hundred amendments proposed by the Republicans.

94 The Washington Post, September 18, 1913.
to the Federal Reserve Bill which was adopted. The Republican party, later, in lauding Fess's actions, credited him as making possible the passage of the act. 95

Fess criticized certain provisions of the proposed Federal Reserve Act. He felt that the creation of the twelve districts would punish New York City and in addition would discriminate against the bankers and place the control in the hands of the government. "As a privately owned corporation, its [Federal Reserve System] operation and administration should be within the hands of its owners. But as a public agency its regulation should be under the control of the public," he concluded. 96 Fess, although he did not fully concur with the final bill, voted for the measure because he realized that reforms in the financial structure were necessary. 97

95 "Ohio's Opportunity to Aid the Nation," Fess Campaign Pamphlet of 1934 (issued by Fess-for-Senator-Committee, 1934), Mrs. Lois Figgins Papers. Fess's action in 1913 was dramatized in every political campaign thereafter.

96 Congressional Record, 63d Cong., 1st Sess. (1913), 4871-4875. On September 13, 1913, Fess criticized the bill in a rather lengthy debate.

97 Ibid., 5129.
The subject of the tariff had always been paramount with Fess since he had developed his first political interests back in the McKinley era. He always stood for a high protective policy which he believed was necessary to protect American industries and American workmen against competition with products made by the poorly paid labor prevalent in foreign lands. Shortly after his election in 1912, the Underwood tariff, which was part of the Wilson-Democratic program, came up for consideration. The administration's program called for a downward revision of the tariff. Hearings on the bill began in January 1913. The measure passed the House in early May by a strictly party vote, 281 to 139, with Fess voting against it. Between April 25 and May 6 he opposed the measure in the House on four different occasions. On April 25, with the House in Committee of the Whole to discuss the bill, Fess declared: "I take issue and I say the people did not in the election decide against the protective tariff," and, "We are discussing whether this country, that has

98 Congressional Record, 63d Cong., 1st Sess. (1913), 494-496, 780, 973, and 1202. Fess gave the speeches on April 25 and 29 and May 2 and 6. The Underwood Tariff Act also included an income tax provision.
constantly profited under the protective system, shall now abandon that system and go on a revenue basis, a basis under which this Government never yet has prospered.\textsuperscript{99} Fess then recited a scholarly report of the tariff which he supported with statistical evidence. Using a parable he reminded his colleagues: "I say, gentlemen, that whenever we can make two blades of grass grow at home when one grew before, that is American; and when we refuse to grow the two blades but choose Europe for the second one, that is not American."\textsuperscript{100} He reiterated that American labor must be protected from the goods produced by the cheaper European labor. Fess contended that tariff legislation could never be constant as it needed revision from time to time, perhaps every five to ten years. He suggested that a non-political tariff board be established to examine the protective tariff and determine when changes were necessary.\textsuperscript{101}

Fess also argued that the lowering of the tariff would


\textsuperscript{100} Ibid.

\textsuperscript{101} Ibid., 780. Speech given by Fess on April 29, 1913.
hurt agriculture and the farmer. With special reference to the wool industry, he said that the American sheep industry had to be protected from the South American and South African producers. He maintained that the home market required protection, for the farmer needed a place to sell his goods. In his opinion the home market was the best market. He contended that if the farmer was prosperous the country would be prosperous.\footnote{Fess did not restrict the expression of his views on the tariff merely to the floor of the House but advocated them in speeches and letters.} He attacked the Underwood Tariff and the principle of the tariff for revenue only in the congressional campaign of 1914 and in every campaign and election through 1934, he stood for the high protective tariff.

In a debate in the House in 1914 between Representative Oscar W. Underwood, of Alabama, who was the author of the Underwood Tariff, and Fess, Underwood gave evidence to show that the revenue from customs duties had increased. Fess replied that if the new tariff bill had not increased

\footnote{Ibid., 1044-5; and 1202. On May 2, 1913 Fess spoke on the tariff and had an extension of his remarks inserted in the \textit{Record} along with eighteen letters from his constituents supporting his view.}

\footnote{Fess Papers, \textit{passim}.}
the revenue everyone would have been surprised but that the question with him was whether it was a good policy to legislate for the producers of Europe instead of the producers of one's own country. He pointed out that one must look beyond merely the revenue factor of a tariff.\textsuperscript{104} Fess remained consistent in his views towards the tariff later when, with the Republicans in power from 1918 through 1932, several acts were passed allowing for an increase in the tariff.\textsuperscript{105}

The Democratic presidential platform of 1912 included a plank against monopolies. The action of the Democratic controlled 63rd Congress was the passage in 1914 of two important statutes: The Federal Trade Commission Act and the Clayton Anti-Trust Act which attempted to curb the development of monopolies. In a debate in the House on the anti-trust legislation, Fess advocated the principle that in trade, natural law should be allowed to take its own course, unless evils would grow out of such a policy, and that individual effort should be, as much as possible, unrestrained. If, however, individual effort interfered with

\textsuperscript{104}Congressional Record, 63d Cong., 2d Sess. (1914), 1121-1272.

\textsuperscript{105}Fess's action on the tariff for this period will be discussed later.
public welfare it must be regulated. Continuing his remarks, Fess said that he would prefer that the government should keep its hand off of the laws of trade, and that he believed that the modern tendencies of industry pointed to combination rather than competition. \(^{106}\)

Fess then sought to explain when, in his opinion, the government should legislate:

> But when it comes to the point where business interferes with pursuit of happiness, by allowing individual or corporate property to interfere with public welfare or with the right of accumulating property for the purpose of the general welfare, as well as for individual profit, then the law must step in to either correct the wrong or prevent a repetition of it, or both.\(^{107}\)

His intentions were to support the Federal Trade Commission Bill, as he believed that it was merely supplemental and would add to and assist the existing laws, especially the Sherman Anti-Trust Act. The Sherman Act, he believed, had been partially effective but its ineffectiveness had been due not to the law so much as to the administration of it.\(^{108}\)

\(^{106}\) *Congressional Record*, 63d Cong., 2d Sess. (1914), 8862-8863. Speech made by Fess before the House on May 19, 1914.

\(^{107}\) Ibid.

\(^{108}\) Ibid., 9697. Speech made by Fess before the House on June 2, 1914. For the background of this controversy, see Gerard C. Henderson, *The Federal Trade Commission* (New Haven, 1924).
Fess, however, did not vote for the Clayton Act. He assured his colleagues that the measure sought to do a thing that he had long wanted done, but that he questioned the effectiveness of the bill as it was written. "You are not striking the monopoly as you think you are, and you are striking the small business man as you think you are not." he stated. In addition, he suggested that the measure would actually assist the tendency toward concentration without providing the necessary control that was sought, and at the same time it would bring distress to the small dealer.\textsuperscript{109} Furthermore, he maintained that the bill discriminated against certain classes. According to the bill, labor unions were exempted from the terms of the act as long as they sought legitimate objectives, and the use of the injunction in labor disputes "unless necessary to prevent irreparable injury to property...for which there is no adequate remedy at law" was explicitly forbidden. It prohibited, however, a number of business practices: price discrimination that might lessen competition or create monopoly; tying contracts—that is, contracts that forced

\textsuperscript{109}\textit{Ibid.} For the regulation of the trusts, see Edward Berman, \textit{Labor and the Sherman Act} (New York, 1930).
purchasers to refrain from buying the products of competitors; the acquisition by corporations of stock in competing concerns; and the creation of interlocking directorates in corporations and banks over a specified size as measured by capitalization. Officers of corporations were made liable for prosecution if they violated these provisions. Fess believed that the Clayton Act gave special privileges to the labor unions, thus in defending his vote against the measure he said:

I have from the beginning thought that if we in Congress began on a legislative program that discriminated in favor of one or against another we put ourselves in the position to being discriminated against. While I wanted to support the legislation known as the Clayton Bill because of its value, it had one vicious feature in it, and that led me to vote against it. The fundamental basis of the American Government is that security that all are equal under the law. Any step to deny that protection is the entering wedge of danger. . . . It was wrong to first define a crime and then write in the same law an exemption from prosecution of certain classes.110

Fess remained consistent throughout his public career in his sympathy for Big Business. He felt that the government should have as few controls as possible. In 1928, in a discussion on the Muscle Shoals issue then being debated

110Ibid., 66th Cong., 1st Sess. (1919), 5649. Speech made by Fess before the House on September 19, 1919.
In the Senate, he defended the Dukes and the du Ponts et al. He advised his fellow Senators that if these men were successful, just because they were successful, legislators ought not to say "that shut them out." He believed that if business men took advantage of the public then the government had to exercise some control but that the trend toward consolidation was inevitable. Therefore, Congress should not vote to prevent this development if proper control over it could be exercised. He thought, in relation to Big Business men, that "the mere fact that they have been successful should not raise a prejudice in our minds against giving them our consideration." Fess always feared federal ownership and control of industry and believed that it was not nearly so effective or efficient as private management.

Fess favored the extension and broadening of the civil service. In 1913, the House had under consideration a conference bill for a deficiency appropriation for the civil service. The bill also proposed a reduction in the number of civil service employees. The merit system according to Fess was a part of the organized movement for a

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111Ibid., 70th Cong., 1st Sess. (1928), 3692. Discussion by Fess in the Senate on February 28, 1928.
better government that stood for efficiency and economy in the country. He opposed the suggestion for reducing the number of employees, but instead reiterated that the civil service should be extended and broadened. To support his contentions, he gave a history and evaluation of the civil service and illustrated its value for the improvement of government. On December 16, 1919, Fess introduced a bill entitled: "An Act to regulate and improve the civil service of the United States, approved January 16, 1883." The bill, however, never was reported out of committee.

Although Fess generally followed the laissez faire philosophy of government in regard to industry, he allowed for a few exceptions. He favored government aid and subsidies: to public education with certain restrictions; for federal highways; to railroads; to the air mail service; and to the merchant marine.

As a Congressman, Fess very early took up the cause of promoting an American merchant marine. The question had been raised in Congress as to whether the United States should develop and revise its merchant marine or whether

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112 Ibid., 63d Cong., 1st Sess. (1913), 5564-5566.
ships of other nations should perform the service. Speaking in 1914, in the House, he predicted that with the growing industrial capacity of the United States, not only would an American merchant marine be needed, but the United States would someday be building ships for other countries as well as carrying their goods. He advised a policy of revising our merchant marine as it would bind our insular possessions together by the strongest possible bonds—commercial interests.114

In the Congressional election of 1914 Fess made the merchant marine controversy a campaign issue. He gave the keynote address and served as Temporary Chairman of the Ohio Republican State Convention in August. Here, he attacked the Wilson-Democratic administration mainly on the tariff and merchant marine controversies. He was in favor of government ownership. In his keynote address he said:

Had we been wise, we would have favored the upbuilding of a merchant marine in the past, then in times of war like the present, we would have continued as a neutral nation to carry the world's products.115


115Columbus Evening Dispatch, August 25, 1934.
In 1915, it was proposed in Congress that the United States government and navy, in order to develop an American merchant marine, should build and then lease or sublease the ships to the merchant marine. Then, two years after the war closed, the government should discontinue the use of the ships as a carrying or merchant agency and turn them back to the navy. Fess criticized this suggestion as he did not believe that it was a wise method. In his criticism he explained:

... I am not ready to change our methods and abandon private ownership for governmental ownership. I do not believe that the time is here when I am justified in taking such a long step toward national socialism as that step would be. On the other hand, I am convinced that the Government ought to encourage private enterprise and not discourage it. I do not think the Government ought to enter into competition with private enterprise, because private enterprise certainly can not successfully compete against the Government. 116

The question of the Merchant Marine had still not been settled in 1916 and the issue now was one of a government subsidy. To this proposal Fess uttered: "There are many among us who believe the choice lies between subsidy or Government ownership on the one hand and no merchant marine

on the other. Personally I desire the merchant marine restored. I would prefer a subsidy as an alternative before Government ownership.\footnote{Ibid., 64th Cong., 1st Sess. (1916), 8109-8110. Speech made by Fess in the House on May 16, 1916.} Fess could not accept government ownership because, for him, the principle was wrong. His solution was to have the government build the ships so they could be utilized as naval vessels in time of need as part of an understanding that for assistance granted the vessels could be taken over by the government. This, he contended, would make the owners responsible for profit and loss as merchant vessels and the government responsible when used as war vessels.\footnote{Ibid.}

Fess also endorsed federal aid to the building and improvement of roads. In the consideration of a bill in February 1914 to provide for government funds, in certain cases, to aid the states and the civil divisions in the construction and maintenance of roads, he outlined the reasons why he favored such support. He believed: that it was a proper function of the federal government; that the initiation of this sort of a proposition would stimulate
better road building on the part of the State; that if the federal government aided road building and stimulated the state, the two would stimulate private efforts; and that the federal government could best develop better road building materials.\textsuperscript{119} Fess then proceeded to give a history of federal road building and in closing his speech he said:

> To improve a part of the country benefits the whole country, and should appeal to the old as well as the new state, the rich as well as the poor state, the well-improved as well as unimproved, the States with good roads as well as with bad roads. In this, as in all life, the strong must help the weak, the rich must be willing to help the poor.\textsuperscript{120}

Showing his interest in agricultural and the welfare of his own farming district, he further explained that the good roads would make farm life much more desirable and would help to keep the farmer on the farm.\textsuperscript{121}

In 1915 and 1916, Fess received many letters from his constituents in regards to a rumor that Congress was cutting down on rural mail service, basically as an economy move.

\textsuperscript{119}\textit{Ibid.}, 63d Cong., 2d Sess. (1914), 3092-3. A speech made by Fess in the House on February 6, 1914, entitled "Rural Post Roads." Fess voted for the bill.

\textsuperscript{120}\textit{Ibid.}

\textsuperscript{121}\textit{Ibid.}
There was talk of lessening the number of routes, and to do this the automobile would supplant the horse, thus throwing many mail carriers out of work. His constituents asked him to use his power to get a reconsideration in the cutting down of the mail service and in the reduction of mail carriers.\textsuperscript{122} Fess, in sympathy with the complaints, made a speech in the House criticizing this proposal as being fake economy. His contention was that the government should first improve the roads because the automobile could not travel on many of the roads in winter, and, therefore, the farmers would be without mail service.\textsuperscript{123} In 1921 and 1922, Fess voted for appropriation bills providing federal funds for the construction of post roads.\textsuperscript{124}

In a discussion in 1916 in the House on the question of an appropriation for the building of dikes on the Mississippi River for flood control, Fess, who opposed the bill, remarked that he was not against the idea because he

\textsuperscript{122}Fess Papers, 1915-1916, \textit{passim}.


was adverse to the function of flood control as a Federal activity but that he was opposed to the scheme because it did not give any assurance against "wicked waste."

He pointed out that the Mississippi River Commission had been in existence for nearly forty years, that thousands of dollars had been spent already to control the waters, and that yet there were floods. In his view the floods upon the Mississippi River were definitely of national interest but so were those on the Ohio River and other streams. He declared that the cry for appropriations for the Mississippi was the result of propaganda supported by local interest.

He then recommended that an "exhaustive research for the incontrovertible facts of control of the waters of the Mississippi" and other streams be made. In his opinion there should be a definite program which would not lead to a great waste of money.

In a river and harbors appropriation bill mainly for the Ohio River, in 1916, Fess voted against the measure. In his remarks on the bill he said:

... I believe in internal improvements at the expense of the Government. I always have believed that the Government was justified in that sort

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125 Ibid., 64th Cong., 1st Sess. (1916), Appendix 984-985.

126 Ibid.
of an expenditure. The construction of railroads, of canals, and the improvement of river and harbors are legitimate if they increase the business of the people of the country. . . . therefore I am free to say that there are some items in this bill that I have not endorsed, and when the opportunity was offered to vote against them I have voted against them.

... I will vote for any project that has promise of great inland waterborne commerce, whether on the rivers which run to the sea or to the Lakes, whether for cities on the seacoast, Lakes, Gulfs, or rivers, and I will do it in case I live upon either or in case I live upon neither, . . . because I believe it is a good policy for the government to pursue. 127

In a river and harbor appropriations bill, which passed the House in January 1917, Fess also cast a "no" vote, and on a similar bill of June 1917 he did not vote. In explaining his failure to support the measures he commented:

... I do not like to be compelled to vote for a measure that contains numerous items which I do not approve in order for measures which I do approve. . . . That is why I have opposed these bills for the last two sessions. 128

127 Ibid., 5758-5759. Fess voted against the River and Harbor Appropriations Bill (H.R. 12193) three times, including the final conference report which passed. It is not known why he voted against it, but he probably thought it was strictly for local interests.

128 Ibid., 65th Cong., 1st Sess. (1917), 3678, Fess's remarks made on June 15, 1917. The specific items of which he did not approve are not known.
Fess believed that as an economy measure, river and harbor bills during World War I should be of military necessity, and in criticizing a bill in 1917 he remarked: "I shall vote for the measure when this committee limits the expenditures to military necessity. If they don't I won't vote for it." 129

In the case of a river and harbor appropriations bill in April 1918, especially for the harbor at Key West, Florida, and for military purposes, Fess voted for the measure. 130 Yet, he voted against one which passed in 1919. By that time the war was over. 131 Thus, Fess, as a member of the House, frequently voted against river and harbor appropriation bills.

In September 1916, a railroad crisis had arisen with the threat of a strike. The railway brotherhoods were demanding an eight-hour day in place of the ten-hour day many men were then working, with no reduction in wages, and with time and a half for overtime. When all efforts failed

129 Ibid.

130 Ibid., 65th Cong., 2d Sess. (1918), 5217-5218. The bill was passed.

131 Ibid., 65th Cong., 2d Sess. (1919), 1338. It is not known why Fess voted against the measure.
to settle the question by agreement, Wilson, over the protests of the railroad presidents, appealed to Congress to enact legislation for an eight-hour day, although without time and a half for overtime. The bill passed and was known as the Adamson Act of 1916 which was basically a Democratic party measure. Fess, who had approved and voted for the amendment providing for the eight-hour day on certain state public works while in the state Constitutional Convention of 1912, voted against the Adamson Act.132

In explaining his vote, Fess said that he approved of the idea of the eight-hour day but that the question should be arbitrated between management-owner and employees. The legislation, he said, was due partially to the threatened strike. He asserted that this measure was "born in fright, fathered by fear, cradled in a partisan politics, and carried through to final action under duress [threat of a strike]." He then contended that the President had forced the eight-hour day on the employers and that the fear of a strike had forced the House and Congress to pass the bill. He criticized the President for abandoning the principles

132Ibid., 64th Cong., 1st Sess. (1916), 13608. The vote in the House was 239 to 56.
of arbitration. In a somewhat subtle manner Fess said that "these representatives of labor are to be congratulated upon their personal achievement in fighting Congress to its knees." In Fess's opinion, the government's function was not to decide between contestants, but to induce them to compromise their differences. Fess's behavior towards this measure revealed his sympathy for the employer-owner class over that of organized labor, although he maintained that he was not unfriendly to organized labor or against the eight-hour day. Realizing that he would be accused of being unfriendly to labor, he said: "I am well aware that a vote against this proposition today will be scheduled as unfriendly to organized labor and to the eight-hour day. I will submit myself or subject myself to the criticism that I am unfriendly." Then he pointed out his record of the past, how he had stood for the eight-hour day in the Ohio Constitutional Convention and had voted for it every time it had come up in reference to public works in Congress. As a Senator in 1926, referring to his vote on the Adamson

133Ibid., 13589; Appendix 2040-2048. Fess made his remarks on September 1, 1916, on the floor of the House.

134Ibid., 13589.
Bill, he noted that he had not liked the bill for the reason that he believed that a dispute arising out of wages should be a matter of contract between owners and employees and that the government should never interfere except when the public interest was at stake.  

Fess, who was from an agricultural district, held profound interest in farm legislation. He feared, however, the trend toward too much control over the farmer and frequently during his public career pointed out what he deemed creeping socialism on the part of the federal government towards agriculture. In 1916, in his remarks in the House on the farm conditions, he declared that the tendency in legislation had been, and now was, paternalism. He informed his colleagues that a study of the last fifty years demonstrated the growth of socialism. "Nobody can close his eyes to that fact," he said, and then he asserted that those voting the Socialist ticket did not, by a long way, measure the Socialist sentiment in the country. It was very apparent, he remarked, that there were many people in the country who believed that Socialism was the remedy for

135Ibid., 69th Cong., 1st Sess. (1926), 5466.
what they deemed to be inequality. Fess, however, believed that:

Equality will not be produced, neither will inequality be promoted by governmental decree. Human nature is not the result of laws of Congress. I believe that much of this inequality must be laid first, to the lack of devotion or application to the utilization of man's energies. Good luck is not a law of success. Employment of talent, conservation of energy, and application to the work at hand are conditions to success. . . .

Much of this inequality Fess laid to "wicked waste," not only of the individual, but of the community, of the State, and of the Nation. He contended that anyone who spent more than he received would die not only penniless but the subject of charity. The United States, he affirmed, was a country of open opportunity and he contended that there never was time before when the young man with equal energy had such a possibility of making good as at that time. According to Fess the Horatio Alger "rags to riches" story was still possible, but in no place was "creeping socialism" in more evidence than in agricultural legislation. 138

A purpose of the Federal Reserve Act of 1913 had been

137 Ibid.

138 Ibid. See Benjamin H. Hibbard, Effects of the Great War Upon Agriculture in the United States and Great Britain (New York, 1919).
to provide easier credit for the farmer, but the act had done little to bring down farm interest rates or ease farm credit. The Federal Farm Loan Act of May 1916 was passed to achieve these objects. The Act also created a Federal Farm Loan Board and twelve regional Farm Loan Banks. Fess voted for this major piece of legislation, but not without some reluctance. He criticized certain features of the bill, mainly that part which put the government in the banking business. The avowed purpose of the legislation was to enable to landless to become owners of a house, and this, Fess acknowledged, was a most worthy purpose of legislation. Yet, to him there was a question whether it would accomplish that purpose. He expressed the opinion, however, that the future would afford the opportunity for amendments to correct errors which time would reveal.\textsuperscript{139}

Fess, while a member of the House, generally voted for agricultural appropriation bills, and in his political campaigns he always explicitly informed his constituency of this fact.\textsuperscript{140} Fess advocated that the government expenditures


\textsuperscript{140}Ibid., passim.
should be made along the line of research and investigation in order to increase the average yield per acre. He observed that with the growth in population and the steady increase in consumption, the great concern should be to find better methods of production. His contention was that the United States should become independent of foreign goods if possible; at least, it should develop to its maximum ability. On this point he said: "I think that no country can safely go upon the basis that it will not develop to the very last limit its ability to produce anything it can produce, so that it will never be dependent on any other country for anything."141 Of course, as explained previously, Fess also believed that a protective tariff was necessary to encourage, promote and protect agriculture.

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CHAPTER VI

CONGRESSIONAL YEARS: FIRST WORLD WAR TO 1923

The touching off of World War I with the assassination of the Archduke Franz Ferdinand, the heir to the throne of Austria-Hungary, at Sarajevo, on June 28, 1914, vitally affected the interests of the United States. In a country of many nationalistic backgrounds, emotions were greatly aroused by the war, even though President Wilson proclaimed official neutrality soon after the outbreak of hostility. American commercial and financial interests had been extended to every country of Europe, and now became more deeply involved. The problem of neutral rights and affronts to the national honor threatened American neutrality until the United States entered the war in 1917. Even though the government was officially neutral, America's sentiment inclined towards the Allied cause from the very beginning of
the war, and, as the war continued, many Americans tended to sympathize more and more with the Allies.¹

In May 1914, even before the European War erupted, Fess had spoken on behalf of American military preparedness. A discussion occurred in the House over the question of building two new battleships. Fess, referring to the proposal, said:

I want to state, as a believer in the movement for peace, that this country has an important function to perform. But, gentlemen, I raise this significant question. Is it our duty to stop the preparation for what may come, and is most likely to come when not prepared, at the very moment when our problems are being complicated, and when we are coming rapidly to be a world power? . . .; but it would be, in my judgment, suicide to disarm ourselves without disarmament on the part of Germany and of Great Britain, and of Russia and of France. . . . I will not vote to disarm while all the world is voting to arm.

... for us to sit quiet with little or no attention, and declare that God will take care of idiots and children and Americans is perfectly silly to me.

We may not keep out of war. It may be forced upon us. . . . There is no surer cause of war than a policy that convinces an enemy that we want peace at any price. Peace at any price leads to inevitable war or national humiliation.²

When the European War began Fess became concerned over the problem of American neutral rights. On February 18, 1915 he made a speech before the House entitled, "A Critical Situation—1915 in the Light of 1812." He pointed out the similarity of events in 1915 with those preceding 1812 and he warned his colleagues:

... Let some overt act of war take place and note what will happen to this country. . . . Wilson could no more hold these people at bay than could Madison in 1812 or McKinley in 1898. . . . We should weigh the consequences of our act and measure the forces now at play upon the sea, which can not be overlooked from the standpoint of our national welfare.³

The next day Fess continued his remarks and declared that the United States should be consulted on its rights upon the sea and that America's mission as a peacemaker depended upon its ability to insure a square deal for all countries and protect the rights of others.⁴ On January 11, 1916


³Ibid., 63d Cong., 3d Sess. (1915), 4035-4036.

⁴Ibid., Appendix, 405-408.
he gave an hour long speech in the House on "Our Rights on the Sea--International Law, not Orders in Council." Here again he maintained that American rights had to be respected as those of an independent country, and he warned his colleagues that war would not come if the nation stood for its rights but rather if it followed a "shilly-shally" policy.5

Fess vehemently denounced Germany's use of the submarine, but he recognized it as a new instrument of warfare and as such, he said, it presented delicate questions for international law.6 Because of no previous understanding among nations on the weapon he suggested that Great Britain and Germany as belligerent powers should agree to a new international law affecting submarines.7 Shortly before America's entry into the war Fess was asked by the House of Representatives to compile the documents detailing the dispute between the United States and Germany on the submarine question and between the United States and Britain

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5Ibid., 64th Cong., 1st Sess. (1916), 875-879.


7Ibid., 3028-3029. Remarks made by Fess in the House, on February 10, 1917, relative to submarine warfare.
on restraint of trade. In a letter to Dr. Lehr he commented on this assignment:

Recently by request of the House of Representatives I compiled all the documents giving the controversy between this country and Germany on the submarine question and in the second part of our controversy with England on the blockade question. The truth about the matter is that all the countries unless it be Belgium and Greece are at fault. . . .

Before America's active participation in the war Wilson had sought Congressional authority to arm merchant ships, a measure for which Fess voted in the House and which passed that body although it was blocked later in the Senate through a filibuster.

In September 1914, the House passed an emergency tax measure of $105,000,000, considered to be a war tax. Fess denounced the measure and said that it was absolutely

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8Letter from Fess to Dr. Lehr, March 26, 1917, Fess Papers, Box 10, Folder 1. The compilation was inserted in the Congressional Record. It also was published as: "A History of our Relations with Germany and Great Britain as detailed in the Documents that passed between the United States and the two great belligerent Powers," compiled by S. D. Fess, Document No. 2111, House of Representatives, 431 pages (Washington: Government Printing Office, 1917).

9Congressional Record, 64th Cong., 2d Sess. (1917), 4691-4692. The measure passed the House March 1, 1917 by a vote of 403 to 14. Wilson discovered a piracy statute of 1819 that authorized him to act and arm merchant ships.
unnecessary if there were a retrenchment in expenditures. He further contended that the failure of the Underwood Tariff made the so-called war tax necessary and that when the Wilson administration was judged by the standards of economy, there was but one verdict—gross extravagance. When the measure came up for passage, Fess voted against it, but later, in December 1915, he voted to extend the war tax. He also voted against a so-called emergency revenue bill of July 10, 1916. In his disapproval he stated: "I will not vote for this measure, because I will not allow the Democrats under the claim of an emergency to manufacture arguments against the protective tariff."

In a vote on a revenue bill of February 1, 1917 which levied a tax on estates and excess profits in order to provide increased revenue to defray the expense of larger appropriations for the army and navy and other purposes, Fess did not vote.

10Xenia Daily Republican, September 29, 1912; and Congressional Record, 63d Cong., 2d Sess. (1914), 15645, 15712-15717. The war tax was levied on tobacco, certain documents, bonds, stocks, etc. Fess voted against the measure, Congressional Record, 63d Cong., 2d Sess. (September 25, 1914), 15772 and for its extension, ibid., 64th Cong., 1st Sess. (December 16, 1915), 360-361.

11Ibid., 64th Cong., 1st Sess. (1916), 10761, 10768. The revenue bill passed the House by a vote of 238 to 142.

12Ibid., 64th Cong., 2d Sess. (1917), 2441-2442. The measure passed the House by a vote of 211 to 196.
On matters concerned with the strengthening of and increase in the national defense, such as appropriations for the army and navy and fortification bills, Fess showed a consistent record of voting for these expenditures both before and during the war.\textsuperscript{13} In his remarks on a navy appropriation bill of May, 1916 Fess said:

I will vote for any reasonable increase of the Navy that you may bring in. I will do so in the belief that if we do not build a strong defense because it costs too much, we will be risking millions to save hundreds. I am not satisfied with the majority report. I want what you propose, but there are two items omitted that should be provided. I would like to have a greater flotilla of submarines. This extensive coast line demands a mobile coast defense. I want an increase of the eyes of the Army in the aviation corps. This arm of the service has proved its vast importance. I want the battle cruisers you have provided in this bill, but I want some dreadnaughts in addition to the fast cruisers.\textsuperscript{14}

After America's entry into the war in April 1917, Fess voted for the war time tax measures such as a luxury tax, excess profit tax, and income tax.\textsuperscript{15} He also approved of the Liberty Loans and on the passage of the Fourth

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\item \textsuperscript{13}Ibid., \textit{passim}, 1916-1919.
\item \textsuperscript{14}Ibid., 64\textsuperscript{th} Cong., 1st Sess. (1916), 8796-8798.
\item \textsuperscript{15}Ibid., \textit{passim} (1917-1919).
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of a loan without opposition and in a very few minutes. While it is bewildering to those of us who see in figures, because the world is rapidly reaching the place where the interest on the debt totally consumes the income, yet we will not hesitate to do all that is necessary to win this war; . . . .16

Fess was rather critical of President Wilson, as were many members of the Republican party both before and during the war. It was maintained that Wilson was usurping executive authority. Wilson was attacked for what the opposition called dictatorial methods in pushing his program through Congress prior to the war, and then after the war he was attacked for his assumption of additional executive authority. In a letter in 1916, Fess wrote to Dr. George D. Black, the acting President of Antioch:

We are living in times of great stress for fear of possible developments in the near future. I cannot be reassured from the secretive methods and type of mind of the responsible head of the government. It compels one to entertain constant wonderment over what is next.17

In March 1917, shortly before the entrance of the United States into the war, Fess wrote to a constituent that there

16Ibid., 65th Cong., 2d Sess. (June 28, 1918), 8438.

17Letter from Fess to Dr. Black, April 26, 1916, Fess Papers, Box 9, Folder 4.
was "A general desire to stand by the President for the honor of the country. This we are trying to do in face of the most trying circumstances."18

On January 11, 1918, Fess wrote a letter to a Mr. J. E. Howe of Richwood, Ohio, in which he criticized the administration and remarked:

The truth about the matter is we have serious problems confronting us and must make the best out of a bad case for none of us want to say anything that would give comfort to Germany. Therefore we must swallow a lot of things were it not in time of war we would fight to the bitter end.19

He again wrote to Howe on May 3 and asserted that the President was asking for more and more power. He said that "it is bewildering to contemplate what may result in case this man [Wilson] is given all he asks. Some of us are becoming alarmed over what is demanded. It is a delicate time that must be weighed more carefully."20 Evidently a Mr. D. W. Dubois of Oxford, Ohio, had written to Fess and had commented on the lack of equipment for the military forces. Fess

18Letter from Fess to C. R. Hornbeck of London, Ohio, March 16, 1917, Fess Papers, Box 10, Folder 1.

19Letter from Fess to Howe, January 11, 1918, Fess Papers, Box 12, Folder 1.

20Letter from Fess to Howe, May 3, 1918, Fess Papers, Box 13, Folder 2.
in reply concurred with Dubois's observation and in addition professed that "in the face of all this Secretary Baker [Newton D. Baker, Secretary of War] maintains his equanimity and dismissed the seriousness with a smile and the puff of a ring of smoke from his cigar. I think when the facts are known to the public there will be an awakening to the inefficiency of the present administration which is being lauded to the skies by the subsidised press under the direction of those in charge of the government."^21

In February 1918 Fess wrote to his friend, O. T. Corson of Columbus, who was editor for the Ohio Educational Monthly: "... Viewing this performance here [administration at Washington] at short hand I become so indignant that it requires all the reserve power I possess to keep still. The only reason I do not divulge all I know is our fear that we might by so doing give comfort to the enemy."^22

In a letter to Mr. E. W. Bowers of Brookville, Ohio, Fess criticized the administration for placing men in positions for which they were ill-qualified. In his discussion

^21 Letter from Fess to Dubois, January 14, 1918, Fess Papers, Box 12, Folder 1.

^22 Letter from Fess to Corson, February 4, 1918, Fess Papers, Box 12, Folder 3.
of this he wrote: "... it will not be a surprise to find the farming industry placed under the control of men who know nothing about the farm. I do not hope to find any general relief from this policy. I admit the strength of your argument, but under the present regime it is not likely to produce much effect."23

With American entry into the War Fess had become rather personally involved as his two sons, Lowell and Sumner, were called into military service. His duties and responsibilities in Washington required him to be away from his beloved home and garden in Yellow Springs. Writing to his family in April 1917 he remarked that the "grind goes on. The House Chamber seems a morgue to me. I am so near sick... Conscript will pass. The press has done the work. I have never realized what real war means before."24

Commenting on the war in a letter to his wife in May 1917, Fess remarked:

Washington naturally is beautiful but not to me this year. It is a striking example of the truth that beauty is not physical. This seat of

23 Letter from Fess to Bover, March 15, 1918, Fess Papers, Box 12, Folder 5.

24 Letter from Fess to his family, April 26, 1917, Fess Papers, Box 10, Folder 2.
war where men are inhuman in their dealings with our youth cannot be beautiful, however much nature tries to dispel the gloom.

I can fully give the boys, but I did not want them taken without consulting them. But we must make the most of it... 25

As the war progressed Fess realized more and more the tragedy of it and the great amount of sacrifice required by everyone. His three sons were also anxious "to do" their part. Lehr, the oldest, who was his father's personal secretary and was a married man with a family, was persuaded by his father not to enlist, but Lowell and Sumner both went into military service, Lowell in the Army and Sumner in the Navy. As a father, Fess received the normal requests for money, clothing, candy, et cetera from his sons in service, as well as the usual complaints regarding the service. 26

Sumner, who was seventeen when the war broke out, immediately talked of enlisting. Since Fess was in Washington, Sumner became somewhat of a problem for his mother. In a letter from Lehr Fess to his brother Lowell, it was

25 Letter from Fess to his wife, May 2, 1917, Fess Papers, Box 10, Folder 2.

26 The Fess Papers include much correspondence of Lowell and Sumner while they were in service.
revealed that Fess must have laid down some "fatherly advice" to his son. Lehr wrote:

Sumner came home Saturday evening. He had threatened mother to enlist and then marry his girl on Saturday so I decided that father had better be let into the state of affairs. I wasn't afraid of Sum doing anything last Saturday especially in regard to enlisting but after thinking it over thought it best to tell father now so that he would have opportunity to talk it over with him before he took the step. I understand father and he had quite a talk until midnight Saturday night. At least Sumner knows where he stands now, and what the consequences will be. Father seems awful blue. I can see how he feels. He doesn't want to drive Sum to enlist for fear of something happening to him, and yet we all feel that it is the only thing for him to do. . . .\textsuperscript{27}

Fess was very proud of his sons. Sumner, who was then in service, writing to his folks in Yellow Springs, commented on a letter from his father: "You know it makes me feel real happy to read a letter that states that you are proud of your sons."\textsuperscript{28} Sumner, who was stationed at Cambridge, Massachusetts, for a while was reminded by his father that he was at an historic place, whereupon Sumner replied: "Yes, father, I know that I am on a historic spot.

\textsuperscript{27}Letter from Lehr Fess to Lowell, December 24, 1917, Fess Papers, Box 11, Folder 5.

\textsuperscript{28}Letter from Sumner to folks at home, May 5, 1918, Fess Papers, Box 13, Folder 2.
and everyday I see a large statue of the man I was named after.  "29

During the war Fess received many letters from his constituents asking aid in getting them into military service, in securing a transfer from one service or department to another or in obtaining a "war-time" position so that they could do "their part." 30 Often the letters expressed a deep feeling of patriotism, such as follows:

Realizing in some measure the peril to our Stars and Stripes and to the cause of civilization, wrought about by a foreign foe, and acutely feeling the need of men for service, I, P. E. Lockwood, hereby offer my service in behalf of my own native country's welfare. Following are some of my qualifications for service. . . . 31

Fess also received many letters of advice on how to "carry on the war." One constituent wrote in August 1917, advising that troops should be sent to the Russian front instead of the Western front. In reply Fess wrote that the mobilizing of American troops for that purpose had been considered but that the advisers considered such an undertaking

29Letter from Sumner to folks at home in Washington, May 5, 1918, Fess Papers, Box 13, Folder 2. Sumner was named after Charles Sumner.

30Fess Papers, passim.

31Letter from P. E. Lockwood of Middlebury, Ohio, to Fess, May 26, 1917, Fess Papers, Box 10, Folder 2.
as too difficult because of transportation and other problems.

In a letter to William A. Taylor, of the Bureau of Plant Industry, Department of Agriculture in Washington, D.C., Fess made a request on behalf of an old friend. Fess believed that perhaps the friend produced a product which could be used in the war effort. He wrote:

I have a rather peculiar request to make to you on behalf of my old friend Mr. William Knox, R.F.D. 1, Yellow Springs, Ohio, who makes brooms from broom corn which he raises on his little farm.

If it is the practice of the department to accept such offers I shall be glad to have the sample forwarded to the proper division for examination.

Thanking you for your consideration of this rather unusual request which would be better understood if you knew the wholesome simplicity and integrity of "Uncle Billy Knox."

Fess also received advice and requests with which he did not have sympathy. A Mr. Dowles wrote to Fess and

32Letter from Stanford E. Circle of Franklin, Ohio, to Fess, August 3, 1917, and Fess to Circle, August 8, 1917, Fess Papers, Box 10, Folder 5. The Fess Papers contain many similar letters.

33Letter from Fess to Taylor, May 7, 1917, Fess Papers, Box 10, Folder 2. It is not known whether Fess was successful in his request.
requested that he give full support to the President. In a very frank reply Fess informed him:

Referring to your admonition to give the President full support I am informing you that I shall hold myself free to point out the vicious incompetency of the War Department as now organized through which unnecessary suffering and death of our sons result. . . . I am speaking as a father with two sons in military service in the actual fighting forces. This is why I deplore the misguided information of the real situation as has evidently reached your ears.34

The great Polish pianist, Ignace Jan Paderewski, made an appeal before the Committee on Foreign Affairs, of which Fess was a member, on December 1917, for the cause of Polish Independence. Fess had the occasion to shake Paderewski's hand. In his comments on the incident, he wrote home:

We had before us for two hours the famous Pianist Paderewski--when I shook his hand goodbye I said, "Some of us have been charmed by your wonderful performances on the piano," with a low bow he replied, "I want to thank the very few men who have in their power the destiny of my people, the persecuted Poles." It gave us a new view of the awfulness of the war.35

Fess voted for the declaration of war against Germany

34Letter from Fess to Mr. Dowles (address not given), February 5, 1918, Fess Papers, Box 12, Folder 3.

35Letter from Fess to folks at home, December 13, 1917, Fess Papers, Box 11, Folder 5. Paderewski (1860-1941) served as Prime Minister of Poland from January 1919 to November 1919.
on April 5, 1917, and in the ensuing months asserted that war should also be declared against Austria-Hungary, Bulgaria and Turkey. In a speech in the House on December 7, 1917, he alleged that the United States was not only fighting Germany but Austria, Bulgaria and Turkey as well. He pointed out that every secret place that was open to these nations in America should be closed up so that American secrets would not go across the water and thus endanger American sons at war. The thing for the United States to do, he said, "is to let the world know that we are not only fighting the master, but that we are fighting his vassals as well."\(^{37}\)

Fess voted for the legislation that authorized the drafting of the National Guardsmen into military service and the establishment of a selective draft. During the war he voted for all of the increases in the size of the Army, including the lowering of the draft age to the age

\(^{36}\)Congressional Record, 65th Cong., 1st Sess. (1917), 412-413. For developments leading to this, see Benedict Crowell and R. F. Wilson, How America Went to War, 6 vols. New Haven, 1921.

\(^{37}\)Ibid., 65th Cong., 2d Sess. (1917), 90. Speech made by Fess in the House on December 7, 1917 concerning the declaration of war on Germany's allies. Fess voted for the declaration of war.
of eighteen.\textsuperscript{38} In reference to a bill in March 1916 which allowed for army instruction in the schools and an increase in the R.O.T.C. in the colleges, Fess reiterated:

Think of the value, not to the Nation alone but to the individual student. No student has ever been harmed by military training. It is one of the finest mental disciplines of which I know. . . . To be under discipline and to learn obedience is one of the moral lessons our youths must heed today. Aside from this influence, military training has a very important influence on the health of the body.\textsuperscript{39}

In speaking of the proposed selective draft on April 28, 1917, Fess stated that conscription was awfully odious to him but that nothing was left now except to stand by the nation in war; and, therefore, he would vote for the conscript system, although it was hard for him to do so. In giving his support he said that the country must not declare war one day and refuse to raise an Army the next day.\textsuperscript{40} Fess questioned the use of the word "conscript" and felt the word "selective" would be more appropriate as he contended:

\textbf{\ldots Now, since we have decided for conscription do we in this Congress want to put a}

\textsuperscript{38}\textit{Congressional Record}, passim.


\textsuperscript{40}\textit{Ibid.}, 65th Cong., 1st Sess. (1917), 1540-1541. Remarks made in the House of Representatives.
ban or stigma such as that call places upon boys who have no exemption? It is not fair; it is not just. These boys have no rights. It is not theirs to ask the question why; it is only theirs to do and die [applause]. If we deny our sons all rights, we can at least protect their good names while they tender their service and, it may be, their lives.41

Fess asserted that the word "conscription" discriminated against those not selected for military service and that the word "selective" would be better. He said that people believed that "conscription" conveyed the idea of being un-American since certain men would not be drafted.42

On the question of lowering the draft age to 16, Fess stated in the House that he would not for a moment cast a vote to interfere in the slightest degree with what was the judgment of the men charged with the successful prosecution of the war. It was the duty of the Congress, he maintained, to arm the military agency with authority to do what in its judgment was necessary to win the war. Representative Walter M. Chandler (New York) asked Fess if the War Department asked for 14 and 15 year old boys if he would vote for that. To this question Fess replied: "If the 16 year old boys were called because the others had

41 Ibid.
42 Ibid.
gone, and we needed them, and the War Department would say to me it was essential, I certainly would vote to call these in rather than to surrender."  

Under the act of March 21, 1918 the railroads were taken over and operated by the federal government. The measure was of an emergency character and was deemed necessary in carrying on the war effort. Although Fess was firmly against government ownership as a policy, he approved of the action because he believed that it was necessary. On February 28, 1918, in the House, on the question of government control of the railroads, he said:

Mr. Speaker, this railroad bill which gives complete governmental control over the roads for the period of the war and a definite time after peace is declared was inevitable and should not be resisted. . . . This is a necessary step. Under our present social, industrial, and governmental organization the railroads have become the most essential as well as vital single factor in our complex national life. Their uninterruption is as imperative as the arteries are to the human system. This is here at anytime but doubly so in the dangers of war. . . .

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43Ibid., 65th Cong., 2d Sess. (1918), 9438-9440. Remarks made by Fess in the House on August 23, 1918. Fess voted for the measure lowering the draft age to 18, ibid. 9506-9507.

Fess said that he would vote for federal control but with a keen sense of the long step it would be towards a policy which had greater significance for the country than most people were willing to admit. He saw in it the danger of setting a precedent for future government control, and thus he warned: "Our great concern now should be to avoid the steps under the stress of war which will ultimately and inevitably lead from Government regulation and control, which is now one fixed policy, to Government ownership and operation as a definite policy." Fess added that there was no doubt that current public opinion was running strongly in favor of Government ownership in many fields of American life. In his concluding remarks on February 28, he reminded his colleagues: "But while we do this the emergency of war must not be embraced as a sufficient reason for us to embark upon a governmental policy fraught with the possibilities too grave to contemplate with equanimity."

Fess repeated his remarks concerning the railroads in regard to Federal operation and control of the telegraph and telephone. In his opinion the nation was in the most

\[45\text{Ibid.}\]
\[46\text{Ibid.}\]
gigantic struggle the world had ever known, and therefore every resource had to be utilized in winning the struggle. Since the President was Commander-in-Chief and he deemed it necessary to take over the control of the telegraph and telephone, there was nothing to do but approve the action. Since in wartime an intense patriotism is usually aroused, there was a demand to prevent and to punish those engaged in un-American activities against the war effort. The number of people engaged in un-American activities was very small, as the vast majority of Americans were behind the President. Nevertheless, in June 1917, Congress passed, and Wilson signed the first Espionage Act, which forbade attempts to obstruct the draft or to cause insubordination in the armed forces. A more drastic statute followed eleven months later in the Sedition Act, which, in its most extreme provisions, forbade the printing or writing of any "disloyal, profane, scurrilous or abusive language intended to cause contempt, scorn, contumely, or disrepute as regards the form of government of the United States, or the

\[47\text{Ibid., 65th Cong., 2d Sess. (1918), 8718. Remarks made by Fess in the House on July 5, 1918.}\]
Constitution or the flag.\textsuperscript{48} Many people were found guilty and sent to prison under these Acts. In addition, Wilson's Postmaster General, Albert S. Burleson, used his power to exclude undesirable material from the mails. The Courts offered little relief for any injustices done under the Espionage and Sedition Acts.\textsuperscript{49}

In a commentary on May 3, 1917, on the proposed Espionage Bill which called for press censorship, Fess spoke against the bill, although in its final passage as amended in the House the next day, he voted for it. Fess concluded that one of the dangers that faced people in time of war was that under the stress of emergency they were apt to do things that would forfeit fundamental principles. We were in danger, he said, of sweeping away in an hour's time institutions of a century's building. One of the fundamental principles of government, he asserted, was that organic law which recognized the absolute freedom of the press as well as of speech. He pronounced that at


\textsuperscript{49}Ibid. See Zechariah Chafee, Jr., \textit{Freedom of Speech} (New York, 1920).
the nation's birth this was a prime object of the aspirations of the young republic. He pointed out that in freedom of the press he did not mean what might be called the license to do anything you pleased without regard to the effect of it. In his sympathy for freedom of the press he explained:

I think to bridle the press in order to keep down the public facts that someone thinks might not be made public would be a remedy that is vastly worse than the disease you are trying to cure. It is not too much information that hurts; it is the misinformation of a censored press that the country must avoid. . . . We have the right to know the facts, and if you will prevent it through authority given to somebody to say that at this time my judgment suggests that it ought not to be uttered, it will be a dangerous step, . . . Judgment too frequently is shaped in the current of events, which is constantly changing.

There is nothing so fallible as individual judgment, and it seems to me that what we ought to guard against is writing a law in time of war that will be in total contravention to the very principle for which the nation struggled long and hard, . . .

There is nothing sounder than a public opinion based upon facts, undisputed detail of the real situation.

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I shall therefore vote against this proposed bridling of the news in the conviction that it is not knowledge but the lack of it that will insure disaster.51

Fess emphasized the right of criticizing the federal government and the administration in the conduct of the war; but he believed that it should be exercised with restraint. In defending the right of criticism he alleged that the charge had been made that criticism in time of war was unpatriotic if not treasonable. Those he said who point out weaknesses were charged with bad motives, as being ignorant, demagogic and lacking in love of their country.52 In addressing the House on February 7, 1918, on this matter he expounded:

Mr. Chairman innuendo was not argument, neither was sarcasm, logic, neither was condemnation of a bad system answered by personal abuse of the one making the condemnation. Not all the invective of our modern Mirabeaus nor all the impassioned oratory of our Patrick Henry's, nor all the eulogies of our Websters, graphically detailing the wonders and grandeur of our establishments, will answer the unvarnished and simple record of sickness and death of our

51Ibid. The vote on the Espionage Bill in the House on May 4, 1917 was 206 yeas and 106 nays—Fess voted yes. The original bill, however, had been amended so it was not so drastic in reference to press censorship, and thus it met Fess's approval.

52The Sun (Springfield, Ohio), November 3, 1918.
youth called to the colors who have thus paid the penalty of national inefficiency before ever having the honor to fire a shot in defense of their country's honor, nor the hit-and-miss methods which see complete paralysis of the nation's resources in the face of its greatest crisis. . . .

Instead of silencing all criticism upon the assumption that all that can be known in war is known, and all that can be done has been done, the country's responsible administration, he alleged, should recognize its inefficiency and be willing to accept constructive criticism in the interest not only of a united country but of an efficient government capable and willing to make any sacrifice necessary to do and die for national honor. Fess suggested that the country should lift its gaze for a moment from what it had done and take one glance at what it had not yet done and must soon do.

On May 7, 1918 the proposed Sedition Act, which later became law, was being discussed in the House. Fess, in commenting on the Act, concurred with his previous views on

53Congressional Record, 65th Cong., 2d Sess. (1918), Remarks made by Fess in the House on February 7, 1918 in a discussion on a Diplomatic and Consular Appropriation Bill. The discussion was concerned with the criticism of public officials.

54Ibid.
such federal control but he acknowledged the need for such a bill. In his opinion it might be necessary, in order to protect the government, to extend this power to the limit that it might seem to interfere with the individual. That was the situation then existing, he maintained, as the necessities of the government compelled a surrender of individual rights for the sake of the public. He affirmed that he would not think of voting for the measure if it were not for the war. But war, he contended, placed not so much the individual as the State in jeopardy.

Fess, in August 1918, discussed before the House the growing powers of the President and the military establishment. He recalled how he had voted, somewhat reluctantly, for the increase in powers to the President and the federal government over the railroads, the telegraph, the telephone, the press, and freedom of speech. He agreed to such power because he believed it would aid in winning the war.55 Further commenting on this increased power of the federal government he expounded to his House colleagues:

Why fellow members, if you take a catalogue of the legislation of this and the last Congress, you will see that we have been delegating to the

55Ibid., 9439. Remarks made by Fess in the House on August 23, 1918.
Executive department, and through him to the military power, powers unnamed, and they make me shiver when I think of what would occur if they were inclined to abuse these powers. But we did it because never in the world has there been such a test. Never before, since the morning stars sang together, was the whole world on fire; all populations of earth out of joint, straining every nerve to throttle each other.\textsuperscript{56}

To save fuel and to cut down bills for electric power, daylight-saving time was introduced in March 1918 for the first time in America's history on a national basis. Fess remarked that when the proposition was first suggested he had ridiculed it, but that in looking into the reasons for the proposal he was persuaded that there was more than sentiment in it. He acknowledged that daylight-saving time would conserve both fuel and light and under it would allow more daylight to get things done. In voting for the measure he said that he voted with pleasure for the saving of the extra hour.\textsuperscript{57}

During the autumn of 1918 it became more and more

\textsuperscript{56}Ibid.  
\textsuperscript{57}Ibid., 3575, 3583. Remarks made by Fess in the House on March 15, 1918. On the vote on the repeal of Daylight Saving Time in 1919 the President vetoed the measure, whereupon the House and Senate overrode the President's veto. On the original vote on June 18 on repeal, Fess did not vote but on the vote to override the President's veto in August 19, Fess voted for repeal. \textit{Ibid.}, 66th Cong., 1st Sess. (1919), 1335-1336, 3982.
evident that Germany would soon surrender, but there was much concern and controversy over what might be the terms of that surrender. Fess, in awaiting the surrender, discussed the possible terms. He emphasized that there should be nothing short of complete surrender by Germany. To accept anything less, he asserted, would be to invite another assault at no distant period. In his opinion, to make the world safe for democracy it was necessary that Germany be "cleansed within from without." He announced that Czecho-Slavian independence must be granted full and complete independence and, in addition, the Jugo-Slavians should unite with the Serbs into one nation. He believed that Turkey should be "kicked out" of Europe. Furthermore, he said, the German colonies should not be returned to her, but they should be placed under English, French and Italian supervision. In conclusion, Fess proclaimed:

I don't want Germany destroyed but I want her power to destroy others taken away from her. Sometime in the far future when she has repented in action as well as in word she may be able to

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58 The Sun (Springfield, Ohio), November 3, 1918. Article, "Fess Demands Nothing short of Surrender of Teuton Foe." Fess's demands were not unique with him, but the final negotiators concurred in all but one of his suggestions, that of "kicking" Turkey out of Europe.
take her place by the side of civilized nations. But she must be ready to undergo a long probation.\textsuperscript{59}

The \textit{Springfield Sun}, in an article written by A. D. Fairburn, reported: "Dr. Fess may be picked to sit at Peace Table." The author explained that he had spoken to both the Democrats and Republicans about the availability of Fess as a Peace Commissioner and that "they all agree that he is an ideal man for such a mission."\textsuperscript{60} Fairburn praised Fess for his support of the President and the war effort and concluded, "Dr. Fess is best known for his sturdy undiluted, uncompromising Americanism. Americanism, he [Fess] said on one occasion, can be expressed in one word—'justice'.\textsuperscript{61}

The Treaty of Versailles which was signed on June 28, 1919 contained the Covenant of the League of Nations. The function of the League of Nations as set forth in its preamble, was "to promote international co-operation and to achieve international peace and security." President Wilson

\textsuperscript{59}\textit{Ibid.}

\textsuperscript{60}\textit{Ibid.}, October 20, 1918. Fairburn was evidently a reporter for the \textit{Sun} who was promoting their local representative. There is no indication that Fess was considered as a peace commissioner.

\textsuperscript{61}\textit{Ibid.}
was the foremost proponent of the League, and it was due mostly to his efforts that the League had been made an integral part of the treaty. The President, who had taken personal charge of the peace negotiations at Versailles, called Congress into special session to consider the treaty and the League of Nations in the Spring of 1919. When Wilson returned to the United States in June 1919 he found debate already under way and the Senate disturbed over the League. Opposition to the League had been growing from the time of the armistice, and prospects for ratification seemed unfavorable. The opposition was compounded of diverse elements, but among the opponents were those who felt the United States should avoid future European entanglements.62

Although the Senate was directly concerned with the Treaty and the League, the House also debated the issue. Wilson, who was unwilling to compromise on the League, took his cause directly to the people and on September 4, he set out on a speaking tour that took him to the Middle and Far West. While on this trip, at Pueblo, Colorado, on

September 25, he suffered a physical collapse. On November 19, 1919, the Treaty of Versailles was defeated in the Senate, both with and without reservations. The League of Nations became a leading campaign issue in the Presidential election of 1920, and with the Harding victory, the Republicans accepted the view that they had received a mandate of the people against the League. The United States never did join the League of Nations although in 1922 the policy was begun of sending unofficial observers to League Conferences. From that time on until 1939 cooperation with the League was continuous.

Fess, in a discussion of the peace proposals before the House, on February 6, 1919, spoke against Wilson's being in Europe. In criticizing the President's personal involvement in the negotiations, he said:

... We are entering in these days of world strife when our President is obsessed with making world democracy universal, a stage of internationalism and entangling our feet in the meshes of European politics, by inviting our country to become the umpire of every insignificant quarrel over insignificant boundaries and other questions that are of no importance to us at all today.64

63Ibid.

In a speech in the House on February 19, 1919 Fess strongly denounced the League of Nations. He condemned America's participation in such a League as a surrender of the sovereignty of the United States to the will of other nations. He uttered that "this Nation should never under any circumstances, surrender the sovereignty on any questions which pertain to its future welfare to a vote of a league made up of an indeterminate number of countries whose major interests can not be expected to be identical with our own."65 In continuing his speech he predicted that "just as soon as the American people shall grasp the vicious possibilities herein included there will be such a revolution of sentiment aroused that any man who will subscribe to this perpetual surrender of this Republic's future to a vote of foreign nations will be as he should be, repudiated as an enemy to the spirit and genius of American institutions."66 In 1925, Fess, then a Senator, received a letter from a Thomas P. Sweeney of Youngstown,

65Ibid., 3803-3804.

66Ibid. When Fess closed his speech, he received loud applause, especially from the Republican side of the House.
Ohio, who commented upon the probable attitude of the United States towards the League of Nations and the World Court.

Fess replied:

Being the first man in either House or Senate to openly oppose the League of Nations, which I did in an address on the 19th of February, soon after the covenant was published (an opposition which I pushed throughout the entire campaign of 1920 and again in 1922), I need not further comment to you upon my uncompromising position to the United States entering the League of Nations.67

Fess continued his attack upon the League, in his remarks and speeches before the House as well as in his letters and public speeches.68 In his reference to Wilson's decision to make the League an issue of the campaign of 1920 Fess promised the Democrats that the Republicans would meet it under the full realization that no political party had ever won nor would ever win a contest when it took the foreign side of an international issue. Republicans, he said, would stand on the American side of the issue and would meet their foes under the leadership of any

67Letter from Fess to Sweeney, November 19, 1925, Fess Papers, Box 27, Folder 5.

68Congressional Record, passim; and Fess Papers, passim.
internationalists. In 1925 Fess replied to a Jesse B. Jackson of Leghorn, Italy, that he was "uncompromisingly opposed to any adherence that would involve us either in the League of Nations or as a participant in European quarrels and rivalries."70

In a Senate discussion on the signing of the Kellogg multilateral peace treaty in 1929, Fess acknowledged that the League of Nations had helped to create better conditions in the world, but he repeated his previous views on United States entry into the organization. He added that just because he did not want this Nation to enter did not mean that he was condemning the League as an organization of peace in Europe. In his opinion it had done a "tremendous amount of work in Europe which is valuable."71 As late as 1931 he was still denouncing America's participation in the League as he reiterated: "There never has been a time when there is less chance to enter and greater determination


70 Letter from Fess to Jackson, September 11, 1925, Fess Papers, Box 26, Folder 3.

to stay out of Europe's quarrels than at the present time. In fact, this trend is so strong that it is even making the World Court proposal less popular. 72 On August 25, 1921, almost three years after the armistice, Congress by joint resolution officially declared the war with Germany at an end. The final peace treaty had been held up mainly because of the League of Nations controversy. Fess voted in favor of the Senate Joint Resolution to end the War. 73

The decade or so after the First World War was a period of conservatism in politics and in social philosophy. The Republican party in the Congressional elections of 1918 and in the Presidential election of 1920 came increasingly into control of national affairs. This decade is often referred to as the period of "normalcy" and reaction. The years immediately after the war and the early 1920's were taken up with the liquidation of war: the restoration of industry, transportation, finance and agriculture to a peacetime basis; payment of the public debt; reduction of

72 Letter from Fess to his son Sumner, October 21, 1931, Fess Papers, Box 30, Folder 1. Fess believed that the United States should join the World Court, but this will be discussed later.

taxation; and veterans' benefits. The period was characterized by a decline in liberalism, apathy toward reform, and an ardent nationalism that often took a repressive and intolerant form. The Republicans naturally argued that their philosophy of conservatism had been endorsed by the overwhelmingly majority of Americans in the election of Harding in 1920. 74

Fess was unanimously selected as chairman of the Republican National Congressional Committee of 1918 and as such directed the congressional election of 1918, when the Democratic majority of twelve gave way to a Republican majority of thirty-eight, and he again served in 1920 when the Republican majority was increased to 170. He was also reelected for 1922 but resigned because of his running for the United States Senate. Fess received many letters of congratulations upon receiving the selection as Chairman in August 1918. One such letter read: "You have received an occasional mention in our Western papers, but nothing

to compare with what you have received in the East." Fess evidently did not seek the position but accepted it because of pressure brought to bear upon him by his party. In a reply to a letter of congratulations from a Professor R. D. Wilt, Fess wrote:

I appreciate deeply your congratulations. I know that you properly estimate the tremendous burden in the attempt to conduct a successful campaign to convert a minority into a majority in the midst of a World War. However, I believe that the attitude of the Republican Party gives a splendid foundation for such work. I am doing the best I know how to secure Republican control in the interest of the country.

With the Republican winning the majority in both the Senate and the House in 1918 and 1920, Fess received much praise and credit for the success. As the general election

75 Letter from John H. Passmore, Attorney of Chicago, to Fess, August 31, 1916, Fess Papers, Box 13, Folder 2. The Fess Papers contain many letters of congratulations and also contain numerous papers relative to his activities as Chairman.

76 Letter from Fess to Dr. C.A. Prosser, Federal Board for Vocational Education, Washington, D.C., September 24, 1918, Fess Papers, Box 13, Folder 3. Fess campaign literature played up the fact that he did not seek the position.

77 Letter from Fess to Wilt of Mackinac Island, Michigan, September 9, 1918, Fess Papers, Box 13, Folder 3.

78 Special Campaign Newspaper entitled, "Sen. Simeon D. Fess," September 1, 1928, Mrs. A.B. Figgins Papers, Arlington, Virginia. Of course, this paper is biased. Many letters of congratulations praise Fess for "his accomplishment," and it is natural that he should receive such credit. Circumstances related to the war, however, probably contributed more to Republican success than Fess's individual effort. The Cleveland Plain Dealer, December 24, 1936, referred to him as a "highly successful chairman."
drew near on April 5, 1918, it became evident Germany was about to surrender, as Turkey and Austria-Hungary already had collapsed. It was believed that the surrender of Germany's allies just before the election would aid the Democrats. The New York Times of November 5, indicated a victory for the Democrats in both the House and the Senate with a front-page headline: "Reports Point to a Democratic Victory at Polls." The Congressional election of 1920 resulted in the largest Republican majority (168) in the House up to that time, Ohio receiving a solid Republican delegation. An example of the credit given Fess and his campaign committee was shown by a letter from Governor Stephens of California:

I want to congratulate you upon the splendid work you and your committee did. It could not have been improved upon. It is very likely that such a majority as the Republicans have in Congress at this time will be the record one, and for all of it you deserve a very large measure of credit.79

As a result of the Republican victory in the House

79Letter from Governor Stephens to Fess, November 30, 1920, Fess Papers, Box 13, Folder 4. The Republican success can be considered more noteworthy because of the fact that on October 24, 1918 President Wilson had made a personal plea to the American electorate for a vote of confidence. He had asked for a return of a Democratic majority in both the House and Senate.
in 1918 they had the responsibility of electing the Speaker of the House. At first there were two leading contenders for the position, James R. Mann of Illinois and Frederick H. Gillett of Massachusetts. Mann had been the minority leader from 1910 to 1916 and Gillett, who had been elected to Congress in 1890, was by reason of seniority, ranking member of the powerful House Appropriations Committee. By "all the rules" Mann was entitled to be Speaker, but as time progressed from November to the convening of Congress in March 1919, it was uncertain as to whom the Republicans would nominate.

According to the New York Times of November 24, 1918, Mann was out of the race because of ill-health, and it added that two of the contenders were Representatives Martin R. Madden of Illinois and Gillett. The article in the Times then reported that canvasses just completed showed that Fess would command more than a majority of the 238 Republican members. According to the Times, the Republicans of the Midwest and Far West wanted recognition for their section of the country. The Times noted also that "Republicans of independent stamp were working hard to
capture votes for Mr. Fess" and that he would be the final selection after the third call.

The New York *Times* of January 19, noted that Fess was still in the race but that sentiment was drifting towards Gillett and Representative Nicholas Longworth of Cincinnati, but that Representative John S. Cooper of Ohio was urging Republicans to support Fess as "no one could be selected who would be better fitted and qualified" than him. The *Times* of February 7, reported that Fess would soon announce his candidacy for Speaker and added: "It has long been expected that Mr. Fess would enter the field, although friends have advised him to give his support to Gillett and assure the defeat of Mann. The *Times* further reported that Fess had the backing of the Prohibition element in the party and had received assurance of support from his own state and from the Middle and Far West.

On May 19, 1919, with the convening of Congress, Gillett was elected Speaker of the House and according to the *Congressional Record* of that date, only two candidates were in the race—Gillett and Champ Clark, the Democrat. Fess, of course, voted for Gillett, who won the Speakership.  

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*Congressional Record*, 66th Cong., 1st Sess. (May 19, 1919), 7. Gillett won over Clark by a vote of 228 to 172.
The Springfield Sun of November 3, 1928, two days before the general election, reported interest was being shown in Fess for the Speakership. It said:

An interesting little piece of political gossip is floating about the state to the effect that Dr. S. D. Fess, . . . , who it will be recalled at first objected to taking the chairmanship of the National Congressional Committee of his party, but finally consented to do so, was persuaded to take up the work over his personal disinclination, because of the prestige that his work at the head of that committee would give him as a possible candidate for speakership of the next house.

There is probably not a member of the Republican side in the present congress of as short an experience there, who stands higher in the general estimation of Congress than Congressman Fess does.

According to Lehr Fess, some interesting political maneuvers transpired behind the scenes and were never made public. He stated that the newly elected Republican members were enthusiastic about the election of his father as Speaker and felt that they owed much to him for their victory in November. Lehr Fess stated that Bascom Slemp, who was a member of the Republican National Committee from Virginia and also a member of the Republican National Congressional Committee with Fess in 1918, decided to support
Gillett over Mann. Lehr Fess stated that Slemp, after several conferences with his father, persuaded him to retire from the Speakership race in favor of Gillett, which resulted in the nomination of Gillett. Lehr Fess further stated that he had been present at the negotiations between his father and Slemp. Lovell Fess asserted that his father had always maintained that he could have had the Speakership if he had "fought for it, but backed down rather than become involved in a party quarrel."82

In the opinion of Lehr Fess there was a political pay-off for his father's stepping aside as a candidate for Speaker. Lehr stated:

... After the caucus had nominated Gillett, father and I were astounded to receive a letter from Speaker-elect Gillett offering me the position of Parliamentarian. With his usual hesitancy regarding giving preferment to his sons, father delayed advising Gillett that he was willing to have me appointed until just before the special session was convened on May 19, 1919. Father

81 Personal interview with Lehr Fess on October 18, 1963 and a letter from Lehr Fess to this writer, April 30, 1964.

82 Personal interview with Lovell Fess on March 16, 1964.
did not want this appointment to be regarded as a pay-off for his support of Gillett but finally he concluded to accept my appointment by Gillett.  

Fess's campaign literature for his Senatorial race in 1928 made use of the Speakership episode, and it noted that "he stood aside to a man [Gillett] many years his senior in service in the House. . ." There can be no doubt that Fess's stature in the Republican party was exalted and advanced after the 1918 elections, perhaps due as much to Republican ascendancy as to his personal contribution to victory and that afterwards he took a more active part in Congressional debate. In that period of "normalcy" and reaction, Fess indeed played a more active and important role.

On August 12, 1919, in a discussion in the House on

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83 Letter from Lehr Fess to this writer, April 30, 1964. Lehr Fess continued as Parliamentarian until 1927, when he resigned to enter the practice of law in Toledo, Ohio. He served as assistant Parliamentarian at the Republican National Convention in 1920, 1924 and 1932 through 1956. He did not serve in 1928 because his father was Temporary Chairman and Keynote Speaker.

84 Special Campaign newspaper entitled, "Sen. Simeon D. Fess," September 1, 1928, op. cit. The New York Times of November 7, 1918 had mentioned Fess as a dark horse for Chairman of the powerful Committee of Appropriations, but he did not get the position.
the high cost of living, Fess asked to be recognized and to be given twenty minutes without interruption to discuss the phase of the high cost of living that in his opinion had not been fully discussed—the inflation of the currency and the inflation of credits. In his address Fess contended that the federal government must take action along the following lines:

1. Take immediate steps to increase the purchasing power of the dollar.
2. Control the export of foodstuffs, even to the point of an embargo if necessary.
3. Get out of Europe bag and baggage as soon as possible.
4. Dismantle immediately the war machines and repeal the war emergency legislation, so as to get back to a peace basis.
5. Eliminate every item of needless waste, cut off every unnecessary agency induced by war, and reduce the national pay roll to prewar times as soon as possible.
6. Dispose of the vast stores of war materials in Europe and in this country on the best salvage basis and to the best advantage of the public at large by opening sales direct to the public.
7. Inaugurate a campaign of "work and saving" against the baneful extravagence so widely prevalent.
8. Get out of business at the earliest possible day, but, if necessary, exercise a regulatory control of transportation under private enterprise, that economy and efficiency may be assured without the danger of advantage being taken by the public.
9. All profiteering must be punished to the limit.85

85Congressional Record, 66th Cong., 1st Sess. (1919), 3793-3798. Fess further expounded on these recommendations with questions and answers.
One of the most immediate problems in liquidating the war concerned the railroads, which, under the act of March 21, 1918, had been taken over and operated by the federal government. The act had definitely been of an emergency character, but it was felt that the roads should not be relinquished to private operation without some positive guarantees that the advantages of unified operation, achieved under government control, should be retained. The Esch-Cummins Transportation Act of February 28, 1920 tried to solve this problem. Dealing with the railroad system of the nation as a unit, it provided that the Interstate Commerce Commission should evaluate all railroad property and secure a fair return to the stockholders and fair rates on freight and passenger traffic. It also contained other clauses among which was the establishment of a Railway Labor Board to mediate all disputes about wages, hours, and working conditions. 86

Fess voted for the Esch-Cummins Act when it passed the House on November 17, 1919. In his comments on the Act in the House on November 15, he lauded the measure. In his approval he stated that it abandoned government operation

86Morison and Commager, op. cit., II, 627-628.
for private management, but yet retained features introduced by public operation, such as common terminals. "It terminates political management for efficient responsible operation where selfish interest must serve economic management and efficient service, the two items for which the public are willing to pay," he explained. In conclusion he pointed out that "it thus attempts to provide a profit basis to insure the needed credit on the one side and guards against undue burdens on the public on the other side."

Another step toward the liquidation of the wartime structure was taken with the passage of the Jones Merchant Marine Act of June 5, 1920. The Act permitted the Shipping Board to sell the government-owned merchant fleet to private companies. Fess, in a speech given before the Republican Club of New York City on January 4, 1919, denounced government ownership and operation of the Merchant Marine, as well as the railroads. He pointed out the two extremes of solving these two problems: first, absolute private ownership and operation, and secondly, absolute government ownership and operation. Fess then asserted: "My own

\[87\text{Congressional Record, 66th Cong., 1st Sess. (1919), 9192-9194, 8691-8692.}\]
judgment fearlessly expressed is the former is now impossible and the latter is unwise."88 Fess may not have approved of the Jones Act as it was passed as he did not vote on the measure,89 but he voted to amend and supplement the Act in November 1922. Speaking on this amendment he said:

... whether it is better for us to go on with Government operation, which I know is very strongly supported by a great number of people in this country... I state to you gentlemen frankly that I am not in favor of that alternative. It would seem to me that our recent experience with Government operation of transportation would be decisive against Government ownership of a Merchant Marine. I think that the evidence of the inefficiency and the wicked extravagance that we have undergone in only recent times in our experiments in Government control might for all times put at rest the particular policy of operation.

If it is to be a subsidy to labor, let us not permit it under an extravagant, ineffective operation by the Government, where we suffer greater costs with less results, but let us specify what it is to be in the law and then hold those responsible for the efficiency of it responsible for making it a successful merchant marine.90

88Ibid., 65th Cong., 3d Sess. (1919), Appendix 55-58. Fess speech before the New York Republican Club was inserted in the Record, January 11, 1919.


The Republicans in a move for economy and for tighter control over the finances of the government under the Wilson administration during the few years after the war attempted to pass a National Budget System which allowed for an independent audit of government accounts. The proposal passed both Houses but was vetoed by President Wilson. The House failed to override the President's veto. Fess voted for the measure the first time but did not vote to override the veto.91 Speaking on the idea of a National Budget System in December 1920, he acknowledged that there was a great need for it and for a reorganization of departments to eliminate useless duplication of activities. He recommended that immediate steps should be taken to meet these needs. In the meantime, he said, the knife must be used upon wartime demands, and bureau chiefs must be held to strict accountability upon allowances fixed by Congress.92 In the Spring of 1921, Harding, then President, Congress passed a bill providing for a national budget system and an independent audit of government accounts. Fess, who


92Philadelphia Ledger, December 5, 1920.
supported the measure and appealed to his colleagues for its early passage, explained:

... students of budgetary practices, both in business and governments, have expressed great surprise that our Government, the greatest business concern upon the globe, has never adopted a national budget system.

The passage of this measure will be the consummation of a most important fiscal reform, the delay of which has been a source of great perturbation to the country, and the success of which reflects credit upon the administration which inaugurates it.93

Before the United States entered the First World War, Fess, as did the majority of the Republicans, resisted the excess profits tax as being unscientific and uneconomic. Among their criticisms was the contention that the tax restricted the expansion of any new business. When the United States had entered the war, and the country had faced the necessity of war taxation, Fess, however, had supported the new taxes such as: the excess profits tax, the high surtax and the special luxury taxes. Just as soon as the war was over, however, he, along with the Republican

party generally urged for the repeal or reduction of these taxes, especially that on excess profits.\(^4\)

On April 19, 1921, in a 40-minute speech in the House, Fess discussed the need for a revision in the taxation system, especially as it pertained to the excess profit tax and surtax on incomes which had passed during the war.\(^5\) Upon making his speech he said that he would much prefer addressing the membership of the House without resorting to his manuscript if it were not that the subject was that of taxation, which was somewhat technical and generally very uninteresting. He maintained that the cost of government must be reduced so that the taxes could be likewise reduced. There was a drastic need, he stated, to remove unnecessary handicaps on capital so that it would seek investment in protective industry. These handicaps, he suggested, were

\(^4\)A series of revenue acts between 1921 and 1929 wiped out excess profit taxes, drastically reduced surtaxes and luxury taxes, granted rebates on earned income and refunds to corporations of over $3.5 billion. These measures were carried through by the Republican party. The revenue acts after 1922 will be taken up in a later chapter.

due to the uneconomic and unscientific taxation system adopted because of the exigencies of war. 96

In his opinion an excess profits tax was justifiable in time of war but was hardly defensible in 1921. Upon being asked a question concerning the validity of the excess profits tax, he replied:

... I think that whenever you put a limit on the profit of any business which a business concern can make, if the element of hazard is in the business it will not be undertaken. I might divert by saying that the feature of guaranteeing the amount of profit never met with my approval, since I regard that feature unsound in economics. 97

In his opinion the excess profit tax actually made for a higher cost of living, for the manufacturer passed the tax on to the wholesaler who passed it on to the jobber and thus right down the line to the consumer. 98

In his speech on April 19, Fess asked for a reduction in the income tax, especially to those in the high income bracket. He believed that there should be a reduction in the exemption (then $2,000) in the belief that every citizen

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96 ibid.
97 ibid.
98 ibid.
ought to be taught to pay some tax as a citizen's duty. The rate, however, should go down gradually to a small minimum, so that it would not weigh heavily upon the small income. He asserted that his plea for a reduction of these high rates on income was not in the interest of the taxpayer, but that human nature induced the rich to take refuge against exorbitant rates by investing his money in tax exempt securities. He believed that, if there was expansion in industry through more investment, it would create more jobs. In his final plea to reduce the taxes for the high income group he expounded:

. . . The remedy is not denunciation of the "rich rascals," but legislation that will make it advisable to invest large incomes in productive industries, which in turn gives permanent employment to our workers, and thus increases the power of consumption of the product of the American producer.99

Fess, in a speech before the House on August 18, 1921, repeated his views on the tax system, especially in regard to the excess profits tax. In the vote on the revenue act of 1921 which tended to reduce and equalize taxes and to simplify the revenue act of 1918, Fess answered in the affirmative.100

99 Ibid.
100 Ibid., 5243-5245, 5359-5360, 8086-8087.
How would the country reduce the huge $24 billion public debt brought about by the war? To help reduce this, in addition to economy measures, Fess recommended in 1921 the passage of a general sales tax for one year. While a sales tax might be objectionable as a permanent policy, he explained, it could not be opposed as an emergency measure. He assured the members of the House that it would open the way for a refunding policy of the entire public debt. Representative Jones of Texas asked Fess if his plan would not be hard upon the average man, since he would repeal the surtax, the excess profits tax, which did not apply to the common man, and at the same time would turn around and levy a sales tax which would apply to the average man.

Fess replied: "... This idea we hear everywhere that you are taking it off the "profiteer hog" and putting it on the back and belly of the common people is nonsense.

Mr. Jones: "Where do you put it on, then?"

Fess: "You put it on the people, where it always rests, whether it be a sales tax or an excess profits tax."

Mr. Jones: "That is what I am asking; do you put it on all the people -"

Fess: "Where it will always go."

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101 Ibid., 452-458.

102 Ibid.
In a discussion in the House on May 31, 1919, on the repeal of the luxury tax that had been levied during the war Fess pointed out that perhaps it should be kept to help lessen the debt. He added that he believed the luxury taxes were conducive to saving against extravagance. The tax, he maintained, was in the interest of frugality as against extravagance at a time when the government needed to save money, and so required all possible revenue. He realized that there was a tremendous clamor for repeal of the luxury tax but he questioned the wisdom of a repeal at that time.\(^\text{103}\)

Although the Republicans had cried for tax reduction, this policy was not carried through in regards to the tariff. On the conclusion of the war many American industries such as those producing chemicals, dyes, toys, hardware, and rayon, asked for protection. The Wilson administration had assured Congress, however, that there was no immediate need for any general revision of the tariff. The Republicans thought differently and in March 1921, pushed through an emergency tariff which was vetoed by Wilson. The Republicans were fearful that the United States after the war

\(^{103}\text{Ibid., 66th Cong., 1st Sess. (1919), 466-467.}\)
would be inundated with the produce of depressed European labor and thus desired tariff revision measures. With the accession of Harding to the Presidency in 1921, he immediately announced the urgency for tariff revision, and an emergency tariff was passed by Congress on May 27, 1921. It was especially designed to protect agricultural goods. Then on September 19, 1922 the Fordney-McCumber tariff was passed which established higher rates than ever before in our history, especially on sugar, textiles, pig iron, rails, chinaware, toys, hardware, chemicals, dyes, and laces. In order to provide for some degree of elasticity the Fordney-McCumber law authorized the President, on the recommendation of a tariff commission, to raise or lower duties as much as 50 per cent. 104

Fess, who had resisted the passage of the Underwood Tariff in 1913, and had consistently and continually criticized and denounced this Democratic measure advocated the so-called Republican tariffs. He voted for: the Emergency tariff of 1920-1921 that was vetoed by President Wilson,  

104Morison and Commager, op. cit., II, 634-635.
the Emergency tariff of 1921, and the Fordney-McCumber tariff.105

One of the most serious and vexatious problems created by the war was that of veterans' benefits. In the years after the war agitation for veterans' benefits took two forms; disability compensation and adjusted compensation for war service which was commonly known as a bonus.106 The federal government adopted a liberal policy toward disabled soldiers and their dependents, providing not only outright pensions and hospitalization, but vocational rehabilitation.107

Being a member of the committee on education, Fess, soon after America's entry in the war, took up the cause of the rehabilitation and re-education of wounded soldiers. As early as September 18, 1917, in his remarks in the House,

105For Fess's voting record on the three measures see: Congressional Record, 66th Cong., 3d Sess. (1920), 669; ibid., 67th Cong., 1st Sess. (1921), 355, 4197-4198. Further increases in the tariff were made under the Republicans in the 1920's, especially the Hawley-Smoot tariff of 1930. These measures were passed while Fess was in the Senate and will be discussed later.

106The bonus benefits will be discussed in a later chapter as this legislation is primarily concerned with Fess as a Senator.

107Morison and Commager, op. cit., II, 630-631.
he pointed out that the work of rehabilitation must not be left to private or voluntary endeavor. In his opinion, if the wounded soldier upon his discharge from the hospital had to depend upon himself to reenter life in a community, he would most likely fall by the way and become a subject of public charity. At that time he urgently expressed the need for federal legislation to assure a course of governmental training for the war cripple, a program which he felt otherwise would be nonexistent.\textsuperscript{108}

On June 23, 1918, an act was passed providing for vocational rehabilitation. This bill was amended from time to time over the next few years. Fess heartily approved of the original bill and the amendments. These additional amendments took the form of increase allotments and better efficiency in processing.\textsuperscript{109} Before the passage of the bill proper Fess had spoken in behalf of the measure on several occasions in the House. In May he reiterated that "the rehabilitation and the re-education of the disabled American soldier is a duty demanded at the hands of


\textsuperscript{109}\textit{Ibid.}, passim.
this Government. The necessary legislation should not be
delayed for a single moment." On June 7, 1919, Fess
introduced a bill (H.R. 5525) to amend the major vocational
rehabilitation act of June 27, 1918. He believed that the
selective process to determine who should receive voca­
tional rehabilitation was too slow under the War Risk
Insurance Bureau and that it should be transferred to the
Federal Board for Vocational Education. In his opinion this
would provide for better efficiency. Nothing ever devel­
oped from Fess's amendment, but a similar bill (S. 1213)
was introduced in the Senate in the same session and became
a law on July 11, 1919. This Senate bill transferred the
question of the eligibility of a soldier making application
for training from the war-risk insurance to the Federal
Board to determine the eligibility for vocational training.
In both the 66th and 67th Congresses Fess introduced reso­
lutions to amend the vocational rehabilitation bill proper
to exempt from taxation amounts heretofore or hereafter
as training pay and allowances, but the resolutions never

110 Ibid., 65th Cong., 2d Sess. (1918), 6615-6617.

111 Ibid., 66th Cong., 1st Sess. (1919), 776. The War
Risk Insurance Bill became a law during the war on October 6,
1917 and established disability compensation, family allow­
ance provisions and an insurance feature for the man in ser­
vice.
came out of the committee. In 1921 Congress passed a law establishing a Veterans' Bureau in the Treasury Department, which was to improve the facilities and services for the veterans, and Fess voted for this measure.

In addition to Fess's active support and promotion of vocational rehabilitation for the war cripple, as chairman of the committee on education, he was the author of the Rehabilitation of the Industrial Cripple Law, passed on May 29, 1920. On June 2, 1919, Fess introduced a bill (H.R. 4438): "to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment." In explaining the purpose of his bill before the House on October 9, 1919, he disclosed:

... This legislation is designed to complete a program of legislation that has had some recognition of this body for the last few years. This particular bill, looking toward the re-education, retraining, or rehabilitation of those crippled in industrial pursuits is not purely a Federal

112 Ibid., 66th Cong., 3d Sess. (February 24, 1921), 3829; and ibid., 67th Cong., 1st Sess. (April 11, 1921), 87.

113 Ibid., 67th Cong., 1st Sess. (August 2, 1921), 4562-4563.

proposition, except as it is done in cooperation with the various states under or with the Federal Board of Education.\textsuperscript{115}

Fess asserted that the value of this sort of legislation could not be questioned. To him the only question was whether it was worth while for the Government to appropriate, out of the Federal Treasury, a certain fund to be administered in cooperation with the various states for this work. Personally, Fess said, he was convinced that it was a very useful function.\textsuperscript{116} Fess led the discussion and debate in behalf of his bill. Speaking on October 16, 1919 to his colleagues in the House, he concluded:

\begin{quote}
I believe that it is the function of the Government to rehabilitate and rebuild the poor fellow who has lost any limb, who has come to be not only a wreck and a burden to himself, but a subject of charity on the public and under a hopeless despair, so far as he himself is concerned, a charge not only to himself but on the people. It is a wise provision to train him so that he can be self-supporting and make out of himself something, where before he was merely a subject of charity. And that is the purpose of this bill.
\end{quote}

\begin{quote}
Whatever else the Government may do, it will not hesitate to take steps to insure a higher plane
\end{quote}

\textsuperscript{115}Ibid., 6656.

\textsuperscript{116}Ibid.
of citizenry upon which our National Welfare must rest. This is a just basis for the proposed legislation, whose passage is assured.\footnote{117}{Ibid., 7039, Appendix 9080-9084.}

Fess's bill passed the House on October 19, 1919 by a vote of 196 to 105. It was slightly amended in the Senate and returned to the House, whereupon Fess appealed for its passage. It was passed in the House on May 25, 1920, by a division vote of 102 to 76 and was then approved by the President on May 29.\footnote{118}{Ibid., 66th Cong., 2d Sess., 7595-7602.}

During the First World War the United States Government lent to the Allies about $7 billion, most of which was spent in the United States. After the armistice, loans and credits of over three billion dollars more were extended to the former allies and to some of the succession states. Fess, in speaking of the loans to Europe, in a discussion in the House on January 13, 1919, explained that he had not hesitated to vote loans for the nation's European allies during the war, as it was necessary for victory, but that he doubted the wisdom of it after the war was over.\footnote{119}{Congressional Record, 65th Cong., 3d Sess. (1919), 1346.} He declared emphatically that he would not agree to take money
out of the Treasury of the United States, whether it was to be replenished by taxation or by a loan, as in both cases it came from the people, to lend to any country when war had ceased. Continuing his remarks he declared: "I am at the point where I shall cease to vote further an indiscriminate amount of money in unlimited quantities to any single individual to use at its own discretion."\(^{120}\) In his opinion, suffering from war was inevitable, but he suggested that the Red Cross should set out the facts and then an appeal should be made "to our own people who will meet the issue." If the program was developed upon the basis of voluntary contributions, Fess reiterated, he would vote for such relief.\(^{121}\)

In a discussion of loans and relief to Europe on March 15, 1920 in the House, Fess expounded:

> From the beginning I have resisted the further extension of Government credits to Europe as a most dangerous step, already conceded by this country. I shall persist in my resistance. Europe's situation will not be restored so long as she can look to us for credit. We have got to the point where certainly we must stop that procedure, not only for Europe's sake but for the security of our own nation.

\(^{120}\)Ibid.

\(^{121}\)Ibid.
In regard to assisting Europe and contiguous countries, no people ever displayed greater altruism than our people. They are doing it now. Millions of dollars are being sent every month. This is most commendable, and will be, as it should be, continued. But this is no ground for demanding of this Congress continuance of Government loans to Europe.

On a discussion of a bill in 1921 which allowed aid for the relief of the distressed and starving people of Russia, especially in the Volga section, Fess denounced the measure. He criticized the bill mainly because it did not specifically state that the aid was to go for the economic relief of the Volga region. He contended that if it were not so specified, the Bolsheviks could and would use the aid for all of Russia, especially to serve their own needs. He again asserted that such relief should come from voluntary contributions. In a letter to a Reverend Henry H. Carter

122 Ibid., 66th Cong., 2d Sess. (1920), 4362-4363. In a discussion in the Senate on April 7, 1932, concerning aid to the storm stricken areas of the southeast United States, Fess revealed that he voted against loans to Greece, Liberia, and other smaller countries after the war, because he felt they could best solve their own problems, ibid., 72d Cong., 1st Sess. (1932), 7659. Fess held similar views in regards to relief and aid within the United States and even during the depression of the 1930's he spoke against Federal aid. This, however, will be discussed in a later chapter.

123 Ibid., 67th Cong., 2d Sess. (December 17, 1921), 486-488. The relief for Russia had been asked for by President Harding, and it was passed, but Fess voted against it in the House. The bill provided for a $20 million fund. On July 25, 1919, Fess voted for a Near East Relief Bill which became law. It is not known why he voted for this measure.
of Millersburg, Ohio, in 1929, Fess reaffirmed his views on such foreign relief. 124 This particular letter related to aid for China, but Fess declared that the United States had to avoid being considered as the Santa Claus to give away the people's money upon request for relief in the various parts of the world. He informed his constituent:

There is no time that there is not some serious catastrophe in some part of the world such as is now suffered in China. If we announce the policy that the government will succor by voting public funds out of the Treasury people suffering in any part of the world, we would be starting a program the end of which nobody can see. 125

124 Letter from Fess to Carter, April 20, 1921.
125 Ibid.
Agitation for prohibition through third parties and other political devices had been going on in the United States since the early nineteenth century, and in the decades before the Civil War there had been a powerful temperance movement. Towards the end of the century the progress of prohibition was furthered by three well-organized agencies: the Women’s Christian Temperance Union, founded in 1874; the Anti-Saloon League, founded in Oberlin, Ohio, in 1893; and the Methodist Church, most active of all the religious denominations. By 1900 these organizations, working through the schools, the press, the church, and politics, had succeeded in drying up five states. In the first fifteen years of the 1900’s the cause of prohibition advanced with rapid strides, and by 1917 over two-thirds of the states were dry and almost three-fourths
of the population lived under "local option" dry laws. The demand for National Prohibition continued, and finally the Eighteenth Amendment, forbidding the "manufacture, sale or transportation of intoxicating liquors" went into effect in January 1920.

During his lifetime, Fess was always an ardent and conscientious temperance man and became inseparably linked with the concept of prohibition.

He took a firm stand for temperance, prohibition and the enforcement of prohibition, and during his political career he spoke to church organizations, Woman Christian Temperance Conventions, Anti-Saloon League rallies, and educational organizations, and similar groups in behalf of these issues. The New York Times in an editorial at the time of his death in 1936 stated that "he was acknowledged to be the driest of the drys..." It is always difficult to determine all the factors which contribute to the origin and the molding of a person's beliefs, and so it is with Fess, concerning his sentiments towards liquor. Since Fess was born in 1861 and therefore spent his formative years

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in the nineteenth century when the liquor question was a rising issue, he, no doubt, developed an interest in the problem. As a Methodist, his religious education probably nourished his opposition towards alcohol and the saloon.

Lehr Fess stated that he could hazily recall his father telling him that when a young boy, he had been hired out to a family where the father was a heavy drinker who on occasion beat up his wife and children. As a result of this experience, Lehr believed that his father became very bitter against the liquor traffic. There was a saloon in West Newton, and Fess may have gained some of his ill-feeling towards alcohol from the "evils" of this local tavern. Rhoda Brown stated that her father, George Brown, with whom Fess lived as a boy and growing man, "was always preaching prohibition." In a discussion in the Senate on March 16, 1933, on the repeal of prohibition Fess explained why he was for prohibition. He said:

... I have listened for 40 years to arguments on the question of prohibition. ...

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3 Personal interview with Lehr Fess, October 18, 1963.
4 Letter from Rhoda Brown to Lehr Fess, May 5, 1959, Lehr Fess Papers.
5 Ibid.
It was my misfortune to spend most of my minority years near a little town [Ada] where there was no police regulation whatever. The institution in that town which gave us more concern and was productive of more evils than all other things that we knew of in the community was the saloon. I think if there could have been something like police regulation so that the unlimited run of evil that flowed out of such an institution could have been controlled, I might not have had such intense opposition to it. But I have never in my life seen any good come out of the saloon as an institution.\textsuperscript{6}

As a churchman, public speaker, educator, College President, and legislator Fess advocated and advanced the cause of temperance and prohibition. Although it was frequently suggested that Fess was a member of the Anti-Saloon League, he never did join the organization, although he endorsed its cause and often spoke in its behalf.\textsuperscript{7} Fess, in denying personal membership in such an organization, stated in 1933:

\begin{quote}
... While I have never been what would be called a propagandist on the subject [prohibition], never having joined any kind of parade or organization, notwithstanding the usual report that the
\end{quote}

\textsuperscript{6}\textit{Congressional Record}, 73d Cong., 1st Sess. (1933), 533-535.

\textsuperscript{7}\textit{Fess Papers, passim}. There is much correspondence in the Fess Papers relative to the Anti-Saloon League, especially letters of congratulations from members of the League to Fess.
Senator from Ohio is identified with this or that sort of organization, not a word of it containing any element of truth. . .

Although Fess did not join the Anti-Saloon League, it endorsed and supported him as a candidate for the constitutional Convention of 1912 and in his campaigns for the House of Representatives and the Senate. There, however, is no evidence that Fess ever received campaign contributions from the League. Peter H. Odegard stated in reference to the Anti-Saloon League that Willis and Fess, as members of Congress, were very careful to accept nothing beyond expenses for speaking while holding office. The American Mercury of December 1928 noted that "Fess has

8Congressional Record, 73d Cong., 1st Sess. (1933), 533-535. Research in the Anti-Saloon League Year Book, compiled by Ernest H. Cherrington (Columbus and Chicago: The Anti-Saloon League of America, 1908 through 1930) revealed no mention of Fess as being a member. Lehr Fess also stated that his father never joined the Anti-Saloon League. The evidence is that Fess never resorted to overt or destructive action as a prohibitionist, such as "breaking down the bar room door."

9Fess Papers, passim. There are many references to this support.

never accepted a tip from the Anti-Saloon League, ..."11

Fess corresponded infrequently with Wayne B. Wheeler, who was superintendent and attorney of the Ohio Anti-Saloon League, and who became general counsel of the Anti-Saloon League of America in 1915.12 One observer, in commenting upon Fess's admiration for Wheeler, said:

The Doctor's [Fess] personal hero was the late Dr. Wayne B. Wheeler, that consecrated man. He admired Wheeler's great breadth of understanding and keenness of intellect, coupled, as it was, with moral courage of a sort rare since the Apostolic Age. In a conversation since the great man died, he [Fess] once declared, "I always liked to ask Wayne Wheeler's advice on any question. He was a man of great intelligence and courage and an absolutely square fighter."13

Evidently the friendship and admiration was mutual, for in a letter from Wheeler to Fess on March 29, 1911, the latter wrote:

I want to acknowledge again our indebtedness to you for coming to Columbus last night. I appreciate it more than I can tell you. Your


12 Fess Papers, passim. Wheeler was born in Brookfield, Ohio, in 1869 and died in 1927.

13 American Mercury, December 1928, 416.
speech fitted into the occasion exactly. I always am inspired and helped by hearing you on any theme, and last night was no exception.14

In 1911 Wheeler asked Fess to go to Maine to aid the cause of Prohibition. In his request he wrote:

There are some men who are doing a work who will have to have their reward later on. You are one of them.

I wish you would let me know whether it would be possible for you to spend a few days in August in the state of Maine. As you know, they have resubmission on there and we want to concentrate a number of strong speakers from out over the country...15

Fess's candidacy for the Constitutional Convention of 1912 was looked upon with favor by the Anti-Saloon League, and no doubt they encouraged him to run. Wheeler, upon hearing that Fess was a candidate for membership in the Convention, wrote that he had heard that the people of Greene County were enthusiastic about his candidacy, and

14 Letter from Wheeler to Fess, March 29, 1911, Fess Papers, Box 3, Folder 3. Fess's address concerned a proposed legislative act (Dean-Fulton Bill) which called for the return of the Saloon in Ohio.

15 Letter from Wheeler to Fess, April 3, 1911, Fess Papers, Box 3, Folder 4. A letter from Wheeler to Fess, April 25, 1911 revealed that Fess did not go to Maine because of his responsibilities at Antioch.
he predicted that Fess would be a power in the convention. As a member of the Convention, Fess spoke in behalf of prohibiton. He was opposed to the license system in any and all forms, but his ideas did not prevail. Because the wets and drys could not agree, the Committee on Liquor Traffic returned two reports to the Convention: the majority report favored unrestricted license and the minority report favored restricted license. Fess, who concurred with neither, voted, however, for the minority report on the ground that it was the better of the two.

The Greene County Tribune of March 21, 1912, reported that Fess had been a power in Ohio for the temperance cause. It added that he had been called all over the state and wherever he had spoken he had "appealed to the sound sense of men," and had "never failed to make votes for the temperance cause." As a result of his election in 1912

16Letter from Wheeler to Fess, July 14, 1911, Fess Papers, Box 4, Folder 1. In a letter from George W. Crabbe, Superintendent and Attorney of the Dayton District of the Anti-Saloon League, to Fess, July 17, 1911, Crabbe encouraged Fess to become a candidate.

17Greene County Tribune, March 21, 1912; April 4, 1912. Ohio's Constitution of 1912 adopted the license system. See Chapter on the Constitutional Convention.

18Greene County Tribune, March 21, 1912.
to the 63rd Congress he received letters of congratulation from several of the Ohio Anti-Saloon district, including one from C. W. Eldredge, Superintendent of the Cincinnati district, who wrote:

Let me congratulate you on this splendid victory, and you know from your own observation that we did everything in our power to elect you. I sent out 4000 letters in your behalf and answered many inquiries in person and over the phone. I also sent a special letter to every co-operating preacher in the District.19

During the years after 1912 the Anti-Saloon League continued working for prohibition both on the national and state level. In Ohio the question of state-wide prohibition was submitted to the voters in 1914, 1915, and 1917, but failed. Finally, in 1918, although many counties were already dry, state-wide prohibition passed. Less than two years later the Eighteenth Amendment, forbidding the "manufacture, sale or transportation of intoxication liquors" went into effect (January 1920).20 In December 1914

19Letter from Eldredge to Fess, November 7, 1912, Fess Papers, Box 6, Folder 1.

20For a brief discussion of the liquor traffic in Ohio after 1912 see: Eugene H. Roseboom and Francis P. Weisenburger, History of Ohio (Columbus: The Ohio State Archaeological and Historical Society, 1956), 343-346. The Prohibition Amendment was approved in January 1919 but went into effect in January 1920.
the prohibitionists had introduced a national prohibition amendment in Congress, although the measure failed. Fess, speaking in the House on the proposed amendment, said:

Mr. Speaker and gentlemen of the House, December 22, 1914, will stand as one of the great dates, not only in the history of the American Congress but in the history of our country. Today is the Nation's decision day. . . . The Record, through the pencils of these reporters, will find a permanency that will be read 50 years from now and will contain some of the most remarkable utterances, when measured by their significance, that will be recorded as having been spoken in the American Congress.21

 Shortly after making the above remarks Andrew J. Volstead, Representative from Minnesota, who had endorsed the amendment, yielded to Fess, who then recited:

Once to every man and nation
Comes a moment to decide
In the strife twixt truth and falsehood
For the good and evil side.22

Wartime conditions, popular resentment against German brewers, and the need to conserve the materials used in distilling, gave prohibitionists their long-awaited opportunity to make national prohibition a part of the Constitution.


22Ibid.
In December 1917, Congress passed the Eighteenth Amendment which was later ratified by the states. Fess voted for the proposed amendment in the House.\textsuperscript{23} In defending the need for national prohibition Fess reviewed the efforts made for effective control of the liquor traffic. He explained that Americans proceeded on the basis that the saloon could be put out of existence, just in the voting districts; then the basis had been extended to townships. Later, under proper education it had been extended to the counties and to municipalities. During a long period, authority to segregate the institution so as to prevent it doing business in certain quarters in the city was provided. At the same time every conceivable form of regulation with reference to fixing hours of closing, to blinds upon the windows, to sale to minors was tried as an experiment in an effort to reduce the evil. Fess said that he finally came to the conclusion that there was no way effectually to deal with liquor except by forbidding both its manufacture and sale.\textsuperscript{24}

\textsuperscript{23}Ibid., 65th Cong., 2d Sess. (1917), 469-470. The measure passed in the House (S. J. Res. 17) by a vote of 282 to 128, meeting the two-thirds requirements.

\textsuperscript{24}Ibid., 73d Cong., 1st Sess. (1933), 533-535.
After the Eighteenth Amendment was passed Congress enacted the Volstead Law of October 28, 1919, which defined intoxicating liquor as any beverage containing over one-half of one percent alcohol and provided stringent regulations for enforcement. Representative Andrew J. Volstead of Minnesota, Chairman of the Committee on Judiciary, was selected in January 1919 to draw up the Act (H.R. 6810). Lehr Fess believed that his father, who was then Chairman of the Committee on Education, was consulted by Wayne B. Wheeler and Alben Barkley, who was the Democratic Head of Prohibition in the House, with regard to the Volstead Act. Lehr said that "the meeting with Wayne Wheeler and Alben Barkley was held in father's office in the House Office Building, which was probably 407 House Office Building." According to Lehr Fess, Barkley and Wheeler brought a draft of the Volstead Act to his father and they studied it.25

25Personal interview with Lehr Fess, October 18, 1963; and letter from Lehr Fess to this writer, March 19, 1964. Lehr Fess said that he definitely remembered the meeting. Research did not indicate that Fess played a part in drafting the Volstead Act, but since he was one of the leading Prohibitionists in the House he no doubt was consulted. The book by Elton R. Shaw, Prohibition: Going or Coming (The Eighteenth Amendment and the Volstead Act), (Berwyn, Illinois: Shaw Publishing Company, 1924), did not mention Fess.
Fess saw great evil in the saloon and felt that it contributed to the downfall and destruction of man. During the war when there was discussion of lowering the draft age to eighteen, Fess, who concurred with the suggestion, felt they should first draft the loafer, and in a letter to a constituent, concerning this matter, he remarked that "we should take the loafers from the street corners and saloon and place them in such service where they could be made into better men. . . ."26

Upon being selected as Chairman of the Republican Congressional Committee in 1918, Fess received letters of congratulations from several of the local and state Anti-Saloon Leagues, including those in Illinois and Maryland. The League no doubt saw in Fess a champion and promoter of their interests, and George W. Crabbe, Superintendent of the League of Maryland, added in his congratulations that he hoped to see him elected Speaker of the House.27

In the Senatorial election of 1922, Fess ran against

26Letter from Fess to Mr. Orra Gebby of Bellefontaine, Ohio, April 22, 1918, Fess Papers, Box 13, Folder 1.

Atlee Pomerene, the incumbent Democrat and a "wet." There can be no doubt that a contributing factor to Fess's victory was his support of prohibition and temperance which gained him many votes among the women, religious groups and educators.\(^{28}\) The Anti-Saloon League of Ohio again pledged its support to Fess, and Wayne B. Wheeler, general counsel of the Anti-Saloon League of America, also endorsed his candidacy. Wheeler, in a letter to Fess, suggested that he would be a strong candidate as would his opponent. Wheeler then stated that he would be available for further conference if Fess desired.\(^{29}\) Upon his winning, he received several thousand letters and telegrams of congratulations--among which many referred to his temperance. One such letter was received from a Reverend S. L. Boyers, a Methodist minister, who was an acquaintance of Fess while both were at Ohio Northern. Boyers wrote:

> After your nomination in the primary I happened to see a comment by one of the Baltimore papers which was, "Simeon D. Fess is as dry as

\(^{28}\)The Senatorial Campaign of 1922 will be discussed in a later chapter. Fess's victory was regarded as somewhat of an upset in political circles.

\(^{29}\)Fess Papers, passim, Boxes 14-18; and letter from Wheeler to Fess, 1922, Box 14, Folder 4.
Prohibition reached its most exalted position in the early 1920's, but thereafter, until its repeal in 1933 by the Twenty-First Amendment, it came under continuous and increasing criticism. Professors Roseboom and Weisenburger in *A History of Ohio* stated that the reasons for this change in sentiment were due partly to a reaction from the idealism of the war period, which seemed too utopian for general acceptance over an extended period of time; partly to a feeling among many of an illusion-shattered generation that the gratification of the senses offered some recompense for the strain of existence in the machine age; and partly to a belief that the Anti-Saloon League had employed its powers to prostitute all other considerations in political life to a maintenance of prohibition. This change was very apparent in the Presidential platforms and election from 1920 through 1932. Both political parties tried to avoid the troublesome issue, but without success. The Democratic

30 Letter from Boyers of Nashport, Ohio, to Fess, November 9, 1922, Fess Papers, Box 20, Folder 1.

31 Roseboom and Weisenburger, *op. cit.*, 345.
platform of 1920 made no mention of the Eighteenth Amend-
ment, but their party was split into wet and dry factions in the nominating convention of 1932. Governor Alfred E. Smith of New York, a wet and a catholic, was one of the leading candidates for the Democratic nomination, but prohibition and religion were factors which eventually gave the nomination to John W. Davis of West Virginia.

In March 1932, Fess wrote a long and informative letter to Smith criticizing the action of the New York state legislature in memorializing the United States Congress to modify the Volstead Act so as to permit the sale of beer and light wine. Smith had endorsed the legislature's action. Fess informed Smith that the problem of prohibition concerned law enforcement and not modification of the law. In a long letter of reply, Smith stated that the Eighteenth

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32 The two leading candidates were Governor Alfred E. Smith of New York, a wet, and William Gibbs McAdoo of California, son-in-law of Woodrow Wilson, a dry. John W. Davis, of West Virginia, a dark horse, however, won the nomination. The change in sentiment was also very evident in state and local politics throughout the country.

Amendment was not effective and that he was in favor of modification. The Democratic platform in 1924 criticized the Republican administration for failure to enforce prohibition but pledged their own party to enforce "the Constitution and the laws."

The selection of Alfred E. Smith as the Democratic presidential contender in 1928 definitely illustrated that the vets had made gains. Their platform again criticized the Republican party for inconsistency between its pledges and its record on prohibition. The Democratic platform promised to make "an honest effort to enforce the Eighteenth Amendment."

The Republicans had consistently pledged themselves to enforce prohibition, but by 1928 there were signs of a split in their ranks, even though a platform plank of 1928 committed the party to the "observance and vigorous enforcement" of the Eighteenth Amendment. By 1932 it was evident in both of the party national conventions and platforms that national prohibition was to be changed. The Democratic platform recommended unequivocally repeal of the Eighteenth Amendment.

34Ibid., March 28, 1923, p. 3. Smith's letter, dated March 26, took up about three columns in the newspaper.
Amendment and immediate legalization of the manufacture and sale of beer. The drys attempted a substitute but were defeated. The Republicans, after differences of opinions, in their platform recommended that the people be given an opportunity to pass upon a proposed amendment allowing the states to deal with the problem, reserving to the federal government the power to protect the dry states and "safeguard our citizens everywhere against the return of the saloon and attendant abuses."35

According to Herbert Hoover in his Memoirs, Fess was consulted in the creation of the Republican platform plank of 1932, relating to prohibition.36 Hoover related that on May 10, 1932, he told Senator William E. Borah of Idaho, the leader of the drys, that the Eighteenth Amendment and the Volstead Act could not be enforced. He suggested to Borah that the liquor question should be left up to the states but with Federal protection of the dry states; Borah concurred in this. According to Hoover, after the meeting with Borah, he suggested that former Interior Secretary,


James R. Garfield, be made chairman of the resolutions committee at the Republican National Convention. After this was done, Hoover presented his suggestions on the platform to Garfield who then conferred with the leaders of both the wet and dry elements in the party. Afterwards, Garfield reported that Senators Borah and Fess on the dry side and Senator David A. Reed of Pennsylvania and others on the wet side, agreed to the prohibition plank. Hoover stated that he had little confidence in such two-man political agreements, and he therefore suggested to Garfield that he arrange a joint meeting with Senators Borah and Fess and Secretary of Treasury, Ogden L. Mills, Secretary of Interior, Ray L. Wilbur, and Postmaster General, Walter F. Brown, that they might, in one another's presence, agree upon the precise wording of the plank. Garfield held the meeting and reported that they all agreed upon the proposed plank. 37

During and through all the change in sentiment towards prohibition, Fess remained a stanch defender of it and steadfast in his views. The Federal Government had made spasmodic efforts to enforce the Volstead Act: in the ten

37Ibid.
years from 1920 to 1930 prohibition officers made over half a million arrests, and the courts secured over 300,000 convictions. Yet, drinking continued and the corner saloon gave way to the speakeasy, and home-brewing became prevalent. Opposition to prohibition spread through every class of society. States, especially those with large urban populations, sabotaged prohibition laws. Agents of the Prohibition Bureau entered into a corrupt alliance with "bootlegging" interests, and the bureau itself became enmeshed in party politics. There was a breakdown not only of law but of respect for the law.

Fess remained consistent in his views towards Prohibition during his Senatorial career, and he readily approved of any measure proposed or passed for stricter enforcement of the Volstead Act. He spoke in defense of prohibition and for stricter enforcement before many organizations, conventions and civic groups. Writing in reply to a Mr. R. C. Bennen of Washington, D. C. in 1925 concerning the question of a modification of the Volstead Act to permit

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38 Morison and Commager, op. cit., II, 632.

39 Ibid.

40 Fess Papers, passim.
the return of light wines and beers, Fess asserted that he was now and had always been openly as well as privately opposed to the traffic in intoxicating liquors for beverage purposes. Further expounding on the issue, he said that he would use every ounce of influence that he possessed to save the people from the liquor traffic. In his opinion the great difficulty was the practice of disobeying the law, especially in the large cities. In addition he said:

The amazing tendency among otherwise good citizens to ignore the law is not a ground nor even a suggestion that the law should be either repealed or modified, but it is conclusive on the needs of education in citizenship as well as patriotism.²¹

He informed Bennen that no reform in their generation had done more for the general welfare than the enforcement of the Eighteenth Amendment. In his opinion no single movement had resulted "in such lessening of family privations and the multiplying of home comforts by turning the pay check toward the home rather than the saloon." Fess stressed the fact that if the citizens clamoring for the return of liquor would employ the same time and energy to induce

²¹Letter from Fess to Bennen, April 15, 1925, Fess Papers, Box 26, Folder 2.
the violator of the law to obey the law, the problem would be solved "by building up a public opinion that would not tolerate disobedience of law and resistance of the government."\textsuperscript{42}

Fess then predicted that there would be no backward step on the saloon question, as every year would disclose a stronger anti-saloon sentiment. He added that if there was to be any modification of the Volstead Act it would be to make its enforcement more rigid. He expounded that "nothing is more certain than the indictment by this country of the evil of the traffic in intoxicating liquors and the mere suggestion of its return will certainly stir still deeper the people's determination not to tolerate its existence."\textsuperscript{43} Evidently, Bennen's letter to Fess was in reference to petitions being circulated for a modification of the Volstead Act, for the Cleveland News of August 19, 1926 in an article, "Fess Scorns 'Wet' Appeal," reported that Fess replied to a request that he sponsor in Ohio a petition to Congress for modification of the federal

\textsuperscript{42}\textit{Ibid.}

\textsuperscript{43}\textit{Ibid.}
prohibition law, by saying: "If there is any modification of the Volstead Act it will be to make its enforcement more rigid."44

Reaffirming his views on the enforcement of the Volstead Act and Eighteenth Amendment in a letter to a Mr. E. W. Tweedie of Columbus, Ohio, who had dissented from Fess's views, Senator Fess took five pages for his reply.45 He pointed out that "the citizen who insists that a law he does not like should be violated is, whether he means it or not, an anarchist and as such an enemy of the Government and should be so treated." In very strong language he informed his constituent that the greatest problem confronting America was the disregard of law. He further remarked:

Difficult as is the alien problem it is not nearly so hard to deal with as the un-American who is a citizen voter which renders the offence so much the greater. The immediate problem is not how to Americanize the alien,

44Cleveland News, August 19, 1926. The wording of this article indicated that it may have been referring to Bennen's letter.

45Letter from Fess to Tweedie, November 5, 1925, Fess Papers, Box 27, Folder 4.
but rather to treat the un-American who denounces a public official, sworn to uphold the Constitution and enforce the law of the land. . .46

In concluding his letter, Fess emphasized that "you cannot find fault with my determination that so long as I am in public life every ounce of my influence will be employed to maintain the majesty of the law without fear or favor" and that whatever may be my many limitations "I never would be so foolish as to try to please both friends and foes of any measure."47

On January 16, 1926 a rather interesting discussion took place in the Senate between Senator Edwin S. Broussard of Louisiana and Fess over the enforcement of the prohibition amendment. The debate clearly illustrated the latter's persistent call for coercive means to enforce the measure.

The debate was as follows:

Broussard: "Does the Senator advocate penal servitude for a man who violates the prohibition law?"
Fess: "I will very quickly vote for imprisonment."
Broussard: "Would the Senator advocate capital punishment?"
Fess: "Oh, not necessarily."
Broussard: "Not necessarily?"
Fess: "I do in some cases."

46Ibid.
47Ibid.
Broussard: "In some cases the Senator would?"
Fess: "Yes."

The debate continued with Fess emphasizing that the Volstead Act needed an amendment for stricter enforcement. Then it continued as follows:

Broussard: "... if we should follow the Senator from Ohio, we would hang people for violating the prohibition law."
Fess: "Oh, that is no argument."
Broussard: "... if the Senator will advocate an amendment of this law, we will all gladly vote for it; but he is advocating the infliction of more severe penalties for a violation of the law."
Fess: "That is the sort of an amendment I would be willing to vote for."\(^48\)

In 1931 an amendment was proposed in the Senate (S. 3344) to lessen the enforcement of the Prohibition Amendment and Volstead Act in the District of Columbia. Fess denounced this, and in turn he asked for a stricter law to catch violators, with provisions for stronger and broader search warrants. In the ensuing balloting, which rejected the amendment, Fess voted against the measure.\(^49\) Fess also believed that no foreign country should be allowed to import liquor, and in 1924 a treaty was agreed upon between the

\(^{48}\) Congressional Record, 69th Cong., 1st Sess. (1926), 2226-2227.

\(^{49}\) Ibid., 71st Cong., 3d Sess. (1931), 3140-3145, 3746.

The amendment was rejected by a vote of 25 to 45, February 2, 1931.
United States and Great Britain to aid in the prevention of
the smuggling of intoxicating liquors into the United States.
In the Senate Fess voted for the treaty.50

On August 7, 1930, Fess was elected chairman of the
Republican National Committee, and as such he was caught in
the middle of the wets and the drys in the Republican party.
He retained the position until after the Republican Presi­
dential Convention at Chicago in June 1932. During his
chairmanship he was under constant criticism from the wets
and the more liberal wing of the party who disagreed with
his views towards the depression, especially after the
Democratic gains in the general elections in November 1930
when the Democrats made substantial gains in Congress.
Attacks from anti-prohibition quarters were directed at
Fess for his warning against measures to repeal the Eighteenth
Amendment after the election. Representative Britten, Repub­
lican of Illinois, said that "when Senator Fess says 'pro­
hibition is here to stay', he is talking for himself and

50Ibid., 68th Cong., 1st Sess. (1924), 4084-4085 and
letter from Fess to E. R. Tweedie, Columbus, Ohio, November
5, 1925, Fess Papers, Box 27, Folder 4. Calvin Coolidge
had signed the treaty at Washington on January 23, 1924.
The treaty passed the Senate by a vote of 61 to 7.
not as Chairman of the Republican National Committee."
Britten then advocated that the National Committee select
another Chairman and added that Fess was an ardent Repub-
lican but that "he also is an intolerant dry." Britten
then expressed the view that future Republican success
would hinge largely upon party leadership "which rightfully
senses public opinion in the northern states." Representative Wadsworth, Republican of New York, asserted that
the trouble with Fess was that "he cannot see what is going
on in this country. Tears dim his sight. The plain fact
is that the Prohibition law is a ghastly failure, and no
change in penalties or procedure will make it a success."  

The political cartoons illustrated Fess's problem
as Chairman, in regards to the wet and dry factions in his
party. A cartoon in the New York Evening Post of September
25, 1930, pictured Fess standing in the rain and the water
(which symbolized the wet issue) with a bag full of golf

51 Toledo Morning Times, November 11, 1930. The change
in sentiment towards prohibition was evident by the Senator-
ial election in Ohio, where Robert J. Bulkley, a "wet"
Democrat won over Senator Roscoe McCulloch, a "dry," who had
been appointed to fill the place of the deceased Theodore
Burton. Bulkley had been elected by a 178,000 majority.
Fess, as Chairman, will be discussed further in a later
chapter.

52 Ibid.
clubs singing, "For it's Always Fair Weather." Standing along side him was a much larger G.O.P. elephant holding a golf club in his hand (foot) representing the Fall Campaign and ready to play golf in the rain and water. To Fess's "For It's Always Fair Weather" the elephant replied, "Sez You!" The Cleveland Plain Dealer of October 4, 1930, an anti-Fess newspaper, pictured chairman Fess's dilemma by representing him as an old woman looking somewhat perplexed at the animated characters representing the New York and New Jersey Republican wets, and the wet G.O.P. candidates. It was captioned, "Why Mother's Hair Turns Gray!" 53

By mid-November 1930, after the general election, it was reported by the inner circles of the G.O.P. that Fess would quit and would be replaced "within the next 15 days," because of his ultimatum that the Republican Party must remain dry. His dry ultimatum was declared by Republican liberals to have ended his usefulness as chairman. 54 At this time it was even suggested that if the Republican

53 In the New York Tribune of October 18, 1930, there was a similar political cartoon.

54 The Cincinnati Enquirer, November 13, 1930, Toledo Morning Times, November 19 and December 5, 1930. The controversy made the front page in the Enquirer.
drys did not swing into line for repeal or modification of prohibition a "Nationalist Party" would be organized for the 1932 presidential campaign. At a meeting with the President at the White House, the G.O.P. chiefs, however, denied that Fess was "on the spot."

With the persistent attacks on Fess, ex-President Coolidge, who was now a "columnist," came to his defense. Coolidge remarked:

Senator Fess was drafted at a difficult time. He is an honest and conscientious man of high character with a record for disinterested service. As chairman and senator he is entitled for aspectful consideration. There are some in this party who disagree with him. That would be true of anyone.

Probably both Senator Fess and Mr. Raskob [Chairman of Democratic National Committee] would be delighted to be relieved of their office. Neither one is likely to be driven out by attacks.

Criticism of Fess continued as long as he was chairman,

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55The Cincinnati Enquirer, November 13, 1930. Such a party was not organized.

56Toledo Morning Times, November 19, 1930. Fess did not attend this meeting.

57Toledo Morning Times, November 16, 1930.
with frequent rumors of who would replace him.\footnote{Among those suggested were Raymond Benjamin, Republican lawyer from San Francisco, and Earl Kingsley of Vermont. Toledo \textit{Morning Times}, December 5, 1930; and May 25, 1931.} No doubt a factor for the rumors was the belief that Fess was only a temporary selection. One newspaper reported on October 29, 1931, that despite reports arising every few weeks that Senator Fess was going out as chairman, the odds were still considerable that he would keep it until after the Republican national convention met in June of the next year.

It added that the Ohio Senator did not want the job; in fact, he had told the President that he would prefer to be relieved and to be just a Senator without the necessity of speaking, not only as Senator but as chairman of the National Committee. It was concluded that there was a great aversion on the part of the President and other responsible leaders of the G.O.P. to making any more changes until after the next national convention.\footnote{Unidentified newspaper, October 29, 1931, editorial column, "The Political Mill," by G. Gould Lincoln. Found in Lehr Fess Papers.}

As chairman of the Republican National Committee, Fess served as a frequent spokesman for the party and in such a capacity the prohibition question prompted a tremendous
amount of correspondence. On August 25, 1930, soon after becoming chairman, Fess gave a radio address over N.B.C. in behalf of the Republican National Committee. In addition to his recounting the remarkable record of achievement of President Hoover and the Congress, he included remarks on the prohibition question. He told his listeners that the President was uncompromising on the necessity of law enforcement and had appointed a commission of notable ability to investigate and report its findings and also that the President had taken a strong stand on the enforcement of the Eighteenth Amendment and had presented to Congress

60 Letter from Marjorie Savage of Washington, D. C. to Lehr Fess, November 6, 1952, Lehr Fess Papers.

61 Fess was referring to George W. Wickersham of the New York Bar, who headed a commission of 11 distinguished Americans to examine the enforcement problem, which was appointed by Hoover soon after his election in 1928. The commission published its findings in January 1931 and gave more comfort to the critics of Prohibition than to the advocates. The Wickersham Commission pointed out the failures of enforcement, the prevalence of crime and corruption, but, rather confusingly, the majority of the Commission recommended that the experiment be given a further trial. The Commission seemed to be recommending that Prohibition was a failure which should be steadfastly continued. Hofstadter et al., op. cit., II, 438.
recommendation of legislation to enforce more effectually the law. 62

In the 1930 elections Fess did not want to admit that prohibition was a national party issue although he conceded it would figure conspicuously in senatorial and congressional races. In his opinion it was "a social and economic question." He concluded:

It is silly to talk in this campaign of prohibition as a National issue.
There are Wet Republicans and Dry Republicans running for Congress. There are Wet Democrats and Dry Democrats.
I think prohibition is a social and economic problem and it should be considered outside of politics.
Personally as a dry, I would welcome a wet issue, but I don't see how it can be done. 63

Even though Fess may have believed prohibition should not become a National issue it was very clear it would stimulate heated controversy in the 1932 Republican National Convention. In November 1930, Fess asserted that the people would never stand for the return of the saloon, nor would they give up the Eighteenth Amendment. Yet he acknowledged


63 Cincinnati Enquirer, September 23, 1930. Fess was speaking as chairman of the Republican National Committee.
that the increased penalties imposed for liquor violators had failed to be of the benefit that he had hoped. He commented that the bootlegger was without character and did not mind going to jail to be supported by the public.

"We are filling the jails, but I am afraid that is not the necessary deterrent," he observed. Speaking in April 1932, to three delegates from The Woman's Organization for National Prohibition Reform, Fess informed them that his position was unchanged on prohibition. Admitting that it was not a complete success, he added, however, that it was a lot better than pre-prohibition and until somebody could show him a better thing than the Eighteenth Amendment, he was going to stand by it. He emphasized that he had just returned from a three-day speaking trip in Ohio and that he had not seen a drunken person on the streets.

As the time for the June 14 Republican Convention neared, Fess came to realize there would be some modifications

64 Newspaper (unknown) article of November 10 or 11, 1930, found in Lehr Fess Papers. Fess was speaking as chairman of the Republican National Committee.

65 Chicago Daily Tribune, April 14, 1932. The three women delegates were from Ohio and presented statistics to show that Ohio was getting "wetter." Fess informed them that he "did not think much of figures" and certainly was not afraid of them.
on the Prohibition Amendment, yet in an interview a few weeks before the convention he refused to discuss the ticklish issue. When asked what the platform would say on prohibition he replied: "I cannot discuss that. Personally, I am a dry." With the adoption of the Republican platform plank which recommended that the people be given an opportunity to pass upon a proposed amendment allowing the states to deal with the problem, but reserving to the federal government the power to protect the dry states, Fess accepted the plank but somewhat reluctantly. He announced, however, that he would support the Republican platform.

In regard to this, Fess, in November after the general election, received a letter from Rev. Dr. Howard Hyde Russell of Westerville, who was the founder of the Anti-Saloon League. Russell rebuked him for his accord with the terms of the Republican platform. Fess was rather resentful and replied in a letter on November 18, to Russell, who had accused him of trying to "ride two fast horses running in opposite directions." In his reply Fess quoted the plank

66 Liberty magazine, June 4, 1932, 34-38. An interview with Fess by George Sylvester Viereck, "What the Republican Platform Must Stand for this Year."

67 Letter from Fess to Russell, November 18, 1932, Fess Papers, Box 30, Folder 3, and the Cleveland Plain Dealer, November 21, 1932, p. 6.
in the Republican platform, and then asserted that it represented the best solution of a problem which was rapidly reaching the point of complete nullification of the law in most of the eastern states. He maintained that the local government was not enforcing the Eighteenth Amendment, hence, the Republican plank attempted to solve the problem, even though the people were still opposed to the liquor traffic. Fess further informed Russell:

Having accepted the platform, I could not now maintain a character of integrity to my own conscience and refuse to support a resubmission on the basis of the plank adopted. . . . The Democrats will want to submit an out-and-out repeal resolution. . . .

Fess reiterated that he was opposed to the Democratic solution and he ascertained that its adoption would produce a state of chaos, as "it would open the flood gates of liquor which would so stir the American people that they would sweep it out of existence by a torrential flood of righteous indignation. . . ." In strong language, Fess defended his position and reminded Russell:

It will not do for you to assail men who are just as dry as you are, not only in public life but in private life, as riding two horses or voting both ways. . . . You and I had no respect for that sort of narrow-mindedness. You

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68 Ibid.
condemned it just as I did and it will not do for you now as a leader of the temperance forces to charge me and others who are just as anxious to solve the problem in favor of the dry cause, as you are, with voting both wet and dry when we are doing what we think is best for the temperance cause without regard to any political results. 69

In concluding his remarks to Russell, Fess stated:

I deeply regret that you have taken the attitude announced in your letter. The temperance cause will not succeed under the leadership representing a spirit of that sort. On the other hand, it will succeed if the friends of good government and the opponents of the liquor traffic will consider the cause free from all personal abuse. 70

Fess was irritated by the conduct of the delegates in the Republican and Democratic National Conventions in June. Writing to his son, Sumner, on July 8, he stated that it was difficult for him to express any definite results of the conventions; 71 the most that could be said, he surmised, was that it was disgraceful that in a time of depression when every human being ought to be concerned about how to start the flow of capital into industry for the employment of

69 Ibid.
70 Ibid.
71 Letter from Fess to Sumner, July 8, 1932, Fess Papers, Box 30, Folder 2.
labor, the maximum interest in the conventions "would circulate about the question of a legal glass of beer." In his opinion it was in "the most disgraceful episode in the history of American politics." Measured by the character of the delegates, both conventions, he surmised, were up to standard, but measured by the hoodlumism that flowed in from the slums of the cities, which made the galleries the next thing to a madhouse, they were a disgrace that must be blotted out if conventions were to continue. He judged that it was a splendid thing that the radio had been installed so that the American people in their homes could have some conception of the hoodlumism that attempted to dominate the convention, which he said had no interest except that of liquor. He ended his remarks to Sumner with the opinion that "the interest in the two platforms seemed to be lost except in the one question"—liquor.72

Even with the victory of the Democrats in November 1932, on the platform of out-and-out repeal, Fess was still hopeful that modifications could be made on Prohibition. Soon after the election, Fess admitted that he saw no clear solution to the problem aroused by repeal, but he hoped that

72Ibid.
the Democrats would remain an enemy of the saloon. He said that some sort of control was imperative and that there were "dozens of forms being recommended." He concluded that it was largely a case of starting all over again with the problem.73

Fess's hope, however, was not realized and in February, after the new President and Congress took office, a Senate Joint Resolution (211) was introduced proposing an amendment to the Constitution to repeal prohibition. The measure passed the Senate on February 16, but Fess did not vote.74 On the day before, however, Fess offered an amendment to the proposed S. J. Resolution which would have permitted Congress broader authority. His amendment would have granted Congress broader power so that it would have whatever power would be necessary to prevent the return of the saloon.75 In his remarks before the Senate, Fess stated that he voted against taking up the Joint Resolution, not because he was opposed to anything being done,

73The Springfield Sun, November 17, 1932.

74Congressional Record, 72d Cong., 2d Sess. (1933), 4231. The vote on S. J. Res. 211 was 63 yeas, 23 nays and about 10 not voting.

75Ibid., 4139. No action was taken on the Fess Amendment.
but because he thought it was not the time to act. In order for him to vote for the resolution, he reiterated, broader power must be given to Congress such as his amendment tried to do. In defending his position against out-and-out repeal he explained to his colleagues: "I can not vote for straight repeal, because if I should do that it would be to me utterly chaos in the handling of this problem, and I would be doing a thing that my whole conscience would revolt against."76

On March 16, 1933, in a discussion in the Senate on the repeal of prohibition, Fess presented an eloquent speech in which he gave a brief summary of it, the origin of his views and his consistent demand for strict prohibition enforcement. Then he defended his vote and action on the problem:

... Whenever the time comes that on a moral question I will first see how the current runs before I vote, and then vote in accordance with that current, though I feel it my duty to prevent the current running in that direction as far as possible, then I will change my views also, but I want it understood here and now that on a question of right and wrong I propose to do what, in my judgment, my people ought to want me to do; and I am not going to undertake to be like a bird of passage, perhaps flying in one direction at this hour and in another direction the next hour. ...
Many people seem to think that merely because there seems to be a trend, a change in the country on this subject, a Senator or a Congressman must change also. This is not my conception of my duty. I am an enemy of the saloon. I shall fight it, as long as God gives me breath to fight it, as the most un-American institution that ever cursed this land. . . .77

In 1934, Fess ran for reelection for his third term in the Senate against former-governor Vic Donahey, a Democrat, who had retired from politics after leaving the governorship in 1929.78 Although the liquor problem, at least prohibition, was supposed to be settled, Fess still felt compelled to discuss the matter when it was mentioned. In his campaigning (he was not active in the primary) he tried to evade the issue, and for the most part he did not touch it in his political speeches. He received, however, many letters relative to prohibition and thus he felt obliged to discuss the issue in his replies. In a letter from Lehr to his father on May 23, 1934, the former said that he had noted that the latter was making considerable references to the prohibition question in his replies, and he suggested that it was a mistake. Lehr added that there was no point in

77Ibid., 73d Cong., 1st Sess (1933), 533-535.

78Donahey defeated Fess by a vote of 1,276,206 to 839,068. This campaign and election will be discussed later.
in arguing the matter now as the Senator's remarks on the issue might cause some wets to oppose him who otherwise would support his legislative record. The younger Fess advised his father that until the question was raised it would be better if he did not unduly stress his attitude on the question. Fess immediately replied to Lehr on the 25th and informed him, "I never touch on the liquor question in my correspondence except under the following circumstances, where anyone writes me mentioning it in any way." He reiterated that in such a case he always gave his view which had not been changed by the action of the people on the Eighteenth Amendment. In his opinion there were more drunken people on the streets since repeal than during any year of the prohibition period. He then informed his son:

If it ever becomes necessary for me to speak on the liquor question publicly, I shall make it clear that I have not changed my view, which was to the effect that regulation was not effective, and to the degree that public opinion would back it, Prohibition would be the method. He added that he would support any legitimate proposal which looked to the prevention of the return of the old time

80Letter from Fess to Lehr Fess, May 25, 1934, Fess Papers, Box 31, Folder 6.
saloon or to the effective regulation of the liquor traffic. He insisted that something of this sort "will be my posi-
tion publicly, first, because I want to maintain my self-
respect, and secondly, I will not offend the sensible dry 
people, and if the wet people are fair, they will agree 
that the old time saloon should not be returned and that 
its evils should be regulated." In closing his letter he 
vowed that "if I cannot win on a position of that sort, I 
do not want to win on any kind of deception." 81

Some observers believed that the repeal of prohibition 
might aid Fess's chances for reelection in 1934, as by the 
time the election rolled around the issue would be "dead 
and buried" and candidate Fess would not be judged by his 
dryness. 82 Although Fess was defeated by Donahey by a 
plurality of over 400,000 votes, the liquor question was 
not the main cause for his defeat as his attitude toward 
the New Deal and his essential conservatism were more impor-
tant factors. 83

81 Ibid.

82 Ohio State Journal, September 5, 1933, article by Karl B. Pauly, "Mostly about People."

83 The election of 1934 will be discussed later. The people were no longer in sympathy with Fess's conservative 
views in 1934, and he was defeated by the wave of liberalism 
and reform.
During Fess's long consistent stand and ardent views on prohibition his sentiments became the target and focus for the pens of many observers. The most common references were "dry as a bone" and "drier than dry." Many of the remarks were rather interesting and no doubt Fess got a lot of amusement from reading these comments. The New York Telegram of February 26, 1931, in an article on Fess referred to his dryness as follows:

His diet is unvaried. His bones and nerves and sinews are so fed with the protein of prohibition that his mental processes cannot function in any other groove however narrow. 84

Fess not only "voted dry" but he "lived dry." On one occasion, while at Ohio Northern, he had a slight chest cold and a persistent cough. His father-in-law, Dr. Thomas, a general practitioner, recommended a remedy of whiskey, but the suggestion was refused. 85 Clara Brooks, the Fess family cook and housekeeper at Yellow Springs, related that she and Lois Fess, a niece of Fess's whom he raised, once made some old fashioned root-beer in a stone crock. Fess upon seeing it asked what it was, and upon being informed,

84 The New York Telegram, February 26, 1931, "Fess the Presidential Hair Shirt."

85 Personal interview with Lehr Fess, October 18, 1963.
he ordered them to pour it out. This anecdote seems rather unusual and perhaps Fess acted in a moment of haste, as Lehr Fess stated that his father liked root beer.

Marjorie Savage, who served as Fess's personal secretary from 1926 to 1935, related that he would never "touch the stuff," but then added: "He never did--except not long before he died, when he was given some eggnog at Christmas time, which he thought was simply marvelous, not knowing that the principal ingredients was [sic] a bit of brandy and bourbon." 87

With all of his adamant feeling about drinking he never let it bother him when at a party or dinner. When he was invited to some affair as a dinner guest, he always gave the guest next to him his full glass of liquir, after the person had imbibed his own, but he never tasted it. When liquor was passed around, he always refused. He, however, became restless at a party (which he attended infrequently) when the guests became a little too intoxicated, as he never felt at ease in such an environment. 88

86 Personal interview with Clara Brooks, September 24, 1963.

87 Letter from Marjorie Savage of Washington, D. C. to this writer, May 14, 1964.

88 Ibid., and personal interview with Lehr Fess, October 16, 1963.
Fess was such a firm believer in prohibition that he believed it could not fail. The fact is that he did not want to recognize its failure. He was blind to the ineffectiveness of prohibition because he wanted to be. He made frequent utterances that while he had been here or there, he "failed to see anyone who had been drinking."

As Marjorie Savage stated: "He wanted prohibition to be a success, so it was! -- no one drank, in his mind." Miss Savage recalled an amusing incident which illustrated this. One afternoon in Yellow Springs the State W.C.T.U. was meeting in the village. The Senator invited them to come up to his home and agreed to speak to them from his veranda. The ladies were all seated on the front lawn. In his brief remarks Senator Fess told them how many years it had been since he had seen anyone under the influence of liquor in Yellow Springs. At that very moment, Chris, the colored man who worked for him, was barely able to get in the back door because he was so inebriated. Miss Savage added that Fess "would not have recognized it if he had seen him--that is the truth." 

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89Letter from Marjorie Savage to this writer, May 14, 1964.

90Ibid.
In 1921 Major Roy A. Haynes of Hillsboro had been appointed Federal Prohibition Commissioner by President Harding. The appointment had been involved in controversy, especially between Attorney General Harry M. Daugherty and the Republican organization in Ohio on the one side, and Frank B. Willis and the Ohio Anti-Saloon League on the other. Later, in 1923, when the efforts at enforcement of prohibition became ineffective, Commissioner Haynes came under criticism from many sources. Haynes had the support of Senators Willis and Fess, as well as Wayne B. Wheeler and Ernest H. Cherrington, who was Secretary of the Executive Committee of the Anti-Saloon League of America.

During the controversy in 1923, Senator Fess wrote President Coolidge stating that he was glad he had stuck behind Haynes in "the onslaughts of certain newspapers against Major Haynes." He then added: "I want to express my deep appreciation of the public assurance you have given

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92 Letters from Cherrington to President Calvin Coolidge, October 3, 1923, Coolidge Papers, Folder 21 D (August-December 1923), Library of Congress.
for the enforcement of law in which you intend to sustain the efforts of the enforcement officers."\textsuperscript{93} Coolidge replied to Fess, and said that he was glad to get his endorsement in behalf of Haynes and "appreciate especially that you should take the trouble to write and tell me so. It is always a pleasure to hear from you, and especially in this instance."\textsuperscript{94}

In 1925, an administrative change by President Coolidge placed General Lincoln C. Andrews, Assistant Secretary of the Treasury, in charge of prohibition enforcement. Haynes, however, remained as a political advisor to Andrews, even though he was virtually stripped of all authority.\textsuperscript{95} At this time Fess wrote to Andrews and stated that he was deeply concerned that no consideration of political or personal assertion should unduly influence the appointment of prohibition officers in Ohio. His only concern, he stated, was for effectual enforcement. In closing his

\textsuperscript{93}Letter from Fess to Coolidge, September 13, 1923, Coolidge Papers, Library of Congress.

\textsuperscript{94}Letter from Coolidge to Fess, September 17, 1923, Coolidge Papers, Folder 21 D. (August-December 1925), Library of Congress.

\textsuperscript{95}Ridinger, "The Political Career of Frank B. Willis," \textit{op. cit.}, 227. A letter from Willis to Fess, dated February 7, 1925, showed that Willis fully endorsed Major Haynes as Commissioner. Coolidge Papers, Folder 21 D (1925), Library of Congress.
remarks to Andrews he asserted, "I shall leave nothing undone to assist you in my position in this effort."

In reply to S. A. Propst, of Columbus, Ohio, who had written Fess recommending a Mr. Gibson for an appointment in the Federal Prohibition force, Fess wrote that he was moving slowly in making recommendations for that department. He informed the inquirer that there was great resentment in Washington "over what is denominated political influence in building up the enforcement division." Fess then added that "with this resentment I have considerable sympathy." In his opinion every political influence should be made subordinate to effective enforcement and those in charge should have the freest hand in order that the public could fix responsibility and properly administer discipline.

The editor of Collier's Weekly wrote Fess inquiring of him as to his stand on prohibition enforcement being regarded as political patronage. In reply, Fess enclosed a copy of the letter to Mr. Propst and in explanation added that "this

96Letter from Fess to Andrews, June 18, 1925, Fess Papers, Box 25, Folder 5.

97Letter from Fess to Propst, Fess Papers, Box 26, Folder 2. Fess made several similar replies to such inquiries. Fess Papers, passim.
letter gives the position I have taken both privately and publicly."98

A year later, in 1926, another administration change created a Bureau of Prohibition; Willis, Fess and Wheeler brought pressure to bear upon Coolidge, Mellon and Andrews to have Haynes made head of this new agency.99 The New York Times of March 24, 1927, reported that Haynes loomed as the new "dry chief" in the Reorganization Act which was to become effective April 1, and that the position was won as a result of efforts of the League and other dry organizations, including the Methodist Board of Temperance. According to the Times, Mellon, who was Secretary of Treasury, and General Andrews had favored John D. Pennington, the prohibition administrator at Pittsburgh, but with a conference of Secretary Mellon, Haynes and Coolidge on March 23, the report was that Haynes "was in."100

Haynes, however, did not become Commissioner at that time, but on March 24, 1927 he was made acting commissioner.

98Letter from Fess to the editor of Collier's Weekly, August 22, 1925, Fess Papers, Box 26, Folder 2.

99Ridinger, op. cit., 227.

100The New York Times, March 24, 1927, p. 27. No mention was made of Fess.
while Mellon was in Europe. The New York Times of May 11, referred to his being action commissioner but reported that informed opinion indicated that he would not be appointed permanent Prohibition Commissioner, in spite of pressure being brought by Fess, Willis and the Anti-Saloon League for his appointment.\textsuperscript{101} There was much opposition to Haynes and he finally was ousted from his position and in turn was elected as head of the Methodist General Conference delegation.\textsuperscript{102} According to Ridinger, Senator Willis made strenuous efforts in behalf of Haynes from 1921 to 1927, but there are no indications that Fess did, although there can be no doubt that he was in sympathy with Haynes.

The political enfranchisement of women which had been unsuccessfully urged at the time Negro males won the vote under the Fifteenth Amendment, gradually gained male support in the last quarter of the nineteenth century. Women had been in the process of winning the suffrage ever since Wyoming Territory granted them the vote back in 1869. By 1898, four of the newest states, Wyoming, Colorado, Utah, and Idaho, had granted full voting rights to women, and

\textsuperscript{101}Ibid., March 11, 1927, p. 27.

\textsuperscript{102}Ridinger, op. cit., 228-229.
many other states permitted them to vote for certain offices, such as members of school boards. A woman’s suffrage amendment passed by the State of Washington in 1910 led a number of other states to consider the enfranchisement of women.\textsuperscript{103}

In 1912, woman suffrage became an issue in the presidential campaign. Taft and Wilson, the candidates of the major parties, evaded it, but Roosevelt, who had hitherto opposed it, and the Progressive party, endorsed the proposal. Women continued their agitation for the suffrage and by 1914, a total of eleven states had granted them the vote. Progress had been slow, however, and dissatisfied partisans now decided to concentrate on a campaign for a federal amendment. Advocates of the reform during this progressive period maintained that women were just as well qualified as men to make political decisions, and the more enthusiastic of them predicted a great change for the better in the political and economic scene if women were given the ballot. They picketed the White House and sought to promote their cause by other types of disturbance. They also sought to

\textsuperscript{103}\textit{Hofstadter, et al., op. cit., II, 373-374; and Perkins and Van Deusen, op. cit., II, 281-282. For the background of the woman suffrage movement, see Elizabeth C. Stanton et al., History of Woman Suffrage, 6 vols. (Rochester, New York, 1881-1922).}
advance their cause by petitions to Congress, by local agi-
tation, and by state referendums.\textsuperscript{104}

But what really accelerated the development of the
suffrage movement was World War I. The active and sacrific-
ing role played by women in World War I strengthened their
moral position and, finally, in June, 1919, the Nineteenth
Amendment, forbidding the denial of the right to vote "on
account of sex" passed Congress by a narrow margin. The
Amendment was ratified by the required number of states by
August, 1920, in time for women throughout the country to
take part for the first time in a presidential election
that autumn.\textsuperscript{105}

In 1888, while a student at Ohio Northern, Fess, in
a memorial service held by the Philo society for one of its
members, had eulogized the role of women. Although he did
not suggest the enfranchisement of women, he recognized
them "as the greater framer of character, as the molder of
public opinion, as the organizer of reforms and in shaping
and holding in her hands the destiny of nations." He added
that she emulated man in almost every profession of worth

\textsuperscript{104}Ibid.

\textsuperscript{105}Ibid. Both major political parties had endorsed
women suffrage in 1920.
and had shown herself equal in every avenue of destination—
"equal in intelligence power, and superior in heart
power."

The Ohio Constitution Convention of 1921 proposed
an amendment for woman suffrage, but it was rejected by
the voters at the special election in September. Fess had
endorsed the Amendment in the assembly and had spoken in
favor of it in debate. In defending the proposal he sug­
gested that "the better two-thirds" of his household would
vote against Woman's Suffrage when the matter came up, and
if "I shall accompany her to the polls I shall not vote with
her but against her." He asserted that if only one woman
wanted the right to vote, it was her natural right to have
it. To his colleagues in the convention he asked four
questions and then in turn answered them himself. To these
questions he answered that women did need the protection of
government; she was capable of understanding; she could

106 Ohio Normal University Herald (Ada Herald), Vol. III,
May 1888, No. 12, 443-446. Address delivered by Fess at the
memorial service in honor of Mrs. Dora E. Bailey, May 4,
1888.
exercise intelligent judgment; and she could compete equally with man, especially in literature and cultural studies.\textsuperscript{107}

In his opinion, woman suffrage would elevate the plane of politics by purifying it. He continued his remarks to his colleagues by praising the role of women in education, in the church, and in the making of citizenship. In concluding his remarks he asserted: "I shall use my influence upon the platform to have the men themselves see that we can regenerate in some manner the body politic of the State of Ohio by the influence of the mothers and sisters and wives whose presence alone will not deteriorate, nor degenerate, but will uplift."\textsuperscript{108} After the convention adjourned in June, Fess traveled the state asking the people to ratify the amendments, including woman suffrage.

In 1914, because of an initiative petition, a proposed amendment to the Ohio Constitution on woman suffrage was voted upon but was rejected. At the Republican State


\textsuperscript{108}\textit{Ibid.}
Convention in August 1914, at which Fess gave the keynote address, the woman "suffragettes" deluged the members with telegrams and petitions asking them to endorse the woman suffrage amendment. Fess was among the members receiving such requests, and he heartily endorsed the proposal.¹⁰⁹

With the turn by the suffragists towards national action, several women suffrage amendments were proposed and defeated before the final passage in Congress in June 1919.

In a debate on such an amendment (H. J. Res. 1) on January 12, 1915 in the House, Fess expressed his previous sentiment and opinions on the subject. In further support of his opinions he contended that the Declaration of Independence and the Constitution had declared for equal rights for all. Further illustrating his stand, he repeated Lincoln's famous words on equality: "government of the people, for the people, by the people."¹¹⁰ Then he asked his colleagues:

Taking these fundamental statements, I ask this legislative body whether you believe that the term "people" and the term "men"

¹⁰⁹Fess Papers, Box 7, Folder 2. Fess received a telegram from the 400 member Clark County (Springfield) Equal Suffrage Club, "with a following of many thousands," asking his convention to endorse the woman suffrage amendment. It was signed by Henrietta G. Moore, President of the Club.

¹¹⁰Congressional Record, 63d Cong., 3d Sess. (1915), 1472-1473.
exclude women in the conception of the writers of those principles. No one certainly could claim that the women have no interest in the establishment of justice and in the promotion of the general welfare of the security and the blessings of liberty, and nobody certainly would state that a government of the people, for the people, by the people, is for men and not for women.\textsuperscript{111}

Fess voted "yes" on January 12, 1915 for the proposed amendment, although it was defeated in the House by a vote of 174 to 204.\textsuperscript{112}

On a similar proposed amendment (H. J. Res. 200) in 1918, Fess expressed his past views and in a very eloquent speech before the House, he paid tribute to the role of women, especially emphasizing their role in motherhood. He ended his tribute:

Woman, God's noblest creation, man's better counterpart, humanity's hope, the world's object most to be admired and loved. The past has not been good to her. . . .

But a better day has dawned. . . . I shall, so far as in one lies, remove every barrier against her right and privilege, and shall open wide the door of opportunity to her performance of public duty by placing in her hands America's most effective weapon, the ballot, democracy's instrument of command.\textsuperscript{113}

\textsuperscript{111}\textit{Ibid.}
\textsuperscript{112}\textit{Ibid.}, 1483-1484.
\textsuperscript{113}\textit{Ibid.}, 65th Cong., 2d Sess. (January 10, 1918), 788-799.
This proposal passed the House on January 10, 1918, with Fess's endorsement, but failed in the Senate.¹¹⁴

On May 21, 1919, another proposed amendment on woman suffrage (H. J. Res. 1) passed the House by a vote of 30⁴ to 10, with Fess voting "yes."¹¹⁵ This resolution passed Congress and with its ratification by the states became the Nineteenth Amendment. Two pieces of Senatorial campaign literature of Fess's for 1928 and 193¹ noted that his support was especially sought by the National Woman's Party for the passage of the suffrage amendment in 1919 and 1920, while he was chairman of the National Republican Congressional Committee. According to these documents, in his official capacity as chairman, he took an active and effective part in suffrage campaigns in California, Delaware, New Jersey, West Virginia, Tennessee and other states. In addition, the documents reported that he had personally spent much time and effort in working for the amendment in Congress.¹¹⁶

¹¹⁴Ibid., 810. The Joint Resolution passed the House by a vote of 27⁴ to 136.

¹¹⁵Ibid., 66th Cong., 1st Sess (1919), 93-9⁴. Fess made no remarks in the House on the resolution at this time.

¹¹⁶Campaign newspaper, Vol. 1, no. 1, September 1, 1928, entitled "Sen. Simeon D. Fess"; and campaign pamphlet, 193¹, entitled "Ohio's opportunity to Aid the Nation by Continuing the Services of Senator Simeon D. Fess." Both pieces in possession of Mrs. A. B. Figgins (Lois Fess), Arlington, Virginia.
For Fess's part taken in the struggle for the extension of the ballot for women he received letters of appreciation from several of the leading women suffragists.

From Alice Paul, National Chairman of the National Woman's Party, he received the following note of appreciation:

On behalf of the National Woman's Party, I am taking this first opportunity since the conclusion of the suffrage campaign to express to you our deep appreciation of the consistent and able help which you have given to the suffrage cause. . . .

Anita L. Pollitzer, Legislative Secretary, National Woman's Party, made the following tribute:

I know of no one in the United States Congress whom I feel has been more ready to help suffrage than Dr. Fess, and I know of no one who has given that help more definitely and effectively than he.

Mrs. E. A. Yost, Legislative Representative, W.C.T.U. of West Virginia wrote: "Congratulations upon your success in disentangling the Parliamentary situation in our legislature which made possible the ratification of West Virginia,  

117A one-page paper (undated 1920?, unpublished, no author) entitled, "An Appreciation--The Part taken by S. D. Fess in the Struggle for the Extension of the Ballot to Women," Antiochina File, Antioch College, Yellow Springs. This paper reproduced the note of thanks from Alice Paul (undated) and the following three below.

118Ibid.
the 35th state."119 A note of thanks and tribute from Anita Pollitzer of Nashville, Tennessee, August 19, 1920, stated that "without your help we could not have won the Republican vote in Tennessee, the 36th and decisive state to ratify!"120 On this occasion the New York Times of July 30, 1920 reported that Fess had written to the individual Republican legislators of Tennessee asking for their pledges to vote for ratification. In his appeal to them he pointed out that they would be the deciding state for ratification.121

In May 1922, a permanent building was dedicated in Washington, D.C. for the national headquarters of the National Woman's Party. Fess gave a speech at this dedication ceremony, and for his effort he received a letter of thanks from Elsie M. Hill, Chairman of the National Council of National Woman's Party. She wrote:

Your unfailing willingness to cooperate at every point in the campaign for the national suffrage amendment has taught us to count upon you

119 Ibid.
120 Ibid.
121 The Campaign literature of 1928 and 1932 was worded to make one believe that Fess may have traveled to some of these states to campaign for ratification, but there is no evidence that he did. Probably his support was in the same manner as Tennessee--by letter.
for a real understanding of the whole movement for the advancement of women. Your beautiful speech showed again a sympathy for the solution of the problems to which, as an organization, we have addressed millions. I am sure you cannot know how thoroughly we value your work in the past, and the splendid fairness of your attitude toward the unfolding future.122

SIMEON D. FESSION: EDUCATOR

AND POLITICIAN

Vol. II

DISSERTATION

Presented in Partial Fulfillment of the Requirements for
the Degree Doctor of Philosophy in the Graduate
School of The Ohio State University

By

John Lewis Nethers, B.Sc., M.A.

* * * * *

The Ohio State University
1964

Approved by

Adviser
Department of History
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CHAPTER VIII

ELECTION OF 1922 AND PRESIDENT HARDING

In 1914, Warren G. Harding had been elected to the United States Senate. Therefore, he would be up for renomination in 1920, if he chose to run again. He, however, emerged as a "darkhorse" at the Republican National Convention which met from June 8 to 12, 1920, to capture the nomination and later the Presidency. Because his nomination was doubtful, Harding was in a dilemma over whether to file his papers in Columbus for the Senate seat, although his papers had been in the hands of friends in Columbus ready to file several days before his nomination.\(^1\) It was reported on June 9, that several persons, including Frank B. Willis, Nicholas Longworth and Fess, had "eyes on the

\(^1\)Columbus Dispatch, June 9, 1922; Ridinger, op. cit. 152. The Columbus Dispatch of June 12 noted that Harding refiled his papers for renomination two minutes before the deadline, Friday midnight, June 11.
Senatorial Toga" in case Harding decided not to seek reelection.2 In an interview concerning his candidacy, Fess replied, "I want to see Senator Harding's announcement before I express myself."3

The Columbus Dispatch of June 9 reported that Willis and Fess had their eyes on the senatorship and that both were likely to declare their candidacy once Harding got out of the way.4 On June 10, the same day that Willis filed his papers in Columbus for the Senate seat, the Columbus Dispatch reported that Fess would remain out of the race. According to the Dispatch correspondent, Fess said: "I think I shall keep out of the senatorial contest entirely."5 On the night before (June 11) Harding was nominated, Willis was told that Harding wanted him to get

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2Ibid. Willis had been Governor of Ohio from 1915 to 1917, but had been defeated for reelection in 1916. Longworth, a wealthy Cincinnati Republican, was a member of the National House of Representatives.

3Columbus Dispatch, June 9, 1922.

4Ibid.

5Ibid., June 10, 1920.
into the Senate race, so he sent word to Columbus to have his papers filed for the office.6

The Dispatch, on June 11, in a front page article entitled: "Says Willis Can't Win," disclosed:

Representative Fess called on Senator Harding just previous to his [Harding] interview with the Dispatch and pointed out to him that Frank B. Willis had no show of election as senator from Ohio. Fess explained to your correspondent that he went to Harding as Chairman of the Congressional Committee interested in electing a Republican Congress. He held Harding responsible for getting Willis into the race.

The Senator [Harding] gave him the impression, he [Fess] stated that the matter would be satisfactorily taken care of by the Senator himself filing for the nomination.7

The American Mercury of December 1928, in tracing the careers of Fess and Willis commented on the above incident. The Mercury said that both of them were eager to make the Senate race if Harding were nominated. It added: "But Willis

6Ridinger, op. cit., 152; American Mercury, December, 1928; Columbus Dispatch, June 10, 1922. Willis had given the nomination speech for Harding and according to Ridinger, that fact had made Willis the logical candidate to succeed Harding in the Senate. Ridinger, op. cit., 152.

7Columbus Dispatch, June 11, 1920. According to Lehr Fess, his father was skeptical of Willis' chances to win the election mainly because of his defeat for the governorship in 1916. Personal interview with Lehr Fess, October 18, 1963. The Columbus Dispatch of June 9, 1920 reported that Fess expressed the opinion that Charles E. Hughes would win the nomination.
as the event demonstrated, was more foresighted than Fess; he made out his papers before he went to Chicago to aid Harding's presidential aspirations and left the signed documents with a friend in Columbus. . . ." The magazine then reported that Fess had not taken the Harding presidential movement seriously and hence had neglected to have any papers of his own in Columbus; therefore he was much distressed. According to the Mercury, Fess went to Willis and pleaded with him to withdraw, telling him that he could not hope to win the nomination over Walter Brown, Harding's preconvention manager in Ohio. Willis, however, did not change his mind when Harding himself hinted that the nomination of Brown would be most pleasing. Lehr Fess was of the opinion that his father suggested that Brown should run against Willis in the primary, and in the primary he declared his preference for Brown. Willis, however, won the nomination rather easily.

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8 American Mercury, December 1928; Ridinger, op. cit., 152-153

9 Personal interview with Lehr Fess, October 18, 1963; American Mercury, December 1928. Willis won the nomination by a plurality over Brown of 64,190. R. M. Wanamaker also ran in the primary and received 53,294 votes. Willis won in the November election, but he took his seat early, as he was appointed to fill the vacancy of President-elect Harding, in January 1921.
No doubt Fess had given some thought to running for the Senate in 1920, but probably did not take the matter seriously, in that he never believed that the opportunity would arise, thinking that Harding would not win the Presidency and thus would be running for the Senate.10 Probably, Fess, who was reelected to the House in 1920 by a large plurality,11 set his eyes towards the Senate race in 1922, against the incumbent Democrat, Atlee Pomerene, who had held the seat since 1911. By that time, Fess had become well known throughout Ohio, especially since becoming chairman of the Republican Congressional Committee.

In January and February 1922, Fess sent William "Bill" McGinnis, who formerly had been the Chief Inspector of the Postal Department under President Taft, to Ohio to conduct a personal survey to determine his chances if he ran for the Senate.12 According to Lehr Fess, McGinnis did more than make the survey, for he also got definite commitments for Fess. Walter F. Brown, Nicholas Longworth, 11 Fess won the election over Paul F. Dye, Democrat, 73,794 to 47,196. Ohio Election Statistics, 1920, op. cit.

12 Personal interview with Lehr Fess, October 18, 1963. Fess also had received numerous suggestions that he run for the Senate seat in 1922. Fess Papers, passim.
and Theodore E. Burton, who had been Senator from 1909 to 1915, also were considered potential candidates for the office.

There can be little doubt that Fess's plan to win the nomination over his rivals was brilliantly conceived and well planned. He believed that if he were to win he must prove to the Republican organization that he had support throughout the state. He also felt that by getting state-wide backing he could check the candidacies of the other, as they would then feel it was useless to enter; thus it would leave him a wide open field in the primary.

Upon the favorable report of McGinnis, and the suggestion of many friends, Fess, in March, began making a personal survey throughout the state. Through correspondence he sounded out attorneys, school superintendents, medical doctors, postmasters, business executives, bankers, and members of the Ohio General Assembly. In his letter of inquiry, he stated that the Senate offered a larger field for public service and he saw no valid reason why he should not seek the promotion, especially if his friends continued to advise that step. He added: "I will be glad to have your judgment on the probable attitude of your community
towards me as a candidate." Continuing his remarks, he said that it appeared from him that there was little if any doubt about the nomination or the election: "In which case it will be my highest hope that nothing will be done to cause regret to come to those who gave me their confidence and support."\(^{13}\) By the end of March, Fess was very optimistic about his chances and was "looking upon it [candidacy] with more and more favor."\(^{14}\)

Writing to two confidants on March 27, Fess stated that he had sent out two hundred letters to his friends, not so much to find the general opinion as to be able to lay those replies before some of the newspaper correspondents with the understanding that they could inform the public of the general trend without quoting him. In other words, he emphasized that these letters were part of the program that he was trying to direct in order to secure an open field in which he would not have opposition. He

\(^{13}\)Letter from Fess to Dr. T. E. Kellor of Lebanon, Ohio, March 18, 1922, Fess Papers, Box 14, Folder 2. Fess sent out many such similar "form" letters. Fess Papers, passim.

\(^{14}\)Letter from Fess to Mr. U. L. Light, Superintendent of Schools of Barberton, Ohio, March 25, 1922, Fess Papers, Box 14, Folder 3.
then went on to say that he was sending a second letter to various chairmen of the Republican County Committees outside of the cities "to get not the personal angle so much as the political angle from the standpoint of the chairman of the committee." The reports from the letters to the chairmen were very complimentary and by April 10, out of eighty-four counties, excluding the four big city counties to which he did not send inquiries, he received seventy replies, of which all but three were favorable, and thirty-nine of the chairmen declared that they were for him first. Another part of his scheme was to sound out the newspapers, and as a result, he discovered favorable opinions towards his candidacy from that media.

As his support and encouragement mounted, he became more and more optimistic about his chances to have an open field in the primary. Writing to E. L. Dusatman of Columbus, on May 27, he concluded:

I am certain that neither Burton nor Longworth has any serious intentions of entering

15Letters from Fess to W. B. Campbell of Cincinnati and R. W. Campbell of Versailles, Ohio, March 27, 1922, Fess Papers, Box 14, Folder 3.

16Fess Papers, Box 14 and 15, passim.

17Ibid.
the race. Both know it would be a defeat and both would have to lose out in the House if they entered which neither looks upon with favor. It is different with Brown. He has nothing to lose but I do not believe he will be in the race. . . . I am trying to plan this result without entering upon any deal whatever. The truth about the matter is I have never talked the senatorship over with Daugherty, Brown, Hynicka nor Bob Wolfe, the men mentioned in the press the last few days. The President has spoken to me twice about the general situation but we never went into detail. . . . I am still hopeful that the leaders will either keep their hands off entirely or make it know [sic] that my candidacy would be their judgment for success. However, the time is approaching when I must make my decision public which will be in due time. 18

According to some of the reports, Harding was supporting Brown, but there may have been an understanding between Fess and Harding that the latter would not support any candidate. The letter to Dustman of March 27 indicated that Fess had conferred with the President, and in a letter of the same date to Judge David F. Pugh of Columbus, he stated that "the report that Harding is for Brown is a mistake. There is no doubt he would be pleased

18Letter from Fess to Dustman, March 27, 1922. Harry M. Daugherty had been instrumental in getting Harding the nomination in 1920, and was a leading Republican "Boss" of Ohio. Rudolph K. Hynicka was the Ohio member of the Republican National Committee and Robert Wolfe, owner of the Columbus Dispatch, was a leading state Republican.
to see Brown in the Senate, but he will not help him to it. He would be pleased to see Longworth or myself in, but he will not help either of us to the place."¹⁹ Harding informed Brown on April 14 that "of course, you already know that my sense of obligation had led me to a declaration of strict neutrality."²⁰ This same letter revealed that Harding had consulted with Daugherty that morning and that Daugherty was "fully persuaded that the proprieties require[d] him to be neutral on the contests for nomination in Ohio." Harding then informed Brown that "there will be no hostility to your candidacy, no support of any other candidate."²¹ Evidently, Brown, who did not receive Harding's "open" support, decided, about this time, not to enter the race, as a letter from Brown to Harding on April 17 stated that "after no little reflection I cannot dismiss the conviction that the responsible leadership of our party will some day be brought to account for apparently ignoring the business element in making both selections for the Senate.

¹⁹Letter from Fess to Pugh, March 27, 1922, Fess Papers, Box 14, Folder 3.

²⁰Letter from Harding to Brown, April 14, 1922, Walter F. Brown Papers, Box 1, Folder 4.

²¹Ibid.
However, I can accept the situation with entire good humor."22

On April 19, Fess officially and publicly announced that he was seeking the Republican nomination to the Senate, whereupon he set about on an extensive tour of Ohio. In the meantime, after trying to get several people to be his campaign manager, he had settled upon Henry L. Endley, President of the Lincoln Life Insurance Company, Mansfield, Ohio, who also was a senator in the General Assembly. In addition to many campaign workers, Fess's three sons worked actively in the primary and general election campaign. Campaign headquarters were located in Columbus, although Fess ran much of the campaign from his home in Yellow Springs.

With his official announcement, Fess stepped up all phases of his campaign. As a result of the launching of this all-out effort, none of the potential candidates entered the race. Burton, upon making his survey of the state, found himself blocked by commitments to Fess and thus

22Letter from Brown to Harding, Walter F. Brown Papers, Box 1, Folder 4. Brown evidently was referring to Willis and Fess, who were both drys. Brown was a wet and a more liberal Republican, as he had once been a Bull Moosser. Brown did not have the full support of the Republican party in Toledo and Lucas County, and this fact also may have affected his decision not to enter the race. Letter from William H. Albrecht, Secretary of Lucas County Republican Club, Toledo, to Fess, April 17, 1922.
decided not to enter the race. It was reported that Burton, who had been a United States Senator from 1909 to 1915 and in 1920 had been elected to the House, came to Fess, sometime prior to Fess's declared candidacy, and said that he had heard he was running for the Senate. Burton then reminded Fess that he intended to again seek that nomination for himself and under the circumstances "you probably should withdraw your name." Fess replied that he was not at all adverse to his trying to get the nomination but warned him that "in every city and town in Ohio former students of mine will actively campaign for me, and their campaign will be so effective that if you run, I will beat you."23

Fess made a definite and concentrated effort to win the support of particular interest groups and classes of voters during the primary and general election campaign: the dry element, farmers, educators, ministers and religious organizations, women, and the Negroes. As the primary campaign progressed and no other strong candidate entered the field, Fess became convinced that he would win in the

August 8th election. With no other strong contender entered, he received the support of many of the newspapers. Writing to a political friend on May 12, he said that he was receiving encouragement everywhere he went and that it looked to him, "in the language of the street, like a cinch." He made an extensive tour of Ohio in the primary and because he was unable to visit many of the small towns and villages he sent out letters of regrets for not stopping, but enclosed his campaign literature for distribution.

The returns of the primary confirmed Fess's feeling of optimism. He won an overwhelming victory over three other Republicans: he received 207,150 votes; Charles Dick, 87,589; John H. Arnold, 48,887; and David W. Wood, 41,521. He received many letters of congratulation, including one from President Harding, written two days after the primary, who wrote that he did not wire a note of congratulation over his great victory because he thought that it would be rather indiscreet to do when the Republicans were wanting all defeated candidates to line up and help win the election.

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24 Letter from Fess to Ray G. Crisp of Akron, May 12, 1922, Fess Papers, Box 16, Folder 3.

25 Fess Papers, passim.

26 Ohio Election Statistics, 1922.
in November. Harding added: "It goes without one saying it that you are in every way equipped, both in character and capability to render the State of Ohio and the nation a very great service in the United States Senate." 27

In Atlee Pomerene, who had been the Democratic incumbent for twelve years, Fess found a very worthy and able opponent, and many political observers believed that the Democrat would win in November. Straw polls conducted by the Cleveland Plain Dealer, the Columbus Dispatch and the Cincinnati Enquirer up to the eve of reelection pointed to Fess's defeat. One observer, writing to Harding in August, predicted that Congressman Fess was in very serious danger of being defeated for the Republican organization, mainly because of the wet interests, were opposed to him and Pomerene was unusually popular among independent Republicans. 28 Fess, however, stepped up his campaign, especially in attempting to gain the support of the teaching profession, the religious organizations, the women voters, the Negroes and the dry interests. 29

27 Copy of letter from Harding to Fess, August 10, 1922, Harding Papers. The Fess Papers, passim, contain many letters of congratulations.

28 Letter from Otto Pfleger to Harding, August 15, 1922, Harding Papers.

29 Fess Papers, passim. The Ohio League of Women Voters, endorsed Fess. Pamphlet in Fess Papers, Box 19, Folder 5.
School superintendents were contacted throughout the state for a list of their teachers and as a result many members of that profession were sent campaign literature. The same campaign technique was used towards the ministers and the leaders in the Y.M.C.A. Fess's efforts towards prohibition and woman suffrage were naturally stressed to the fullest. He had definite advantages in these two issues over his opponent, Pomerene, as the latter had voted against both the prohibition and woman suffrage amendments in Congress.

In his attempt to gain the support of the Negro vote, Fess corresponded with several leading Negroes: Hallie O. Brown, President of the National Association of Colored Women, Wilberforce, Ohio; J. Silas Harris, President of the Negro National Education Congress, Washington, D.C.; Artie Fleming, President of the Colored Women's Political Club of Summit County; and Gilbert H. Jones, Vice-President and Dean of the College of Liberal Arts at Wilberforce University. These Negro leaders pledged their support to Fess's candidacy and stated that they would campaign for him within their race. Gilbert H. Jones of Wilberforce

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30 Fess Papers, 1922, passim.
31 Ibid.
University sent out a form letter to ministers, members, and friends in behalf of his candidacy. Fess frequently pointed out, during his lifetime, that he was a friend of the Negro, and his behavior towards that race seemed to substantiate his claim. Living at Yellow Springs, he frequently spoke at nearby Wilberforce University, and he corresponded with Dr. William Sanders Scarborough, who was president of that institution from 1908-1920. In 1911, Scarborough wrote to Fess and thanked him for his splendid address and for his generosity in not exacting a fee. He then added: "It is the opinion of we who heard you that it was the most remarkable address ever listened to by them" In another letter Scarborough, in 1914, congratulated Fess on his reelection to the House:

You must know I am jubilant over your reelection. . . . I see higher and greater things in store for you and have no doubt, in time that the nation will recognize your ability and promote you accordingly. To my mind America has no greater statesman than yourself.

. . . Wilberforce unites with me in the appreciation of your great service to the country.

32Letter from Jones to Fess, November 2, 1922, Fess Papers, Box 19, Folder 5.

33Letter from Scarborough to Fess, May 12, 1911, Fess papers, Box 3, Folder 5.

34Ibid., November 4, 1914, Fess Papers, Box 7, Folder 3.
In 1915, an incident occurred at Antioch, evidently at the college commencement in June, when a Negro or Negroes were supposed to have been insulted by the "white" audience. A. S. Jackson of Springfield, Ohio, wrote Fess a rather threatening letter, and stated that the Springfield Branch of the N.A.A.C.P. was an organization which "as you know doesn't intend to tolerate segregation in Ohio." Jackson then remarked that it had been suggested to him that perhaps Fess did not know of the incident and elaborated:

"I say again that it is inconsistent with your policy to allow this condition to continue." Jackson then expressed the hope that he would hear from Fess concerning the incident.35 To this Fess replied:

I have no information concerning the incident to which you refer. A sufficient reply to your statement so far as the college is concerned is the treatment extended to the colored members of the class of 1915 who could give you information if you desired. So long as I am the president of the college the institution will continue to grant equal privilege to all without discrimination not because of such veiled threats as contained in your letter but in spite of them. The most difficult thing that I have to deal with on questions of this kind is the unwise effort on the part of some of your people who think they can secure the

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35Letter from Jackson to Fess, June 14, 1915, Fess Papers, Box 8, Folder 5.
rights to which they are entitled by threatening men who have always stood for those rights. You will never get anywhere by such methods. 36

A proposed Immigration Bill in 1915, included an amendment which would have excluded "all members of the African black race." Fess spoke out against this amendment in the House and stated that he could not vote for the bill with such an amendment. In his denunciation, he asserted:

... it is unwise, it is unfair, it is not magnanimous, and it is an attempt to raise a sectional question—and God knows that our Nation is too big to maintain any sectionalism ... It is an attempt to take an advantage of members of a race which has proved its right to favorable consideration by an achievement that challenges the admiration of the world. ... This unfortunate people have suffered sufficiently from a lack of protection of the Government. After '250 years of unrequited toil' the shackles of slavery were broken; but even now all the rights that belong to a nation of free men are not enjoyed by this race that the National Government pretends to protect.

Whatever should be the conduct of the Nation toward this race today we must not offer this additional offense. 37

Clara Brooks, the Fess family cook and housekeeper in Yellow Springs, emphasized that Fess treated her like one

36 Letter from Fess to Jackson, June 17, 1915, Fess Papers, Box 8, Folder 5.

37 Congressional Record, 63d Cong., 3d Sess. (January 7, 1915), 1134. The immigration bill of 1915-1916 set up literacy tests requirements and was vetoed by the President, Wilson.
of the family and that he demanded the same respect be given her by the rest of the household. In 1931, The Ohio Spokesman, a Negro newspaper, ran a feature story on Clara Brooks, entitled, "Senator Fess Does Not Draw Color Line, Exclusive Story of Household Reveals." Yellow Springs had a rather large Negro population and every summer Clara's church had a big fried chicken supper to earn money for the church; Fess and his family always attended with many of his friends and neighbors and he could call every colored person in attendance by name. The church always eagerly awaited his arrival. When he was in Yellow Springs, he frequently attended the funerals of many colored people. Marjorie Savage related that she had attended several commencements with Fess at Wilberforce University where he would be the featured speaker, and frequently they would be the only white people in attendance.

The Republican State Convention met on August 22 and 23, and Secretary of State Hughes, Senator Willis and President Harding were invited to give the keynote address.

38 Personal interview with Clara Brooks, September 25, 1963.

39 The Ohio Spokesman, October 3, 1931.

40 Letter from Marjorie Savage to this writer, May 14, 1964.
but none could accept the invitation; thereupon, Harding suggested to the State Central Committee that Fess be asked. Fess acted as temporary chairman at the convention and in his keynote address he glorified, in typical fashion, the Harding administration. While at the convention Fess and Carmi Thompson, the Republican candidate for Governor, discussed the Republican State platform which endorsed the national administration. The State Democratic Convention was held in Columbus at the same time, and Fess and Pomerene came to Columbus from Washington on the same train. In regards to this, one observer noted that "they talked about the weather, they gossiped about Washington and Columbus and everything under the sun but politics." The same observer further reported that when they reached Columbus they shook hands cordially and wished each other "good luck," but kept their fingers crossed on the wishes. The article concluded by stating that Pomerene

41 Dayton Herald, August 19, 1922; Fremont News, August 19, 1922; Delaware Gazette, August 19, 1922; and East Palestine Leader, August 19, 1922. Willis could not accept because his daughter was ill and President Harding advised against Hughes accepting because of pressing problems upon the cabinet.

42 Columbus Dispatch, August 22, 1922.

43 Wapakoneta News, August 21, 1922.
and Fess were good friends even though they differed politically on fundamental questions and that each recognized and respected the other's ability. 44

During the campaign it was rumored that Harding was supporting Pomerene for the Senate seat. Concerning this matter, Mrs. Harriet Taylor Upton of the Republican National Committee, wrote the President informing him that Pomerene had stated Harding was supporting Pomerene's candidacy. 45

To this comment, the President replied: "I think Dr. Fess one of the very able men in public life and we have been most cordial, personal and political friends for twenty years. There is no one in Ohio whom I could more cordially wish to succeed than Dr. Fess." 46

Fess, in a letter to Harding on October 23, commented on the apathy among the Republicans but predicted a Republican victory, even though some were expecting his defeat. He asserted that the Republicans would win on the endorsement of the national administration "which is my platform." In this letter, however,

44Ibid.

45Letter from Mrs. Upton of Washington, D.C., to Harding, October 9, 1922, Harding Papers.

46Letter from Harding to Mrs. Upton, October 12, 1922, Harding Papers.
he indicated a concern for the report of Harding's endorse-
ment of his opponent. To this report he remarked:

The most difficult thing I have to meet
is the report that business wants Pomerene
returned. It is even reported that President
Harding wants him returned because as a Democrat
he stood for many things the President wanted.
This is used in Cleveland, Youngstown and Akron.47

Harding immediately replied to Fess on the 26th, and
thanked him for the encouraging view of the Ohio situation.
He said that lately a good many people had been sending
pessimistic reports. The President added "that everyone
speaks of your growing strength and the effectiveness of
the campaign which you are making." Harding then informed
Fess that he hoped the criticism against his administration
would not cause an "adverse expression" against Fess and
Colonel Thompson (Republican candidate for Governor). In
closing his reply, the President discussed the report that
he was for Pomerene. He explained:

Referring to the rather insidious story
that I wish Senator Pomerene's return, I am
very certain I need not make a denial to you.
I should be sorry to have your chances injured
by such a story even though I know how baseless
it is. If you can suggest a tactful way of
meeting it I would be pleased to have the sug-
gestion. Really, I feel just a little bit
chagrined that there could be the slightest

47Letter from Fess to Harding, October 23, 1922,
Harding Papers.
occasion to fall for a denial of such a story. My relations with Senator Pomerene have always been most friendly. We always treated each other with every courtesy during our six years of association in the Senate, but the courtesies of friendly relations do not determine one's political support. If they did the argument would still be in your favor, because our friendly relations extend over a period of approximately twenty-five years, and in addition to the friendly and agreeable association we are of the same party and believe essentially the same policies, and apart from these things I have a very high regard for your eminent qualifications and your distinguished public service. These things I am writing to you. If, after the receipt of this letter, you think some cognizance should be taken of the story that I want Senator Pomerene's return please let me have your suggestions as to the most tactful and discreet way in which to meet the situation.48

Many people regarded Fess as being too serious minded to tell a funny story, but, during campaigns he had a repertoire of anecdotes which he told to his audiences, adapting the story to the particular audience of the occasion. One anecdote in the 1922 campaign related to a farmer in a backwoods district who had lost his voice, and pending the recovery of the use of his vocal organs, he adopted the expedient of calling his hogs by pecking on the trees with his cane. The plan worked well for a time but the farmer

48Letter from Harding to Fess, October 26, 1922, Harding Papers and also Fess Papers, Box 19, Folder 4. There was no evidence that Fess replied.
noticed that his shoats were losing flesh, and on going out into the woods one day, he discovered the reason; the woodpeckers were about to run them to death.\footnote{Bellefontaine Examiner, August 19, 1922. Article: "Fess tells two Stories to relieve Heat."}

Fess, during election, always spent election day and the day following at his home in Yellow Springs listening to the returns. On election night he usually held "open house," and the townspeople were invited \textit{en masse}. Clara Brooks would serve cider, doughnuts, and coffee. Before the days of radio, he had the local telegrapher in Yellow Springs come up and wire his house for receiving messages. Actually this was for years the only center of news on election night in the village. Frequently, when Fess himself was running for office, his sons and their families, with other relatives would drop in.\footnote{Letter from Marjorie Savage to this writer, May 14, 1964.}

On election night in 1922 (November 7), Lehr Fess went to Yellow Springs "to hold his father's hand," as it was felt that he would be defeated.\footnote{Personal interview with Lehr Fess, October 18, 1963.} But even the early returns showed Fess in the lead, and with the final outcome,
Pomerene went down to defeat by 49,601 votes. Fess received a total vote of 794,159 to his opponent's 744,558.\textsuperscript{52}

Thousands of telegrams and letters came pouring in within the next few weeks, many with personal words of congratulations. In a comment to the campaign manager, Endley, Lowell Fess remarked that it may be fine to be Secretary to a United States Senator, "but it's hell to get out from under the avalanche of mail." He added that they had received over 7,000 letters and 2,200 telegrams since election and "father insists on a personal reply to each one. He wants us to throw in the 'personal touch you know'."\textsuperscript{53}

Fess's victory was attributed to a number of factors, but especially to the dry vote and that of the women. Pomerene was expected to win heavily in the large cities and thus offset Fess's gains in the rural areas, but Pomerene lost the eleven counties with large cities by about 4,000

\textsuperscript{52}Ohio Election Statistics, 1922.

\textsuperscript{53}Letter from Lowell Fess to Endley, November 22, 1922, Fess Papers, Box 23, Folder 1. A good many of the congratulatory messages were from former pupils, teachers, educators, and ministers. Fess Papers, passim.
The Cincinnati Enquirer of November 8 noted that the beautiful weather brought out the voters, a circumstance which probably aided Fess, as the favorable weather would bring out the rural and the women voters. Both Lowell and Lehr Fess attributed the victory to the great help furnished by their father's former students at Ohio Northern. In a reply to Professor E. A. Harper of that university, Fess wrote: "I owe much to the O.N.U. boys and girls, who attended the old school, prior to 1902. It was the most effective agency in the state." One newspaper, in referring to the significance of Fess's former students in achieving his victory, reported that "time after time in the campaign, which covered easily 4,000 miles, and took him to hundreds of towns and cities, he stepped from his train to grasp the hand of some committeeman and said, 'How are you George?' George may have been a former student he had not seen in twenty years." The American Mercury attributed

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54 Cleveland Plain Dealer, November 9, 1922. Pomerene lost his home county, Stark, by about 2,000 votes. The eleven counties were: Clark, Cuyahoga, Franklin, Hamilton, Jefferson, Lucas, Mahoning, Montgomery, Richland, Stark and Summit, with Fess receiving 344,254 votes to Pomerene's 340,702.

55 Letter from Fess to Harper, November 13, 1922, Fess Papers, Box 21, Folder 5.

56 Cleveland Plain Dealer, November 9, 1922.
Fess's victory in 1922 to the fact that Pomerene just before election had denounced union labor in a public address. The *Mercy* added that "the unions didn't like Dr. Fess either (he was the only Ohio member who voted against the Adamson Act), but they chose him as the less objectionable candidate. . ." Lehr Fess related an incident which happened in 1916 in connection with the Adamson Act that he believed may have had some bearing on the election in 1922. The Adamson Bill had been presented by the Railroad Brotherhood, and on that occasion the Brotherhood from Cleveland came into Fess's House office and said that "if that bill isn't passed by 4:00 p.m." a nationwide strike would be called. Lehr Fess, who was present in the office, stated his father said, "confound you" (Fess never swore and these were the strongest words he used), and then ordered them out of the office. The bill passed the House with Fess voting against it, while Pomerene voted for it in the Senate. In the opinion of Lehr Fess, the "payoff" came in 1922, when ten days before the election the Railroad Brotherhood came out for Fess, mainly because they liked his sincerity. Perhaps more

57 *American Mercury*, December 1928.

58 Personal interview with Lehr Fess, October 18, 1963.
significantly, they had come to believe that Pomerene was less favorable than previously to organized labor.

Another factor which may have aided Fess's victory was the "playing up" during the campaign of statements Pomerene was reported to have made accusing the German-American element before and during the First World War of being unpatriotic. Pomerene's anti-German remarks were emphasized in the German areas of the state.59

The cost of Fess's primary and general campaigns cannot be determined as there was no reliable statistics or official report, but it is known that the campaign cost became a point of embarrassment to Fess who conducted his campaign on the principle of economy. In a reply to an E. R. Lawrence of Youngstown, Fess wrote:

I regret that circumstances will not permit me to employ persons to travel over the state, as that will require much expense and I have been one of the members insisting that expensive campaigns are not conducive to the best public service. In fact, my strength in the state is due to the general understanding that I am a man without means and will not look with favor upon the employment of unnecessary funds. This very fact causes my thousands of friends throughout the state to

become busy because they believe in me and desire to endorse my attitude both toward public service and against expenditure of money in political preferment.  

Fess contributed $750 to the fund for the Ohio Republican campaign. Numerous items and lists in the Fess Papers would indicate that Fess spent several thousand dollars in the primary campaign. The Norwalk Reflector-Herald noted on August 19, that Fess reported personal expenditures of $1,397, of which he gave $1,000 to his campaign committee during the primaries. The Fess committee had received $6,347 and spent $6,047. The New York Times of November 2, 1922 noted that Pomerene reported under the date of October 27, contributions of $1,895 and expenditures of $3,104, and Fess reported primary expenses of $312.

It was discovered during the campaign that Henry Endley, the campaign manager, was a heavy drinker. This was very embarrassing to Fess. After the primary campaign, Endley revealed that the campaign had resulted in a $40,000

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60Letter from Fess to Lawrence, June 2, 1922, Fess Papers, Box 17, Folder 1.

61Letter and acknowledgment of receipt of Fess contribution from Seth L. McMillan, treasurer of the Republican State Campaign Committee, to Fess, October 9, 1922, Fess Papers, Box 19, Folder 3.

62Norwalk Reflector-Herald, August 19, 1922.
debt, although this fact never was publicized. As the result of this, Fess went into the campaign against Pomerene with limited funds, and after the general election he set about eliminating the deficit. According to Lehr Fess, several prominent industrialists and businessmen donated to eliminate this deficit. Correspondence in the Fess Papers tends to substantiate this, but does not indicate the amount given by each donor. Fess wrote the contributors as follows (a form letter, but each typewritten individually):

It has just come to my attention through Senator Endley of your substantial contribution to clear up the deficit of my campaign.

Thanks for the additional handsome contribution to clear up the deficit of the campaign. I wish to thank you for this substantial assistance which will relieve some serious embarrassment attendant upon the conduct of the campaign.

According to these letters contributions were received from:

William Cooper Proctor, industrialist, Cincinnati; W. J. Hamilton, Hamilton Coal and Coke Company, Columbus; J. A.

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63 Personal interview with Lehr Fess, October 18, 1963. There is much correspondence in the Fess Papers, passim, on this incident, but no mention was made of the total amount of the deficit.

64 Fess Papers, Box 24, Folder 1.
On January 31, 1927 Fess wrote to his close friend, R. M. Stewart, who was a banker in Yellow Springs, as follows, concerning Endley and the deficit:

As I told you some time ago, Mr. Endley claims a large deficit hanging over from the primary campaign. It has been the most unfortunate connection that I have ever had. He has been collecting money through agents until it has become an open scandal. I have ordered him that it must be stopped under penalty of law. He still claims a deficit of $2,000. I am advised that the only way to put an end to this is to pay the claim myself and take his receipt in full. I have, therefore, issued a

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65 Fess Papers, Box 24, Folder 1. A letter from Endley to Lowell Fess, September 15, 1922, revealed that H. H. Timken had contributed $1,000 to the campaign fund but did not want his name revealed. This contribution was no doubt not the one "to clear up the deficit." A letter from J. M. Danziger, Vice-President of the Pan American Petroleum and Transport Company, New York, to the Fess Campaign Headquarters, October 11, 1922, indicated a $1,000 contribution because: "I hear Congressman Fess is not a wealthy man and [is] having difficulty financing his campaign." Fess Papers, Box 19, Folder 3.
check of $1500 to Lovell, who has been handling this phase of the adjustment. . . . I am deeply grieved over my connection with this sort of fellow.66

In a letter to Endley on January 19, Fess indicated that he hoped to clear up the deficit within a matter of ten days, whereupon, Endley replied on the 24th that "I am very much pleased to learn that you will be able to do this, inasmuch as within the last few days I have contracted for a very nice home property here in Mansfield and will need the amount involved in meeting the purchase payment."67

Fess and Harding had been acquainted for many years, and with the latter becoming President in 1921, Fess found an administration in which he was in accord. In the 1920 Republican National Convention at Chicago (June 8-12), Fess had been present but only as a spectator, although at the time he was chairman of the Republican Congressional Committee. He was not particularly enthusiastic over the prospects of Harding's nomination, although he exerted whatever influence he had on behalf of Harding's candidacy.68

66Letter from Fess to Stewart, January 31, 1923, Fess Papers, Box 24, Folder 1.

67Letter from Endley to Fess, January 24, 1923, Fess Papers, Box 24, Folder 1. Evidently the deficit was erased and the matter dropped.

68Letter from Lehr Fess to this writer, April 30, 1964 and personal interview with Lehr Fess, October 18, 1963.
Soon after the convention convened, Fess, in an interview, stated that he believed that Charles E. Hughes would get the nomination. Probable Fess did not take the candidacy of Harding seriously as he felt he had little chance for the nomination, but in a letter from Harding on April 11, 1920 to George H. Chamberlain, a Senator in the Ohio General Assembly, he remarked: "Dr. Fess is cordially friendly to my candidacy and has been making some speeches in Ohio." A memorandum of a conversation between Ray Baker Harris, who was a staff member of the Library of Congress, and Fess in 1936, concerning Harding's nomination revealed that Fess may have realized Harding's possibilities.

Fess related the following in regards to the Convention in

69Columbus Dispatch, June 9, 1920.
70American Mercury, December 1928.
71Letter from Harding to Chamberlain, April 11, 1920, Harding Papers.

72A four page typewritten copy of a: "Memorandum of Conversation with Hon. Simeon D. Fess, February 25, 1935," by Ray Baker Harris. This report was located in the Fess Papers, Box 33, Folder 3, and also in the Ray Baker Harris Papers, Ohio State Historical Association, Ohio State Museum, Columbus. No other background information was given concerning the conversation. Since Harris was a staff member of the Library of Congress, Fess probably became acquainted with him through the Library.
1920. He stated that he and others of the Ohio delegation had gone among their friends in other delegations and when they could not win a vote, because of prior pledges of a delegate, they urged a "courtesy vote" for Harding, just as a gesture of friendliness to Harding, in other words, anything to help start the tide turning towards Senator Harding's candidacy. On the last ballot on Friday, the day before adjournment, several votes were changed to Harding. A tired, worn-out convention saw the trend to Harding, but before another ballot could be taken, the chairman adjourned the session until the next day. According to Fess, he and others were furious, because they felt that another ballot would have nominated Harding then and there since they believed that the tide already had turned towards him. According to the memorandum: "Senator Fess jumped to the side of the Chairman and vigorously protested. Chairman Hert then and there told Senator Fess that he knew Harding would be nominated, explaining that he called for adjournment to give leaders an opportunity to confer on a vice-presidential candidate. . . ."73

73 Ibid.
The memorandum continued as follows:

It is Senator Fess's belief that Senator Harding's nomination was assured that last Friday of the convention, and that no meeting or meetings between adjournment Friday and the first ballot Saturday did anything more than to hurry an inevitable conclusion. 74

In the conversation with Harris, as recorded in the memorandum, Fess stated that he and other Republican leaders had been unusually interested in Senator Harding as early as his days in the Ohio State Senate (early 1900's) and that they had discussed ways and means of bringing Harding to a nation-wide attention. Because of this, Harding was given the opportunity of temporary chairmanship at the 1916 Republican National Convention with the obvious advantages of making the keynote speech. 75

As soon as Harding took office, Fess immediately became

74 Ibid. Fess's account destroys the famous "smoked filled room" incident of late Friday night and early Saturday morning in which the inner circles of the party, through a succession of conferences, decided that Harding was their candidate. See: Wesley M. Bagby, "The 'Smoke-Filled Room' and the Nomination of Warren G. Harding," Mississippi Valley Historical Review, XLI, March, 1955.

75 Ibid. In a letter from Harding to Mrs. Harriet Taylor Upton, October 9, 1922, he indicated he had a most cordial, personal and political friend in Fess of twenty years. Harding Papers. See, Samuel Hopkins Adams, Incredible Era: The Life and Times of Warren Gamaliel Harding (Boston, 1939).
a great admirer and supporter of Harding and his administra-
tion. In his public speeches, political campaigning and
utterances before the House and later in the Senate, he
lauded and praised the President. On March 8, 1921, soon
after Harding's inaugural, he wrote to the President as
follows:

I wish before leaving [for Ohio] to express
to you the great comfort as well as pleasure over
the wonder spirit the public are extending
toward your success. I hear it upon all sides.
You are starting wonderfully auspiciously. The
changed atmosphere is not confined to the White
House but extends throughout the country. 76

In a thirty minute address before the House, on March
2, 1922, Fess, speaking for the Republicans, gave a one year
appraisal of Harding's administration. He stressed, in
typical manner, the great accomplishments of the Republicans,
under the Harding leadership. 77 In later speeches before
the House, he reiterated his past statements and on March
4, 1923, he, again, acting as spokesman for the Republican
party, expressed the achievements of Harding and the Repub-
licans over the past two years. In his opinion the period

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76 Letter from Fess to Harding, March 8, 1921, Harding Papers.

77 Congressional Record, 67th Cong., 2d Sess. (1922), 3310-3316.
had been crowded with a great volume of constructive and remedial work and, furthermore, he said:

March 4, 1923 witnesses a picture in sharp contrast to that of March 4, 1921. Business enterprise is on the top wave, industry completely revived, production on a sound basis again, capital out from its hiding place to seek investment, rates of interest lower, money easier, agriculture approaching normal, unemployment disappeared, ..., and the Government credit at the high point.\(^8\)

Speaking before a convention of the American Bond and Mortgage Company in December 1922, Fess asserted that the people of the United States would realize that Harding had given the country one of the greatest administrations in history and called him "one of the most brilliant of our Presidents."\(^9\)

In Fess's opinion, no American President had been confronted with more far reaching and complex problems, but he concluded that he had handled those unparalleled difficulties with the broad understanding and poise of a statesman.\(^8\) In September 1923, Fess remarked that "the President had

\(^{78}\text{Ibid., 67th Cong., 4th Sess. (1923), 3310-3316.}\)

\(^{79}\text{New York Times, December 17, 1922, 14. Also Fess letter to Harding, December 21, 1922, Harding Papers.}\)

\(^{80}\text{Letter from Fess to Edward Chester Lampson, editor of the Jefferson, Ohio, Gazette, dated about 1922-1923, Edward Chester Lampson Papers, Ohio State Historical Society, Columbus.}\)
been in office long enough to take rank with the best of his predecessors." 81

The admiration was mutual, and in a letter in 1923 to Joseph W. Fordney, Harding wrote that Fess was a very loyal friend of his administration, and then expressed the opinion that: "I am sure that he believes as he speaks." 82 To what degree Harding confided in Fess is not known, but from several letters exchanged between the two, the former must have sought the latter's advice. 83 A letter of July 29, 1921, from Fess to Harding, revealed that Fess, speaking as a member of the House, had informed the President on the probable reaction of the country and the House to certain proposed measures, such as the higher tariff, repeal of excess profit taxes, and the lowering of the income tax. Fess also pointed out some of the critical problems facing the country, especially the merchant marine controversy. In concluding his letter, Fess concluded that the President's

81 Letter from Fess to Charles E. Rice, September 1, 1923, Charles E. Rice Papers, Collection 1, Box 5, Ohio Historical Society, Columbus.

82 Letter from Harding to Fordney, May 8, 1923, Fess Papers, Box 24, Folder 4. Fordney was co-author of the Fordney-McCumber Tariff of 1922.

83 Fess Papers, passim; Harding Papers, passim.
foreign policy seemed to be outstanding and most widely approved. Fess then added: "I am giving you my reactions as I see it. My judgment is made up from surveys and reports coming in from various parts, of course, we have very serious problems still unsolved, but you have the confidence of the country."\(^{84}\) In another letter to Harding, Fess wrote that he was coming to Washington and he would embrace the opportunity of talking over the situation with him. He further said that: "I am especially anxious on some matters, such, for example, as the trip you are to make, according to press reports."\(^{85}\) Harding appreciated the confidence Fess showed in his administration and the full cooperation he gave the Republican program in Congress and in 1923 he informed Fess: "Of course, I need hardly tell you of my gratitude for the fine and effective work you are doing."\(^{86}\)

The Harding administration is much more remembered for the "Teapot Dome" scandal than for such activities as the Washington Arms Conference or the passage of the

\(^{84}\)Letter from Fess to Harding, July 29, 1921, Harding Papers.

\(^{85}\)Letter from Fess to Harding, May 3, 1923, Harding Papers.

\(^{86}\)Letter from Harding to Fess, May 8, 1923, Harding Papers.
Fordney-McCumber Tariff. This situation clearly illustrated Fess's devotion to Harding and to Republicanism. Perhaps as Fess did not want to admit that prohibition was a failure or could fail, so he could not admit or want to admit that his beloved Republican Administration was filled with corruption. Yet, he did not maintain that all the corruption did not exist, nor that the so-called participants were all innocent.

In a speech at the Civitan Club at the Seneca Hotel in Columbus on January 30, 1924, Fess proclaimed his faith in the administration and his belief in its innocence of wrong doing, and he warned his audience against hasty judgment. During the time of the controversy in Congress he addressed a group at Toledo University in February 1924. In his speech he again called for the people to suspend judgment until all the facts were disclosed, as he cautioned against being "swept off our feet" by anything that appeared to make a good newspaper story. He explained that the American institutions were sound; that the government was not corrupt; and that taken as a whole, the country's

officials were high minded men of judgment. He criticised the condemning of public officials without a fair trial.\textsuperscript{88}

On February 11, 1924, the Senate passed a resolution (S. J. 134) asking the President to request the Secretary of Navy, Edwin Denby, who was involved in the Teapot Dome Scandal, to resign. Fess voted against the measure, and then he voted against a proposal to send the resolution to the President.\textsuperscript{89} In defending his vote on the Denby issue, he insisted that "it was none of our business as Senators," since the President was responsible for his cabinet. Furthermore, the Senate should not condemn officials without a fair trial. He concluded, however, that "This thing will be uncovered and whoever is guilty will be punished to the limit of the law." Yet, he expressed his opinion that in his opinion, Denby was innocent.\textsuperscript{90}

In the midst of the controversy in Congress there were the accusations that Harding was personally involved in the corruption. Harding, who had died on August 3, 1923, had

\textsuperscript{88}Alliance Review, February 19, 1924.

\textsuperscript{89}Congressional Record, 68th Cong., 1st Sess (1924), 2245.

\textsuperscript{90}Toledo Times, February 19, 1924; and the Newark Advocate, February 19, 1924.
sold his newspaper, the *Marion Star*, for $380,000. After
the outbreak of the administration scandal, most of which
came after the President's death, some people began to
question the terms of the sale, feeling that the price was
too high and at least hinting that the sale might be
tainted with corruption. Immediately upon hearing the
rumor, Fess, fearing that the matter would come to the
floor of the Senate, wanted to be ready to defend Harding.
He immediately began to investigate the transaction. He
sent out many letters of inquiry to newspaper editors,
especially in Ohio, asking if the sale price was a "fair"
amount. The replies confirmed that $380,000 was not too
much and that the buyers were legitimate.9 As it turned
out, however, the matter never came up for debate.

In defending the honesty and integrity of Harding,
Fess wrote to a correspondent as follows:

> I am pleased to have your letter and fully
agree with you in your disgust over the efforts
to besmirch the good name of President Harding.
It is an example of the extent to which vileness
in party interests will reach. The only thing I

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9*Fess Papers, Box 25, *passim*. Fess's letters of
inquiry were dated February 1924.
can think of that fully expresses my feeling is the statement of a prominent citizen, that this seems to be the open season for the skunk.92

Harry Daugherty, who had been influential in getting Harding the presidential nomination, had been rewarded with the position of Attorney-General. He regarded his office as an opportunity to reward his friends and Coolidge dismissed him for misconduct involving the illegal sale of liquor permits and pardons. A Senate committee found him guilty of these and other malpractices, but on a criminal trial he escaped conviction.

On February 29, 1924, in the Senate, Fess defended the House Judiciary Committee that had early voted for the acquittal of Daugherty; the charge had been made in the Senate by Senator George W. Norris of Nebraska that the House Committee was unfair and had conducted a rather partial examination.93 Earlier a Senate Resolution (157) had been submitted directing a committee to investigate the failure of the Attorney General to prosecute or defend certain criminal and civil actions wherein the government

92Letter from Fess to W. S. Rose, American Railway Express Company of Big Stone Gap, Virginia, February 16, 1924.

93Congressional Record, 68th Cong., 1st Sess (1924), 3325-3326.
was interested. This resolution came up for discussion in the Senate on March 1, and again Fess spoke in defense of Daugherty. He said:

I am not speaking as a partisan of Mr. Daugherty. As those who know me best know, and those who do not know me so well will learn, I have never been one of the great admirers of Mr. Daugherty; but I have never doubted his honesty, I have never doubted his probity, I have never doubted his integrity, and as far as I can, I shall go to the limit to see that he be given a fair trial.\(^9^4\)

He then continued by explaining to his colleagues that he would not resist the joint resolution as he would vote for the investigation to go on, but: "I do, however, want to absolve the committee in the other House from being a prejudicial committee or rendering a partial decision." He then defended the integrity of the House committee which had voted for the acquittal of Daugherty.\(^9^5\) In a speech before the Senate three months later, which concerned the

\(^{9^4}\)Ibid., 3391. The American Mercury, of December 1928 commented upon Fess’s actions during this speech. It reported that: "his index finger rose and fell rhythmically but after several rather irreverent interruptions the tempo was increased, while his face became red and his voice ascended in pitch."

\(^{9^5}\)Ibid. He voted for Sen. Res. 157 to elect a committee to investigate the official conduct of Daugherty. The resolution passed by a vote of 66 to 1. Ibid., March 1, 1924, 3410.
investigation, he reiterated that he held no briefs for Harry Daugherty or for the Department of Justice, as he had voted on all matters to bring all the facts before the Senate, but he then remarked:

I have very bitterly condemned some of the testimony that was brought in. I think it would not have been admitted in any court in America, and while the Senator [Smith W. Brookhart, Iowa] says that that testimony was corroborated, I think there is too much weight given to that as evidence rather than as testimony. It is mere testimony, no evidence at all, as I see it, and it would be discredited in any court I know of.96

There was no indication that Fess and Daugherty were ever good friends. Lehr Fess maintained that his father had never been very friendly with Daugherty although they were well acquainted, and he added that his father always believed that Daugherty was partially guilty of the charges. According to Lehr Fess, his father "never made up with Daugherty," after the scandal controversy and seldom discussed the issue.97 The Republican party, of course, wanted to forget, and especially have the country forget, the scandals and corruption in the Harding administration.

96Ibid., June 5, 1924, 10634.

97Personal interview with Lehr Fess, October 18, 1963.
In 1928, Fess gave the keynote address at the Republican National Convention in Kansas City, and he made no mention of the "whole affair," although he naturally appraised the accomplishments of the past administration.
CHAPTER IX

COOLIDGE AND KEYNOTER

Upon the death of President Harding in August 1923, Calvin Coolidge assumed the Presidency. If Fess had been an ardent supporter of Harding, he became even more so in relation to his successor. During Coolidge's six years in the White House, Fess was perhaps his most loyal supporter within the Senate, as he championed the President in his correspondence, public speeches and frequent discussions and remarks in the Senate.

In December, after taking office in August, Coolidge informed Fess and other Senators that he wished to consult them on appointments, "because I have entire confidence in their judgment." He added that if sometimes it appeared that this was not the case, he wanted them to bring it to his attention.¹

¹Letter from Coolidge to Fess, December 5, 1923, Coolidge Papers, Library of Congress.
It was a foregone conclusion in 1924 that Coolidge would be the Republican nominee in the National Convention held in Cleveland in June. Fess, who was a delegate at large at that convention, fully supported the President and afterwards took the stump for him in the campaign against John W. Davis, the Democrat, and Robert M. La Follette, the Progressive.

To aid the Republican campaign in 1924, Fess was asked by Everett Sanders, who was Director of the Speakers' Bureau of the Republican National Committee, to prepare a campaign pamphlet of suggestions for Republican speakers so that they could "boil down" and better express the issues. Fess accepted the responsibility and soon afterwards, C. Bascom Slemp, the personal secretary to President Coolidge, wrote to Fess stating that he was delighted that he was working on the booklet and requesting a copy. When the draft was finished in August, Sanders judged that it was an excellent compilation. The forty-eight page

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2Letter from Everett Sanders to Fess, July 18, 1924, Fess Papers, Box 25, Folder 2.

3Letter from Slemp to Fess, July 25, 1924, Fess Papers, Box 24, Folder 2.

4Letter from Sanders to Fess, August 28, 1924, Fess Papers, Box 25, Folder 2.
pamphlet was entitled, "Political Questions Answered." It must have required a great amount of research, as it included a great amount of statistical information, legislative data, et cetera. After the election, Sanders informed Fess that the bulletin he had prepared had furnished material for many speeches and then added the following tribute for his part in the campaign:

I want to express to you my sincere thanks for your help in the speaking campaign. We have fine reports on all your meetings and the messages you delivered throughout the country were really factors in bringing about the great victory.

Louis Ludlow, writing in the Columbus Dispatch soon after the election, discussed the effect of Coolidge's election on Fess. He predicted that Fess would become a member of that "little but important body of unofficial advisers popularly known as the 'kitchen cabinet'" when the new administration organized. Ludlow stated that there were many evidences visible in Washington behind the scenes

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5 Bulletin and pamphlet, "Political Questions Answered," by Simeon D. Fess (Republican National Committee, 1924), Lehr Fess Papers.

6 Letter from Sanders to Fess, November 8, 1924, Fess Papers, Box 25, Folder 2.
that Senator Fess was "close to the White House." In disclosing this evidence Ludlow reported:

There are rather numerous telephone calls when the White House gets Senator Fess's office "on the line" and there are occasions the public never hears about when the White House automobile picks up Senator Fess and he and the President go for a ride; and the crew of the Mayflower, the presidential yacht, is learning to expect the junior Ohio Senator as a rather regular guest on week-end trips.

Senator Fess's characteristics brand him as "the Coolidge type" of man. His candor, clear headedness, freedom from drink and ability to withstand any amount of popular pressure which he thinks is directed toward the achievement of a wrongful object are qualities that appeal mightily to a president who possesses in large measure the same characteristics.

The New York Telegram in 1931 in a critical article on Fess, entitled, "Fess--the Presidential Hair Shirt," referred to him as an "Ohio Coolidge." Drawing a parallel between the two, it said that Fess was thrifty, precise and delivered to friend or adversary that "hidebound

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7Columbus Dispatch, January 2, 1925.

8Ibid. Marjorie Savage recalled that Fess was a week-end guest of the Coolidges "many, many times" and always enjoyed the week-end trips on the Presidential yacht. Letter from Marjorie Savage to this writer, May 14, 1964.

impenetrable, imperviousness that the stalwart Republican apologists found so admirable in the unshakable Northampton Napoleon." It added that

He has not the salt of Cal; his catankerousness has not the saving grace of sausages and buckwheats; Fess is the cheese-rind variety—thin, pared, parsimonious, moreover, Cal had a canny way of dismissing unfriendly gestures or criticisms. Fess takes them to heart and weeps, although he is seldom surly.10

Political observers, immediately upon Coolidge's election, began to speculate as to whether he would accept a third term. Of course, the pro-Coolidge men, Fess included, encouraged him to seek reelection, while the political opposition criticised the suggestion, often supporting their opinion on the basis that it would be unconstitutional. The question of the third term, as the time for the national convention grew nearer, became more and more a topic of conversation. By 1927-1928, Fess was conceded to be a close friend and adviser of Coolidge. An editorial in the Toledo Times on April 6, at the time of his selection as keynote speaker of the Republican National Convention, commented: "As one of the trusted advisers of President Coolidge, he is especially well informed on the work and

10Ibid.
purposes of the administration." A conversation which took place in the Senate in April 1928 concerning a farm bill was illustrative of the relationship between Fess and the President and furthermore revealed the general consensus of opinion between the two. On this occasion, Fess had made the statement that he did not see how the President could sign the bill in the form presented, whereupon, Senator Burton K. Wheeler of Montana remarked:

Mr. President [of the Senate], if the Senator of Ohio is of that opinion, I am sure the President will veto it, because I know of no man on the floor of the Senate who has the confidence of the administration to a greater extent than has the Senator from Ohio.\footnote{Congressional Record, 70th Cong., 1st Sess. (1928), 6094. The discussion concerned the McNary-Haugen Farm Bill which is discussed elsewhere.}

While returning to Washington from their home at Yellow Springs, in November 1925, the Fesses were in an automobile accident near Uniontown, Pennsylvania; Mrs. Fess was injured and as a result she died in a Washington hospital on December 20. Upon Fess's return to Washington after the funeral in Yellow Springs, he was invited to stay at the
White House. In an interview in 1927, Fess recalled the occasion as follows:

I was greatly surprised one day when I answered the telephone at my hotel to find that the President was on the other end of the line. . . .

'Senator, you are all alone. Aren't you a little lonesome?' the President said to me and I told him that I was, and he said, 'Pack your grip and come over to the White House and stay. Come over and stay as long as you like and make yourself at home.'

In commenting on his stay, Fess said that "it was one of the most delightful experiences of his life to live in the White House for a period of more than two weeks as a member of the family." According to Fess, he was thereafter a frequent visitor at the White House and accompanied them on the Mayflower on several trips down the Potomac; and by invitation visited them at their summer camps.

While there were still rumors that Coolidge might seek reelection, a resolution (S. Res. 128) was proposed

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13 Ibid.

14 An eight page, carbon copy and unidentified statement by Fess concerning his relationship with Coolidge. Fess Papers, Folder 33.
in the Senate by Senator La Follette, favoring the custom of retirement by the President from office after two terms, but with no mention of elective terms. The resolution was offered to prevent a third term movement. Fess voted against the proposal, but it was passed by a vote of 56 to 26. Shortly before the vote, Fess had introduced an amendment which would have inserted the word two "elective" terms, but his amendment was defeated 73 to 6. In a debate on the La Follette Resolution, a few days before the vote, Fess defended Coolidge's right to seek reelection and explained his views on a third term:

As to the resolution we are now discussing, I do not know that I would declare to vote, as an expression of opinion, that the country should not recognize the third term. I have felt from the beginning, that the objection to a third term would not apply to a case where it is a second elective term. In other words, if a man had been President only a week, and then was reelected, that ought not to be counted as a second term. In his argument, Fess pointed out that Coolidge had served only one year and seven months of Harding's term, and he

15 Congressional Record, 70th Cong., 1st Sess. (1928), 2841-2842. Both votes were taken on February 10, 1928. See Roseboom, op. cit., 419.

16 Ibid., 2616-2625, 2783-2791. Discussion on the third term proposal occurred on February 7 and 9, 1928.
questioned whether this short time could be called a term. 17

The one aspect of Fess's relationship with Coolidge, which caused the most publicity concerned the famous "I do not choose to run" statement. As the year for the campaign of 1928 approached Fess became completely convinced, not by anything ever said by Coolidge, but by the logic of events, that the country's best interests demanded the reelection of Coolidge, in spite of whatever might be said regarding what might be called the third term. 18 According to Fess, he approached the President on several occasions to sound him out on his reelection but became disturbed by his obvious lack of sympathy with any such suggestion. In the summer of 1927, Fess was on his way to the Black Hills to visit the President at his summer vacation retreat when he heard of the famous statement, "I do not choose to run."

Fess explained what happened as follows:

Upon reaching St. Paul I was handed a telegram from the New York Times requesting my interpretation of the President's statement, to which I made immediate answer to the effect that the statement meant what it said; that he would not be a candidate, expressing his desire

17Ibid.

18An eight page, carbon copy and unidentified statement by Fess concerning his relationship with Coolidge. Fess Papers, Folder 35.
not to run, but I did not construe it as meaning he would not accept the nomination if rendered him. My reply was a sincerely honest statement of fact as I saw it, which I entertained up to that time of reaching the Black Hills. . . .

At luncheon, attended by several other guests, Mrs. Coolidge asked the President if he were taking anyone with him to Mount Rushmore, where he was that afternoon to lay the "cornerstone" of the famous Rushmore Memorial, to which he replied, 'I am taking Senator Fess.'

I saw my anxious and much desired chance, for three hours alone with him in the limousine we talked it out. To every point I made, and there were many, he was ready with his conclusive reply. The day left me in no further doubt. . . . After a few days I left the Black Hills, convinced that while the personal wishes of the President should be generally respected, they could not be construed of greater importance than the public interest. For that reason I continued to insist, and did not hesitate to be free with the representatives of the press, in my contention, up to the time of a conference with the President later in the year on some other matters, when he informed me that my persistent mention of his name in connection with the candidacy for reelection was giving him some embarrassment. He stated: 'If I were you, I would discontinue further mention of it.' To my objection and assurance that I was following my best judgment for the public good he frankly told me that at least some of his friends, and he feared much of the public, believed my utterances were approved by him, if not inspired by him.19

19A five page unidentified statement by Fess, both typewritten and long hand, concerning his relationship with Coolidge, evidently prepared in the summer of 1928 about the time of the National Convention. A memorandum attached, to his secretary, Marjorie Savage, requested her to type it. Lehr Fess Papers. For Coolidge's account of "I do not choose to Run," see The Autobiography of Calvin Coolidge (New York, 1929).
Upon leaving the White House, Fess told the reporters that the President was displeased with his repeated statement and he therefore wanted to make it clear to the press that he had been speaking for himself. The reporters seized upon this as a basis for a good story and interpreted it and indicated in their newspapers that Fess had been reprimanded by the President.\(^{20}\)

The interpretation of the "I do not choose to run" statement, also became a cause for debate in the Senate between Fess and Senator Joseph T. Robinson of Arkansas, who asked Fess, after a series of questions and answers between the two, why he had tried to induce Coolidge to run when he said that he did not want to do so. To this, Fess remarked that what the President wanted might not mean what he [Fess] wanted. Robinson then asked why he he wanted the President to run and rather sarcastically, Fess replied: "For the same reason that the Democrats would

\(^{20}\)Letter from Fess to Charles D. Hilles, Vice Chairman of Republican National Committee, October 24, 1927, Fess Papers, Box 27, Folder 6. See New York *Times*, August 11, 23, 1927 and October 21, 24, 1927; *Time* magazine, October 31, 1927, for this incident. Fess, in referring to the newspapers' statements that he had been reprimanded, referred to them as: "Senator Fess was spanked by the President."
like to find somebody that could win, which they can not do."21

With the announcement by Coolidge on August 3, 1927, that he did not want to be reelected, the political experts immediately began speculating as to whom the Republicans would choose. Of course, Fess, as an influential Republican, was one of those mentioned, but he never loomed as a serious candidate.22 As the time for the convention in June drew near, it was evident that Herbert Hoover, who was Secretary of Commerce, would win the nomination, which he did on the first ballot. In a personal letter in April 1928, Fess had asserted that he had no ambitions for the Presidency. He stated:

My ambition is to return to the Senate. I am trained for the work of this body, in which I can exert a wholesome influence for sound principles of government. The Presidency has no attraction for me. I know the exigencies of the office. I have some knowledge of the burdens incident to the tremendous problems of the executive.

21Congressional Record, 70th Cong., 1st Sess. (February 9, 1928), 2786.

22Toledo Daily Times, August 4, 1927. Representative Charles J. Thompson, Defiance, Ohio, Republican, declared that "no nearer duplicate of President Coolidge" could be found than Fess. Ibid.
The one thing that has somewhat daunted me is the effort by various individuals who actually believe themselves capable of the office. They either do not appreciate the stupendous problems of administration or else they are lightly impressed with the penalties incident to disappointments on the part of the public.23

During the mid-1920's the Republicans were attacked from within their ranks, as well as from without, for their conservatism. As a result the period saw the rise of a Progressive party which reached its climax with the nomination of Robert La Follette as a Presidential candidate in 1924. In the election he polled almost five million votes. In Fess's opinion the emergence of a strong third party was a threat and danger to democracy in the United States. In his book, American Political Theory (1907) he had demonstrated a firm belief in the structure of the two party system in the United States, and at the time of his death in 1936 he was preparing a history of the development of the two party system. With the rise of this potentially strong third party in the

23Photostatic copy of a letter from Fess to Dr. Shelby Mamaugh of Lima, Ohio, April 23, 1928, Lehr Fess Papers. Original copy is located in the Allen County Historical Society at Lima.
1920's, Fess immediately came to the defense of the political structure of the country, and to a constituent he wrote:

It is impossible for me to deny that I am a believer in party government. Safety of representative government lies in a close balance between two parties. The majority party must not be too strong to ignore duty, and the minority party should be strong enough to threaten continuance of administration if duty is neglected.

I think the real remedy is the maintenance of a bipartisan representative government where the majority party can be held responsible. This party responsibility requires party solidarity, which in a sense, means party regularity. In other words, the irresponsible insurgency movement should be avoided, which can have no effect other than irresponsible dictation by the balance of power.21

In his speeches and letters he denounced the insurgent Republicans, the so-called Progressives, such as La Follette, as being a menace to the country. In his opinion they "thwarted the will of the people when they joined the Democrats to defeat the majority party," the party to which they belonged.25 In a speech in Cincinnati, shortly before the election of 1924, Fess vehemently denounced the


25Portland, Maine, Evening Express, May 21, 1925.
Progressives, especially La Follette, and informed his audience that their success would wreck the government. He declared that La Follette "knows he hasn't a chance in the world of being elected," but that the Wisconsin Senator hoped to exercise his power in Congress by taking the election out of the hands of the electoral college. In a speech before the National Association of Credit Men, in Washington, he denounced the Progressives. An observer, who was sympathetic to the Progressives, in reporting on this speech, charged that Fess was one of the rankest and likewise one of the most obscure of the stand-patters in the United States Senate. He then added that to Fess:

"Every Progressive, every Senator who believes in democracy instead of in the party boss system which is Fess's religion, is a demagogue." In conclusion, he remarked that Fess once posed as a Progressive, "but he got hungry for pap as he grew older and now he is a 'regular'."

After the victories of the Democrats in 1934, Fess further revealed his political philosophy in regard to

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26 Cincinnati Commercial Tribune, October 8, 1924.

party responsibility. In a discussion in the Senate in May 1934, in connection with a constitutional amendment to change the electoral college system, Fess declared:

I do not believe it ought to be the function of a minority party to do nothing but check. I think that is a confession of weakness. But in our Government there is a prevention of the minority in legislation which we cannot ignore, and that is to take such action as will give the people of the Country an opportunity to hold responsible the party which is in the majority. If we embark upon any particular plan which will destroy party responsibility or which will destroy party solidarity, I think it is dangerous; . . . 28

According to Fess, the legislative body ought to always be in the hands of one party, where they would not need to depend upon the minority to pass legislation; for, as long as the majority had the responsibility before the public, and yet was denied the power to register that responsibility in final decision, that responsibility was nullified and party government and responsibility were impossible. In his opinion, a party which had a large majority in Congress could be held solely responsible for its efforts by both the people and the minority party. 29

28 Congressional Record, 73d Cong., 2d Sess. (May 16, 1934), 8947-8949.

29 Ibid., 73d Cong., 1st Sess. (May 14, 1933), 317. Fess was referring to the Democratic victory in 1932.
Fess practiced what he preached and he was known throughout his long political career as a "100 percent Republican." The Cleveland Plain Dealer referred to him as "the staunchest exponent of unvarying party loyalty in the Republican party golden era." He was always an apostle of party regularity and to him Congressional blocs were an abomination. Marjorie Savage, his personal secretary from 1926 to 1935, remarked that he was absolutely devoted to the Republican party, and that he believed that one should vote Republican whether right or wrong. This made sense to Fess, as in his point of view, the party had a program which had been thoughtfully worked out by its leaders, and if that program were to be put through for the best interests of the country, then one must support the party that sponsored it. Also, as a Republican, he felt that it was responsible for his being elected to political office, and therefore he owed it his service and loyalty. Because of this belief, he always endorsed and supported both the State and National party

30Cleveland Plain Dealer, December 24, 1936.

31Letter from Marjorie Savage to this writer, May 14, 1964.
platforms and their candidates. Lehr Fess stated that he never knew his father not to support a Republican candidate or platform. In traveling throughout Ohio during his own campaigns as well as the election years, he always demonstrated keen adherence to his party. A friend of his remarked that his greatest strength was his absolute devotion to the Republican party and that, although he had intimate and beloved friends among the Democrats, so far as the Party went, the Republican party could do no wrong.

Fess's firm adherence and devotion to his party might lead one to believe that he was narrow-minded, bigoted and fanatical in his views; yet with a profound understanding of Fess, one comes to realize that his sincerity to Republicanism was due more to his keen awareness of the value of the two-party system to our political democracy. To him the perpetuity of American democracy depended upon the retention and the individuality of the two parties. Therefore, one sees that Fess had great

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32 Personal interview with Lehr Fess, October 18, 1963. This is fully verified by the Senator's campaign speeches and other public utterances as well as his correspondence.

33 Letter from Marjorie Savage to this writer, May 14, 1964.
sentiment and admiration for the Democratic party because to him it was absolutely necessary to American democracy. But, just as the Democratic party was necessary, so also was opposition to it that it might be a strong party. By constructive and persistent criticism, the opposition would be forced to defend itself and thus would mold itself into a distinct and separate party. Both political parties, therefore, had the responsibility and the obligation to point out the other's failures and imperfections.

Perhaps nothing is more troublesome to an elected official than the matter of patronage, and to Fess this was especially the case, for he did not relish his responsibilities in regard to the question. While many officials consistently put politics ahead of ability in recommending men for various positions, Fess consistently maintained that merit should be the main determinant in appointments. As a member of the House and Senate, especially as a Senator, Fess received numerous requests and inquiries relative to patronage, often in reference to an endorsement for some individual to a certain position.34 To one such

34Fess Papers, passim.
request in 1925, in regards to a position in the rural mail service, Fess replied:

There is no field more sought than the Rural Service. . . . Recently in Springfield when a vacancy occurred in the Rural Service, there were seventy-one applicants to fill the vacancy, and there is not a day in my office that I do not have applications to enter the Rural Mail Service.35

In regards to such requests he would reply but would not commit himself, and often he would inform them that he would forward the request to the proper office. There was no indication that he took very seriously the hundreds of requests for patronage positions.36 The American Mercury in discussing the differences between Fess and Willis, who consistently put politics ahead of ability in recommending men for various positions,37 stated that "in justice to Dr. Fess it must be said that he is not a patronage hunter, as such fauna go in Washington. He seems to have scruples regarding the fitness of appointees for minor offices. He is also aware that for every successful applicant for a job there are at least a dozen

35Letter from Fess to J. Wright Pierson of Mentor, Ohio, September 8, 1925, Fess Papers, Box 26, Folder 4.

36Fess Papers, passim.

37Ridinger, op. cit., 212.
unsuccessful ones who are likely to swear vengeance."\textsuperscript{38}

To Fess's credit, it must be said that he firmly believed that ability should be put above politics in patronage appointments and that the fear of vengeance was not the uppermost thought in his mind for his disinterest in the matter. Writing to C. Bascom Slemp in 1925, who was the personal secretary to President Coolidge, Fess remarked that "the one thing that distresses me most is the appointments. Personally I wish it were so that I would not need to have anything whatever to do with them, but of course that can not be."\textsuperscript{39}

As chairman of the Senate Committee on Library as well as the Joint Committee on the Library, Fess refused to use his influence to secure positions for those who came to him for a recommendation for this purpose. He refused them because he believed that if he requested the library to appoint a certain person, because of his political position, the librarian would then be obligated to make the appointment, and in turn he would then be obligated to put through

\textsuperscript{38}The \textit{American Mercury}, December 1928.

\textsuperscript{39}Letter from Fess to Slemp, November 15, 1924, Coolidge Papers, Library of Congress.
anything the librarian might want subsequently. According to Marjorie Savage, Fess's personal secretary, he once made an exception to his principle. His secretary related that a friend of hers had moved to Washington with her husband and little five year old child. The child died just before midnight on Christmas eve, and the parents found themselves without sufficient funds to purchase transportation to take the child's body back to their home in Iowa on Christmas day. Fess loaned them the money and upon their return to Washington, he was so deeply touched at the plight of the young couple that when he found that the young mother, who was grief stricken, had a college education and had been trained in library science, he asked the Librarian to find a position for her. Miss Savage stated that she proved her worth and retired after thirty years of service as deputy head of her department. Miss Savage added that "Fess was a most generous, sympathetic, and understanding man."  

The question of patronage caused some friction between the senior Senator from Ohio, Frank B. Willis, and Fess.  

40Letter from Majorie Savage to this writer, May 14, 1964.  

41Ibid.
The careers of the two had been somewhat parallel as Willis, who was ten years younger than Fess, had been born and reared in Delaware County but had matriculated at Ohio Northern University where he was one of Fess's students. An interesting incident involving Willis and Fess while they were at Ohio Northern probably affected the future of their careers. It was said that Willis, as a new student at Ada, had "packed his grip" and was about ready to quit school and return home when Mrs. Fess spied him on the sidewalk. She invited him into the house, whereupon both she and Fess talked to him, and through their understanding and advice he was persuaded to remain in college. He even roomed at the Fess home for awhile, and later, after he graduated and became a teacher of history at the college, he purchased the Fess home. In Fess's first attempts at public office while at Ada, Willis had been his ardent supporter and had even served as his campaign manager.

While a teacher at Ohio Northern, Willis had been elected to the General Assembly, and later, from 1910-1914, he served as a member of Congress from the eighth district.

From Congress, he stepped into the governorship in 1915 but was defeated for reelection in 1916. Out of public office for four years, he ran and was elected to the Senate in 1920, but before taking his seat, he was appointed in February 1920, to fill the vacancy created by Harding's resignation, who had been elected President. Thus, Willis had two years seniority in the Senate on Fess, who had first been elected in 1922. In politics, Fess and Willis were similar in political views, as both were conservative Republicans and ardent drys.\(^4\)

As members of the Senate, however, they sometimes disagreed over matters of Ohio patronage. No doubt, some of the differences between the two were nourished by jealousy between them. Perhaps Fess was somewhat envious of and bitter towards Willis over the 1920 Senate race although it never caused a break between the two and there was no evidence that it lessened their friendship to any great extent.\(^4\)\(^4\) As a new Senator, Willis had been assigned


\(^4\)\(^4\)American Mercury, December 28, 1928. Wilfred E. Binkley, Professor of History at O.N.U. in a personal interview on September 19, 1963, expressed the opinion that Fess was jealous of Willis.
to four committees: commerce, territories and insular possessions, expenditures in the executive departments, and immigration. Upon Fess's entering the Senate, he found the more important assignments taken by his colleague and thus had to accept appointments to the committees on: library, public buildings and grounds, audit and control the contingent expenses of the Senate, and interstate commerce. The latter was considered the only important one. This situation easily could have made for some jealousy on the part of Fess but there was no evidence that it did, although some observers suggested such.\(^{45}\)

Although the two Senators disagreed on the matters of patronage, probably those incidents were exaggerated and "overplayed" by the press, thus creating the conception that they were constantly feuding. Willis referred to the publicity regarding patronage quarrels between himself and Fess as "mere newspaper gossip."\(^{46}\) In the autumn of 1924, the Secretary of Agriculture, Henry C. Wallace, died, creating a vacancy, and as a result of this, Willis suggested to President Coolidge that Representative Charles Brand

\(^{45}\)Ridinger, op. cit., 345-346.
of Urbana be appointed, while Fess supported Louis J. Taber of Barnesville, who was master of the National Grange. The Columbus Dispatch in reporting the incident remarked that "The Ohio Senators have parted company again on a major patronage proposition. This time the disagreement is over no less important matter than a place in the cabinet of President Coolidge." The newspaper added that Coolidge had invited Fess to the White House and that "over the coffee cups" they had discussed the vacancy and the "available timber" to fill it. The report then stated that Senator Fess left Washington convinced that Taber had a fine chance of securing the appointment.  

The Cleveland Plain Dealer on one occasion reported that Fess and Willis disagreed on candidates almost every time there had been a district attorney, a customs collector or a federal judge to be appointed; but the Columbus Dispatch asserted that: "Their offices have functioned beautifully, one might say automatically, on the selection of postmasters and rural carriers, without a hitch anywhere along the line."  

\[^{47}\]Columbus Dispatch, November 16, 1924. Howard M. Gore became Secretary of Agriculture in 1924.  

\[^{48}\]Cleveland Plain Dealer, August 15, 1927; Columbus Columbus Dispatch, December 14, 1924.
The most serious clash over patronage occurred as the result of the resignation, in 1924, of John E. Sater of Columbus as Federal Judge of the Southern District of Ohio. Willis supported Attorney Benson "Ben" Hough for the position while Fess endorsed Congressman Israel M. Foster of Athens. The Cleveland Times reported the dispute as follows:

The battle for political supremacy between the two has been in the offing ever since Senator Fess succeeded Senator Atlee Pomerene and became a junior Senator from the Buckeye State; and when the smoke of battle clears one or the other will have received a blow to his political prestige. 49

From November to February 1924, Willis corresponded with Attorney General Stone, Bascom Slemp and Coolidge, urging the appointment of Hough to the judgeship. 50 In a letter from Willis to Stone dated December 28, 1924, and marked Personal and Confidential, the former asserted that he was ready to discuss with Stone and Fess, or Stone alone, the matter of the judgeship. He then pointed out how he had presented "voluminous recommendations" for Judge Hough from Ohio lawyers, judges, bar associations, and political

49 Cleveland Times, November 21, 1924.
50 Coolidge Papers, passim, Library of Congress.
committees. Willis reminded Stone that he had had a conference with him earlier in his office and that he (Stone) had remarked: "I do not feel that I could recommend the appointment of Congressman Foster. I do feel that I could recommend the appointment of Judge Hough." Willis, however, reiterated that he (Stone) had never promised Hough's appointment but that in a later telephone conversation, he was still in agreement on Hough. Willis then reminded Stone that he had suggested to him that he and Fess should come to Stone's office for conference which "you will recall." Willis then made a plea for Hough's appointment and stated why it was so urgent:

My interest in his [Hough] success is the greatest possible. I shall be a candidate for renomination and reelection in 1926. Already my political opponents are saying that the present administration is not friendly to me. This I strenuously deny for I know it is not true. But it is apparent that if my urgent personal recommendation and request is turned down just on the eve of my campaign for re-election, the fact will be seized upon by my enemies as evidence of their claim.51

The letter of the 28th was forwarded to Coolidge and as a result, a conference was arranged for between Fess,

Willis and Stone. On January 26, Willis wrote to the President again urging the appointment of Hough because it would hurt his election if he did not get it. Then, in a letter of January 30, from Stone to Coolidge, the Attorney General recommended Hough and remarked that at a conference with Fess and Willis, they had assured him that any choice made of two candidates who were involved would be agreeable to them and would have their endorsement. As a result of this, Hough was appointed and to show his appreciation, Willis wrote a letter of thanks to the President and enclosed clippings from the Ohio State Journal and the Columbus Dispatch indicating their approval.52 Despite Willis's persistent efforts in Hough's behalf, there was no indication that Fess pushed the matter for Foster's appointment.53

Louis Ludlow, a special feature writer and columnist for the Columbus Dispatch, commented on Fess's acceptance of the appointment, and stated that Hough's friends were greatly pleased with Fess's sportsmanlike attitude in accepting the appointment..." Ludlow added that "the

52 The preceding letters were all found in the Coolidge Papers, Library of Congress.

53 Neither the Fess Papers nor the Coolidge Papers indicated that Fess persisted in Foster's appointment.
gossips" had speculated that Senator Fess would try to hold up the appointment. In the columnist's opinion, Fess's action "was a gracious and extraordinary act" and, he added, "Everybody who knows the ins and outs of the great judicial battle realizes that although Senator Fess lost the prize, he came out of the contest with a great deal of credit."54

According to Ridinger, in his biography of Willis, the senior Senator took full advantage of his patronage obligations and consistently put politics ahead of ability in recommending men for various positions.55 Lehr Fess pointed out that one of the reasons for the conflicts over patronage between his father and Willis was the fact that the latter made so many promises to people for jobs that he could not fulfill, that he turned to Fess to "bail him out"; and then when he got himself "out on a limb" he blamed Fess for his trouble.56 It is this writer's opinion that the clashes between Fess and Willis over patronage were not nearly so serious as the newspapers made them appear.

54Columbus Dispatch, February 10, 1925. Ludlow wrote a column entitled: "Ohio Activities in Washington."


56Personal interview with Lehr Fess, October 18, 1963.
It seems natural that there should be some disagreements between Senators over such appointments. One could not expect them to agree on each and every candidate, or appointee, and such disagreements naturally made for good newspaper publicity, especially in the case of Fess and Willis, who had such similar backgrounds and close associations.

Perhaps a more serious point of contention developed between Fess and Willis over the latter's candidacy for the United States Presidency in 1928. With the announcement by Coolidge that he would not accept reelection in 1928, the field was thrown open to a number of candidates and "favorite sons." Willis, therefore, decided to toss his hat into the ring for the Republican nomination and in December 1927, he officially announced his candidacy.57 Because of their past relationship and service in the Senate together, Willis naturally expected the support of Fess, but the latter, who was a confidant of Coolidge, was reluctant to accept the President's famous "I do not choose to run" statement and still had hopes that he might run. Both Willis and Fess had consistently supported each other

57See Ridinger, op. cit., Chapter X, for a discussion of this matter.
in their political aspirations, except for Fess's failure
to back Willis in the Senate primary of 1920.

After announcing his candidacy Willis was soon to
learn that he did not have the support of the leading
Republicans of the state and that many leading members of
his party actually opposed his seeking the high office.58
He still hoped, however, to have the support of Fess, but
he was to learn that his colleague was also cool to his
ambitions. Herbert Hoover, who was considered the logical
choice for the nomination and the heavy favorite, entered
the Ohio Primary.59 Fess, who definitely leaned towards
Hoover, was in a dilemma whether to stock by his long time
friend or openly support Hoover.60 The difficulty was
eased as a result of a meeting of some of the leaders of
the Ohio Republican party at Fess's home in Yellow Springs.
According to Lehr Fess, the meeting received no publicity
but as a result of it, it was understood that Willis was
to be only a "favorite son" and would withdraw at the

58Ridinger, op. cit., 310-353.

59See Herbert Hoover, op. cit., II, 191, for his
reasons for entering the Ohio Primary.

60The newspapers reported on various occasions that
Fess leaned towards Hoover.
proper time, terms to which he agreed. Ridinger, in his biography of Willis, referred probably to the same incident, but his version was that Willis never agreed to the suggestion but only took it under advisement. Willis, however, took his own candidacy seriously and hoped by becoming a "favorite son" to reap the reward of earlier Ohio Presidents like Hayes and Harding.

According to Lehr Fess, his father became irked at Willis for renouncing his so-called pledge at the meeting in Yellow Springs. As Fess was up for reelection the presidential contest in Ohio had created a danger to his chance to succeed himself and it was necessary that he avoid situations that would involve him in party quarrels. He, no doubt, felt that he needed Willis' support in his campaign for reelection and therefore he ran as a delegate-at-large on the Willis ticket to the National Convention. On this occasion the Cincinnati Enquirer observed that though Fess was a candidate for delegate-at-large on the Willis ticket, he was known to be friendly to the candidacy

61Personal interview with Lehr Fess, October 18, 1963. Lehr Fess did not recall the date of the meeting.

62Ridinger, op. cit., 314-315. The meeting took place during the last week in October, 1927.
of Secretary Hoover, which explained why he did not take an active part in the campaign for Willis. The ticklish problem was terminated when Willis died suddenly in Delaware, Ohio, while on a campaign tour and in the midst of a homecoming celebration.

There can be no doubt that Fess felt real grief for his former pupil and long time friend, even though there had been some misunderstandings. Upon hearing of his death, Fess asked the Senate to adjourn until noon the next day. He paid Senator Willis the following tribute:

Senator Willis was a fine product of our American democracy. He displayed the possibilities of our country, and is a brilliant example of the fact that America is but another word for opportunity. In an eulogy to Willis in the Senate, Fess said; "To know him was to love him and the time will never come when we will

63 *Cincinnati Enquirer*, April 5, 1928. See the New York *Times*, December 23 and 24, 1927, which discusses Fess's delay.

64 *Congressional Record*, 70th Cong., 1st Sess. (March 30, 1928), 5711.

65 Tribute given by Fess at Willis funeral in Delaware, April 3, 1928. Fess was appointed as a member of the Senate to attend his funeral.
forget the pleasing personality and the charming individuality of the much loved Frank B. Willis of Ohio."

The climax of Fess's political career came in 1928 when he was selected as temporary chairman and keynote speaker for the Republican National Convention which convened on June 12 in Kansas City. Charles Evans Hughes had been considered as the first choice for the honorary position but had declined it. At a meeting of the committee on arrangements for the convention which met in early April in Kansas City, after a discussion on several candidates, Fess emerged as the choice. In announcing Fess's selection on April 3, William H. Butler, who was chairman of the national committee, said that Fess was admirably suited for the temporary chairmanship, as he was prominent in the party, much respected, had a reputation as a scholar, a public man, and had been a consistent supporter of Republican Party principles. The Cincinnati Enquirer

66 Congressional Record, 70th Cong., 1st Sess. (May 11, 1928), 8402-8403.


68 Ibid., April 3, 1928, 1; April 4, 1928, 1. Others suggested for the role of keynote speaker were Senators George H. Moses, N. H. Frederick H. Gillett, Mass., Arthur Capper, Kansas, former Senator Irvine Lenroot of Wisconsin, and former governor Arthur M. Hyde, Missouri.
noted at this time that he had been mentioned frequently for the position and surmised that with the death of Willis, any obstacle to his selection had been removed.\textsuperscript{69} It added that the keynote speech would be made by "one of the most ardent, if not the most ardent," supporters of the movement to draft Coolidge for renomination. According to the \textit{Enquirer}, Fess had become so proficient in his eulogies of the Coolidge administration that he had been invited to make the principal speech at the dinner attended by members of the Republican National Committee when they met in Kansas City in December 1927 to select it as the convention site and, because of his speech, chairman Butler became convinced that Fess was the logical person to make the keynote speech.\textsuperscript{70}

On the occasion of his selection, an editorial in the \textit{Toledo Times} stated that Fess was "splendidly equipped" for the task assigned him, in that he was a good speaker and knew the history of the Republican Party.\textsuperscript{71} His selection

\textsuperscript{69}\textit{Cincinnati Enquirer}, April 5, 1928. Fess had been a supporter for Willis as a favorite son and was running for delegate at large on his ticket in the primary.

\textsuperscript{70}\textit{Ibid.}

\textsuperscript{71}\textit{Toledo Daily Times}, April 6, 1928.
drew a caustic comment from Democratic Senator Burton K. Wheeler of Montana who propounded: "It is only natural that Senator Fess of Ohio should be selected as keynoter . . . , as he more truly represents the administration's view upon agriculture and railroads than any other man in the upper branch of Congress." The comment was made in the press that Fess was a "dark horse" selection and had "cherished no such aspirations, so far as his closest friends and senatorial colleagues were aware. . . ."

Although he may never have expressed publicly or privately such ambitions before his selection, a very personal letter to his son, Lehr, on April 7, 1928, revealed that he had hoped for and expected the honor. The letter reads as follows:

I think the proper thing for me to do is to regard myself as the Chairman of the Convention, which is above any personal interests or rivalry of candidates. This can be done without any offense, and it will be keeping with the broader plane of the position of the Keynoter. I need to make no statement other than that I cannot participate in any factional contest of delegates.

72 New York Times, April 5, 1928, 2. The subject of agriculture and railroads will be discussed later.

73 Toledo Daily Times, April 4, 1928.
The honor came to me without any solicitation, either by myself or my friends. I have had the matter in mind as a possible consummation for several months, but have never expressed it to anyone in official life. The honor evidently came to me because I deserved it from the standpoint of sound policy upon which a party must stand, free of erratic blunder so common in the life of public men, a steadying of the management in which I have participated more or less for the last fifteen years, and years before that time was a valiant fighter in the front ranks for principles in which we believe, and above that a willingness to sacrifice my personal chances and ambitions for the public good, which has been displayed more than once. These are considerations that ought to count. Then, in addition to that, my acquaintanceship with parliamentary procedure and the practice in presiding over legislative bodies, together with my acquaintance with the history of the country, with the comprehension of present problems as well as a keen sympathy with the administration now in power upon which we may make our campaign, are items that must have counted in the selection.

Finally, my ability to address an audience, as ought to be recognized by what I have been able to do since I have been in public life. So far as I know in my political career there is nothing for which an apology is needed. My address to the National Committee at its meeting in December upon the request of Chairman Butler acquainted all of the members of the committee with my view of the political situation. That address created more or less of a sensation here as evidenced by letters written from various sections of the United States by committeemen asking for unlimited copies of the same.

Under these circumstances, if I had not been chosen, it would seem to me rather strange. The one thing of which we can all be sure is
that my choice was not to do [with] anything outside of my ability to render the service. It is rather unusual for me to write in this vein, but I cannot refrain from it, in these days of cheap political advertising for self-adulation.\textsuperscript{74}

The National Convention convened on Tuesday, June 12, and opened with the keynote address. One observer noted as Fess approached the rostrum that he: "Is a rather small man of ministerial appearance with gray hair, partly bald and wearing horned-rimmed glasses."\textsuperscript{75} For the occasion, he was dressed in black cutaway coat, waistcoat and trousers and a black necktie with starched white shirt and collar. The address was broadcast over the radio, and it was estimated that over 50 million people heard it.\textsuperscript{76}

It is the duty of the keynoter to recount the glorious achievements of his party in the past and to promise things of equal glory to the future; Fess lived up to these expectations, especially elaborating upon the significance of the Republican triumph in 1920. No mention, however,

\textsuperscript{74}\textit{Letter from Fess to Lehr Fess, April 7, 1928, Lehr Fess Papers.}


\textsuperscript{76}\textit{Ibid.}, 4.
was made of the scandals during Harding's administration and in his appraisal of that period he said:

By the greatest majority ever given in the history of elections the Republican party under the leadership of Warren G. Harding was called to the task of restoration, and at once grappled with the peace problems quite as difficult as those of war. The manner in which the problems have been handled, first so well begun by the administration of our beloved and later lamented Warren G. Harding and then by that of Coolidge, is too well known for further comment. All our people have some knowledge of the number and most of them some idea of the compication of these problems. Very few will deny the complete success in the effort of solution.77

In his closing remarks he made tribute to President Coolidge as he proclaimed: "This hold upon the confidence of the people of every name, class, and creed, without regard to partisan feeling, makes Calvin Coolidge the greatest personal and political force in the world today."

The usual responses of "great speech" and praise were tendered the keynoter, and he received many telegrams and letters of congratulations from his radio audience.78

Of course, the press had mixed reaction to his address,

77 There are many reprints of the speech. New York Times, June 13, 1928, 8.

78 Fess Papers, passim; Columbus Dispatch, June 13, 1928.
but the New York Times reported that only occasionally did the delegates and audience show any particular reaction to his speech and in an editorial on June 13 the Times criticized the speaker and address as follows:

The speech as a whole may have been learned and able, but it certainly was dull. There was little in it to stir the enthusiasm of a convention that was weary before it began. In the beginning Senator Fess, with the air of a professor of the Dismal Science, held forth on various economic and industrial 'problems' -- enumerating them with deadly seriousness in a kind of catalogue. . . This keynote must have seemed to them [audience] more plugged up than any that they had encountered.79

The great humorist, Will Rogers, attended the convention and had the following to say:

. . . When he [mentioned] Coolidge, I thought sure he was referring to "Our Savior" till they told me, 'no it was Coolidge.' The way he rated 'em was Coolidge, The Lord, and then Lincoln. . . .

It was an impromptu address that he had been working on for only six months. He made no attempt at oratory. He just shouted. He dramatized figures. When he told how many millions we had saved, his voice raised, but when our savings had reached the billions why his voice reached a crescendo. All expenditure was spoken in an undertone.80

Another observer concluded:

Keynote speeches, like little books have their fates. Sometimes they heighten the fame

of the speaker. Occasionally they have revealed his flair for popularity and indicated his fitness to be promoted to high office. Such are the frequent perils of national convention oratory. Senator Fess is to be felicitated on having so completely escaped them.\(^{81}\)

Fess had written his own keynote address,\(^{82}\) and evidently it had been approved by Herbert Hoover as on a copy of his address was attached a memorandum stating "My dear Fess - I think this is excellent. I have no changes to suggest---sincerest H.H."\(^{83}\)

In delivering his address, Fess made what may be called two tactical errors. In naming one by one the great Republican Presidents who had served the country, he overlooked Theodore Roosevelt. After mentioning Taft, he then referred to Wilson's connection with the Underwood Tariff, a measure which Fess then denounced, but at the suggestion of Wilson's name, it touched off a mild applause in the

\(^{81}\)Ibid., 26.

\(^{82}\)Letter from Marjorie Savage to this writer, May 14, 1964. Miss Savage stated that when Fess was ordered to write his speech as keynoter beforehand he objected, but was overruled by the regulations of the broadcasting industry that speeches had to be filed before the speaker went on the air. She said that he dictated the speech to her before he left Washington for Kansas City. Fess preferred speaking extemporaneously.

\(^{83}\)Copy of the keynote address, twenty-two pages, located in the Fess Papers, Box 35.
convention. He was innocent, however, of any intent to snub Roosevelt, although it made the newspapers all over the nation to the effect that "Fess Snubs Teddy." In his copy of the speech he had mentioned Roosevelt but during the address a flash bulb went off, startled him and caused him to lose the place. Another version of the incident was that he spoke without referring to his prepared text and therefore forgot some of his address. Later he explained and apologized to the Roosevelt family for the incident.

By the time the National Republican Convention met in 1928, it was generally conceded that Herbert Hoover would win the nomination, although there were the usual political talk of "stop Hoover" movements. Several dark horses were suggested, among which the leading two were former Governor Lowden of Illinois and Vice President Dawes, but neither had wide support. Soon after Willis

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84Columbus Dispatch, June 14, 1928; letter from Marjorie Savage to this writer, May 14, 1964. Louis Ludlow writing in the Dispatch on June 14 stated that things had been going wrong for Fess, as he was "getting in Dutch" for not mentioning Roosevelt's name and mentioning Wilson's.

85Personal interview with Lehr Fess, October 18, 1963.

86Letter from Marjorie Savage to this writer, May 14, 1964.
died, Representative Thompson of Ohio, who had supported Willis for President, suggested Fess for President as he declared that "no nearer duplicate of President Coolidge" could be found than Senator Fess, and that he had all the qualifications for the Presidency. The Fess-for-President boom never developed and it received no encouragement from their candidate. Up to the time Hoover was nominated there were still reports of a "draft Coolidge" movement, but it gained no momentum during the convention. The pre-convention forecast proved to be correct as Hoover won on the first ballot.

There was much speculation before and during the convention as to who would be the vice-presidential candidate. As usual, political gossip concerned itself with many possible candidates, Fess being among those mentioned. He declined, however, to enter the race and in announcing his refusal at the opening of the convention, he asserted that "there would be no particular strength to a ticket in nominating him" as he and Hoover thought too much alike on all sensitive questions," and he declared that he would

86 *New York Times*, April 5, 1928, 5. This same report was noted in several newspapers.
rather be in the Senate.88 Louis Ludlow, however, a feature
datawriter and a correspondent for the Columbus Dispatch at the
convention, reported on June 14, that Fess was being con-
sidered by the Hoover Camp for the vice-presidency and
that if it were offered to Fess he would accept. Ludlow
then remarked that the Hoover leaders thought Fess would
help the ticket in Ohio as he was friendly to Hoover and
pro-Coolidge, as he had been known as the "administration
spokesman."89

The New York Times reported on June 12 that Fess was
being urged to accept second place on the Hoover ticket
(this before Hoover nominated) but he had declined to permit
his name to be entered because he felt a candidate should
be chosen with particular regard to strengthening the ticket
in the corn belt. Fess explained that he was in full accord
with the Coolidge administration on the question of farm
relief and thus he would not be acceptable to the corn belt
region.90

88 Ibid., Columbus Dispatch, June 12 and June 15, 1928.
89 Ibid., June 14, 1928.
90 New York Times, June 12, 1928, 1. An article on the
front page entitled, "Fess Declines To Be Considered." The
Columbus Dispatch reported on June 15, that Colonel Thad H.
Brown of Columbus and Colonel Ralph D. Cole of Findlay left
their signed declarations of candidacy in Columbus before
going to Kansas City, in case Fess vacated his seat for the
vice-presidency.
Lovell Fess declared in an interview that Herbert Hoover wanted his father as a running mate in 1928 but that his father refused. Lovell Fess related the following information. After the delivery of the keynote address, Fess returned to his hotel room to take a shower. While taking his shower, James W. Good, Hubert Work and Walter Brown, who were leaders in the Hoover camp, came to the room. Lowell and his brother Sumner (now deceased) were present in the room, and Work, acting as spokesman for the group, asked if their father were present. Lowell replied "yes" that he was taking a shower, whereupon, Work replied, "get him out here!" Fess soon appeared and Work then stated that they had just come from Mr. Hoover's suite and he would like him as a running mate. Lowell Fess stated that at this statement he and Sumner about "fell through the floor." Fess, after some hesitation, replied that he was sorry but he could not accept and then gave several reasons why he had to refuse: 1. He was a candidate for reelection to the Senate and it was a "sure thing"; 2. He had worked and fought against the McNary-Haugen Bill, which had offended many farmers; 3. The history of the vice-presidency was that it proved to be an insignificant
position; and 4. The Vice President was only the presiding officer of the Senate and was not allowed to debate and discuss issues on the floor. According to Lowell Fess, his father closed his remarks by stating that regardless of all the "mean things Charles Curtis had said about Herbert Hoover, he should be the candidate as he would balance the ticket. 91 In his Memoirs Herbert Hoover did not mention desiring Fess as his running mate in 1928. A letter, however, from Hoover to this writer, June 10, 1964, confirmed Lowell Fess's statement that he had sought Fess as his Vice Presidential candidate. 92

Among the many dark horses, Senator Charles Curtis of Kansas emerged as the Vice Presidential nominee, as he received the election on the first ballot, even though he had opposed Hoover's nomination. Fess had been consistent in his support of Curtis for Vice President and as early as April, when he ran as delegate-at-large on the Willis ticket in the primary, he had nominated Curtis for the second spot. 93 He had declared that the selection of Curtis

92 Letter from Herbert Hoover, Waldorf-Astoria, New York, to this writer, June 10, 1964.

93 New York Times, April 4, 1928, 1. Fess had been defeated for delegate-at-large for the Hoover ticket in the primary.
would give balance to the ticket as he was friendly to the agricultural interest of the midwest.\textsuperscript{94} For the official ceremony to inform Curtis of his nomination, Fess was honored by being made chairman of the committee on notification. The address and ceremony occurred on August 18, with Fess making only a short speech.\textsuperscript{95}

The Republican platform in 1928 included a plank for the creation of a Farm Board to help control agricultural surpluses, adequate tariff protection for the farmer, a federal system of organization for cooperative and orderly marketing of farm products, and the broadening of export markets. It contained a plank for the "efficient, vigorous and sincere enforcement" of the prohibition laws. The rest of the platform concerned itself, for the most part, with the accomplishments of the party during the Harding-Coolidge years, accompanied by pledges to continue along the same lines in the future.\textsuperscript{96} Although Fess played no part in the drafting or writing of the platform he stood

\textsuperscript{94}Columbus Dispatch, June 15, 1928.

\textsuperscript{95}The Fess Papers, passim, 1928. Contain considerable correspondence relative to this, Springfield, Ohio News, August 18, 1928.

\textsuperscript{96}Roseboom, A History of Presidential Elections, 420-241.
firmly for it\(^97\) and as a candidate for re-election to the Senate in 1928, he pledged himself to its support in his many campaign speeches.

In his campaign for re-election in 1928, Fess was unopposed in the primary election on August 14, and received 469,890 votes.\(^98\) His Democratic opponent for the November election was Charles V. Truax who represented the agricultural interests of the state as he had been editor and field representative of the *Swine World* from 1917-1921, Director of Agriculture for Ohio from 1923 to 1921, a member of the Board of Control of the Ohio Agricultural Experiment Station from 1923 to 1929, and Chairman of the Lake Erie Conservation Council from 1926 to 1929. In addition to this, he had been a sponsor and firm supporter, as State Director of Agriculture, of the McNary-Haugen Farm bill, a measure which Fess had bitterly opposed in the Senate and in his public addresses.

In the election, Fess was regarded as the heavy favorite, although it was feared that he might lose some of the farm vote. In his campaigning throughout the state, 

\(^97\)Columbus Dispatch, June 15, 1928.

\(^98\)Ohio Election Statistics-1924, op. cit.
he emphasized that the great prosperity of the country was
due to Republican rule. His role as keynoter and his key-
ote speech were dramatized to his constituents. To aid
the campaign, a special Fess newspaper of eight pages was published. It was a replica of the ordinary everyday
newspaper and it emphasized his humble background, his rise from poverty, his efforts towards education and his political career. It was a glowing account of his friendliness towards labor, business, agriculture, the Negro, and woman rights. His role as Chairman of the Republican Congressional Committee from 1918 to 1922 and his selection as keynoter were highlighted. Little mention was made of his stand on prohibition. 99 During the campaign, 20,000 copies of the newspaper were distributed to every precinct committeeman and committeewoman in the state, as well as to friends and political workers. 100

Similar strategy was used as in the campaign of 1922, with a determined effort to contact the teachers and

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100 Fess Papers, passim. Letter from Edward Martin, personal secretary to Fess, to Lehr Fess, June 2, 1928, Lehr Fess Papers.
churchmen throughout the state. Fess made an extensive speaking tour of the state, and he reported on October 29, a week before the general election, that: "I have just reached home after a very busy week of campaigning. It is the most strenuous one I have been in for many years." He was very confident of victory, but he feared that apathy and overconfidence on the part of his supporters might prove to be dangerous. Writing to a friend in October, he asserted:

I think it wise that my friends will not assume that because I had no opposition in the primary, and that every apparent symptom is in my favor, that there is no work to be done. Such a situation is always dangerous. . . . It would be unwise for my friends to assume that my election is assured without any effort.

In another letter on October 15, he noted that there was not much enthusiasm for the Senate race and he concluded:

"This is not the most promising situation, as it might

101 Letter from Fess to E. J. Bodette, Secretary of Ohio Federation of P. O. Clerks, Toledo, October 29, 1928, Lehr Fess Papers.

102 Letter from Fess to Mrs. Frank B. McMillen of Mount Gilead, Ohio, October 1, 1928, Fess Papers, Box 28, Folder 3.
mean overconfidence.\textsuperscript{103} Although there appeared to be lack of interest in his race he believed that Hoover's popular strength would aid his campaign as well as the Republican ticket.\textsuperscript{104}

The results of the election in November revealed an overwhelming victory for Fess as he defeated Truax by over 500,000 votes.\textsuperscript{105} It could not necessarily be considered a great personal victory as Republican Myers Y. Cooper won the Ohio Governorship; Hoover won an overwhelming victory in Ohio; all three of the Congressmen elected in Ohio were of the Republican party; and the Republicans carried every seat in the state Senate and all but eleven in the House of Representatives.\textsuperscript{106} But in all fairness to Fess, a plurality of 500,000 votes,

\begin{itemize}
\item \textsuperscript{103}Letter from Fess to Charles H. Lewis of Harpster, Ohio, Fess Papers, Box 28, Folder 4.
\item \textsuperscript{104}Letter from Fess to Harvey Firestone of Akron, September 18, 1928.
\item \textsuperscript{105}Ohio Election Statistics, 1928, op. cit. The official vote was: Fess, 1,412,805; Truax, 908,952; James Coward, Socialist Labor, 1,384; J. Wethereel, Prohibitionist, 1,003; and Joseph Willnecker, Worker's Communists, 2,061.
\item \textsuperscript{106}Roseboom and Weisenburger, A History of Ohio, 355
\end{itemize}
out of a total vote of 2,300,000 must be regarded as a resounding victory. It indicated that the people of Ohio had tremendous faith and respect in his leadership.
In December 1923, Fess took his place in the United States Senate, as the junior Senator from Ohio. His record in the House had already stamped him as being a conservative Republican and in the Harding, Coolidge and Hoover administration, he proved to be an ardent follower of that prevailing conservatism. As a new Senator in the 68th Congress, he was assigned to four committees: library, printing, audit and control the contingent expenses of the Senate, and public grounds and buildings. In the 69th Congress, he retained his former committeeships, but was made chairman of the committee on library, a position he held until the Democratic victory in 1932. In addition to this, he was assigned to the important committee on interstate commerce. In the 70th Congress, 1927-1929, he was taken off the committee on printing and assigned to that of finance, but in March 1928, Senator Willis died and Fess assumed his place on the powerful committee on
foreign relations; he then resigned from the one on finance. During the next three Congresses, 1929-1935, he was a member of the committees on: foreign relations, interstate commerce, library, public buildings and grounds and audit and control the contingent expenses of the Senate.¹

Fess had a rather small but competent office staff. When he was elected to the Senate, he employed Edward M. Martin as his secretary. Martin had been journal clerk of the House during Fess's service in that body. In January 1929, he employed Miss Marjorie Savage as an additional secretary and she remained in that capacity until his defeat for reelection in 1934. Her duties were to take dictation and handle appointments. She also went to Ohio with him during the recesses of Congress in performing her duties as secretary. After his reelection in 1928, Ed Martin resigned to take a position as administrative assistant to Postmaster General Walter F. Brown. To replace him, he employed Margaret L. Welsh, as an administrative assistant, and she remained with him until his defeat in 1934. She had formerly worked for him while a student

¹Congressional Record, passim.
at Antioch. Part of the time, two additional girls were used in the office in Washington.²

As a Senator, Fess introduced a number of bills and resolutions, but none can be considered of major importance since most of such proposals never came out of the original committee. As a member of the committee on public grounds and buildings and as chairman of the committee on library (he became chairman of the joint committee on library in 1929) he promoted improvement in the United States Botanical Garden and the Capitol grounds in Washington. One such bill (S. 2301) introduced by Fess in 1928, led to the improvement of the government owned park area between the Capitol and the Union Terminal Station.³ In December 1929, he introduced a resolution (S. J. 98) to grant authority for the erection of a permanent building as Headquarters for the American National Red Cross in Washington, D. C.,

²Letters from Margaret L. Walsh of Sterling, Virginia, to this writer, March 29, 1964; and Marjorie Savage of Washington, D. C., to this writer, May 14, 1964. Edward Martin is deceased.

³Congressional Record, 70th Cong., 1st Sess. (1928), 1161; Congressional Record (1928-1930), passim.
a project which was completed. As a member of the several committees he made many reports, especially as a member of the committee on library where he presented many reports concerning anniversaries, memorials, statues, and military battles.

Fess was an admirer of George Washington, and he gave many public addresses in his honor, especially while he was at Ohio Northern, Chicago and Antioch. Because of this interest, perhaps the most significant bill introduced and carried through by Fess concerned the observance of the bicentennial birthday of George Washington in 1932. To carry out this proposal, Fess introduced on February 22, 1924 a resolution (S. J. 85) for this observance. The measure passed, and for the next eight years he introduced numerous amendments to carry out this anniversary celebration. He became vice chairman of the George Washington Bicentennial Commission, which was created to promote and fulfill this program, and in such capacity he was most

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4Congressional Record, 71st Cong., 2d Sess (1929), 121. This building was constructed but there was no evidence that Fess was instrumental in its being built, only that he introduced the measure.

5Congressional Record, passim.

6Ibid. (1924-1931), passim.
active. A result of this commission was the compilation of numerous materials relative to George Washington. In order to promote his plan, Fess corresponded with President Coolidge, and in a letter on February 6, 1925 he wrote: "I am ambitious to see this movement develop into the greatest celebration of its character undertaken." He was also active in the promotion of the construction of the Mount Vernon Highway from Washington to Mt. Vernon, which was partially a result of this Bicentennial celebration. In a letter in 1929 to Everett Sanders, who was personal secretary to Coolidge, Fess called this highway "the most prominent memorial of its kind in history." The Washington Bicentennial, which was national in scope,

7Letter from Fess to Coolidge, February 6, 1925, Coolidge Papers, Library of Congress. The Coolidge Papers contain several letters between the two relative to the Washington Celebration.

8Letter from Fess to Everett Sanders, February 7, 1929, Coolidge Papers. In this letter Fess suggested that a motion picture of the highway should be taken in which the President would appear, since the President would soon be leaving office.
was celebrated in February 1932, with the focal point at Mt. Vernon, Virginia.9

During most of the time Fess was a member of the Senate, except from 1930 to 1931, the Republican party was in undisputed control of national affairs. During the 1920's the Republicans avowed the philosophy of *laissez faire* toward business, but in practice made government an instrument of business. The period was taken up with the liquidation of the war: the restoration of industry, transportation, finance and agriculture to a peace time basis, payment of the public debt, reduction of taxation, and veterans' benefits. An effect of the war was to cause great interest and efforts for measures to preserve peace and guarantees against war in the 1920's. The decade also saw a rapid change in manufacturing and business techniques. Although the era was noted for its economic prosperity, agriculture never shared equally with business. This

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Republican prosperity came to an abrupt halt in 1929 with an acute and prolonged depression.  

The era was also characterized by political and business corruption especially during the Harding administration, a decline in liberalism, apathy toward reform, and an ardent nationalism. The American historians, Samuel Eliot Morison and Henry Steele Commager, wrote that the point of view of the dominating Republican party was best expressed by its Presidents during the 1920's: "President Harding called for a 'return to normalcy', President Coolidge announced that 'the business of the United States is business', and President Hoover insisted that the 'American system' was a product of 'rugged individualism'."  

To this conservatism in politics and in social philosophy, Senator Fess readily adapted himself. As one studies his political behavior during this period, one can realize why he was "in the high councils of the Republican party" during the days of Harding, Coolidge and Hoover.

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10Morison and Commager, op. cit., II, 618.
11Ibid.
12Ibid.
13Cleveland Plain Dealer, December 24, 1936.
As a member of the Senate, and as a public speaker, he was a very active participant in the political, economic and social issues of the time.

After the First World War, the veterans demanded compensation in the form of a bonus. Many states granted such bonuses, but the veterans believed that the Federal government should also satisfy their demands. The Republican platform of 1920 added a pledge to grant some kind of compensation to the veterans. A measure came up in 1920, and again in 1922, to grant such a bonus, but both were defeated, the latter by a veto of President Harding. Fess voted against the first measure mainly because it did not include a money provision for handling the additional burden required to meet the cash bonus. In 1922, he voted for the measure, because he felt the government had adequate funds to meet the burden, since the bill adopted an insurance feature which did not have to be met for three years. Speaking in behalf of the veteran at that time, he stated that whether the bonus bill of 1922 was right or wrong, the country was committed to bonus
legislation. Fess came under attack from some of his constituents, especially in 1920 and in the 1922 campaign for being unfriendly to the veteran because he had voted and spoken against the bonus bill of 1920, but he defended his position by stating that his first concern was for the country and if Congress did not provide adequate funds for paying the bonus, it would cripple the country's finances.

Persistent demands for the bonus continued, and in 1924 Congress passed over Coolidge's veto an adjusted Compensation Act, which gave every World War veteran an endowment and insurance policy computed at the rate of $1.25 for each day of overseas service and $1.00 for each day of home service. Though the nation was prosperous, no provision was made for carrying this additional burden of $3.5 billion on the public debt. Fess voted for the original bill and to override the President's veto.


15 Fess Papers, 1920-1924, passim. One such letter outlining his position was from Fess to Charles J. Waggoner, Lebanon, Ohio, June 1, 1922, Fess Papers, Box 17, Folder 1.
During the debate and controversy in the Senate over the form of the bill, Fess remained consistent in his previous opinion on the matter, that if the bill contained a cash feature, then it must make provisions for additional funds to finance it.\(^{16}\) Just before the vote, on May 19, which overrode the President's veto, Senator N. M. Neeley of West Virginia, read an article in the Senate from the Washington \textit{Herald} which stated that ten Republican Senators were wavering and might switch to vote against the bonus bill because of propagandists' pressure being exerted against them; Fess was one of those mentioned. When he finished, Neeley yielded to Fess, who said: "The most conclusive answer to that slander will be to vote right away, and see how those Senators vote." Neeley added: "I know how my honorable and courageous friend from Ohio... will vote. I know that no Wall Street subsidized newspaper or even powerful presidential propaganda can prevent the Senator from Ohio from voting for this bill, just as he voted for it when it was first passed by the Senate."\(^{17}\)

\(^{16}\)\textit{Akron Beacon-Journal}, December 1, 1923; \textit{Cleveland Plain Dealer}, January 6, 1924; \textit{Columbus Dispatch}, January 9, 1924.

\(^{17}\)\textit{Congressional Record}, 68th Cong., 1st Sess. (1924), 8871.
An immense peace sentiment was generated in the United States during the Republican supremacy from 1921 to 1930. United States continued to refuse to join the League of Nations, but there were still demands for the establishment of safeguards to prevent future wars. No doubt, Woodrow Wilson, through his League of Nations, had greatly nourished this peace sentiment in the country. As a result, the movements took the form in the creation of commissions and conventions for disarmament and the outlawing of war. The Washington Arms Conference, of 1921-1922 met to consider a limitation upon naval armaments. It resulted in the Washington Treaty of 1922 in which the United States, Great Britain, Japan, France, and Italy finally agreed upon a program calling for the maintenance of a naval ratio of 5-5-3 for the first three countries and 1.7 for the others, the scrapping of designated ships, and a ten year naval holiday on the construction of capital ships. The agreement did not cover the construction of smaller ships, cruisers, destroyers, and submarines, and as a result, at this level naval competition continued as it had in the past. Later, at the London Conference
of 1930, called by President Hoover, restrictions were
adopted to cover such craft. 18

In 1927, the French Premier, Aristide Briand,
offered a bilateral treaty to the United States for the
outlawing of war, to which Secretary of State Frank B.
Kellogg countered with the suggestion of a multilateral
treaty of the same character. The result of these
negotiations was the Pact of Paris, usually referred to
as the Kellogg Peace Pact of 1928. It provided that the
contracting powers "condemn recourse to war for the solu-
tion of international controversies, and renounce it as an
instrument of national policy and that "the settlement of
solution of all disputes or conflicts of whatever nature
or of whatever origin they may be. . . shall never be
sought except by pacific means." It was eventually adhered
to by 62 nations and was ratified in the United States on
January 15, 1929 by a vote of 81 to 1. 19

18 Morison and Commager, op. cit., II, 602-603. For
background on the Washington Conference, see Harold and
Margaret Sprout, Toward a new Order of Sea Power: American
Naval Policy and the World Scene, 1918-1922 (Princeton,
1940). For background on the London Conference see Merze
Tate, The United States and Armaments (Cambridge, Mass.,
1948).

19 Ibid., 603-605. For background on the Kellogg Pact,
see Robert H. Ferrell, Peace in our Time: The Origins of the
The World Court idea had a great vogue in the 1920's. The Council of the League of Nations appointed a committee of jurists in 1920 to draw up a statute providing for such a court. The jurists devised a scheme for the election of judges by the assembly and Council of the League, and the court was set up in 1921. In 1923, President Harding, by the suggestion of Secretary of State Hughes, recommended American ratification with reservations, although it was made clear that the United States would not join the League. Though both parties endorsed the idea in their 1924 platform, matters dragged, and little was accomplished, although Harding, Coolidge, Hoover, and Roosevelt repeatedly urged the United States to join. The Senate was prepared to ratify and in 1926, they voted to join, but only on the condition that the court would not give advisory opinion affecting the interests of the United States without American consent. Yet, United States did cooperate with the court and from its beginning an American always served as one of its judges.

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20Perkins and Van Deusen, op. cit., II, 481-482. For background on the World Court, see Denna F. Fleming, The United States and the World Court (Garden City, 1945).

21Morison and Commager, op. cit., II, 603-604. United States' membership was rejected by the other members.
Fess both privately and publicly endorsed these measures towards peace, and especially pointed out the Republicans' efforts in this field. In praising the Harding administration for its conduct of foreign diplomacy, especially in regards to the Washington Arms Conference of 1922, he stated that the administration would "challenge the record of diplomacy anywhere in the world." On December 4, 1925, Fess made an address in Philadelphia entitled, "Unsolved Problems of our Foreign Relations." He outlined three problems of our international relations in which he believed could and should be solved: 1. the completion of the adjustment of the foreign loans that United States made during and immediately after the close of the war; 2. the completion of the work of the Washington Conference of 1921-22 through another conference, to do for the armies of the world what was done for the navies; and 3. American adherence to the proposed world court.23 In Fess's opinion, all standing armies should be reduced below the point of aggression, maintaining only what was


believed necessary to maintain order and repulse an invasion. He believed that it was extremely important that Europe should reduce her armies to a minimum, as the United States had done, not only to permit economic recovery and insure industrial stability by lessening the burdens of taxation which were required to maintain an unproductive army, but also to remove the incentive for aggression and consequent war. In calling for the reduction of the armies he said: "While I have never been a little army and navy man, I have always been against a large army and for a navy equal to that of any other nation. This we have through the Washington Arms Conference." 24

Although Fess voted for the Kellogg Peace Pact of 1929 he was skeptical of its success. 25 In discussing the treaty on January 10, 1929 in the Senate, he presented this question: "I am wondering whether the denunciation of

24 Letter from Fess to a Mr. Sheepan, Fess Papers, Box 26, Folder 5. This two-page typewritten letter probably was written in September 1925. Mr. Sheepan, address was not given, but he was a member of the Reserve Officer's Association and evidently had criticized Fess's approval of reduction in the Army.

25 Congressional Record, 70th Cong., 2d Sess. (August 27, 1928), 1731.
war by every nation of the earth and a solemn pledge not to resort to warlike methods to settle disputes by every nation of the world can be considered only a mere gesture." Continuing his remarks in the Senate a few days later, Fess asserted that he had never believed that the Kellogg treaty was a guarantee against war but in his opinion the real security against war would be a reduction in armies below the point of aggression. He reiterated that when France first suggested to outlaw war by resolution, it had had little effect on him at the time, but after some study, he believed that it was a step in the right direction. In addition, he acknowledged that it might promulgate such a public opinion as might lead ultimately to the prevention of war; at least it would reduce or lessen the chances of war. He added that the various organizations arising out of the League of Nations, such as those dealing with sanitary, opium and health matters, were cultivating a spirit of comity, which, also could lessen the chances of war. 

26 Ibid. (1929), 1462. Remarks made by Fess in the Senate on January 10, 1929 to Alben W. Barkley, of Kentucky.

27 Ibid. (January 14, 1929), 1663-1664.
In a political address over the radio on August 25, 1930, Fess praised Hoover's efforts towards the passage of the Kellogg Pact. In this address, he stated that the London Naval Treaty would stand out as a notable service toward the peace of the world as it was one of "the most substantial undertakings toward actual world peace and against war that had yet been taken."²⁸

Fess was a supporter of the world court movement but uncompromisingly opposed to any adherence to it that would involve United States either in the League of Nations or in European quarrels and rivalries. In a speech before the fourth annual reunion of the Sons of Delaware at Philadelphia on December 8, 1924, he predicted that the United States would enter the World Court and then he emphasized that he would use "every ounce of his energy to get the American Government to find a way to maintain peace."²⁹ In a speech before the Omaha Ad-Sell League in September 1925, Fess reiterated that one of the major

²⁸Official copy of Fess's radio address, August 25, 1930, over N.B.C., Lehr Fess Papers. This was also given newspaper coverage. He voted for the London Naval Treaty on July 21, 1930. The measure passed the Senate by a vote of 58 to 9. Congressional Record, Special Session of Congress (July 21, 1930), 378.

²⁹Philadelphia Public Ledger, December 9, 1924.
problems confronting the country in foreign relations was the question of adherence to the World Court. He again announced that the United States should join but with the reservation that the country should not join the League of Nations.  

Fess received many letters relative to his position on the League and World Court and to one such correspondent he explained that the Court was to be a permanent body to which questions that were judicable could be submitted. He predicted that this would go a long way towards maintaining peace. In further explanation, he commented:

The only virtue of such an institution would be that it would lessen the chances of war. No one has ever been so foolish as to believe that it will prevent all war, and no one should be so misguided as to think that it is a creation to which all the adherents must, willy-nilly, submit all disputes for final judgment.

To another constituent, he wrote that he would use the utmost limit of his influence to have the United States adhere to the World Court.  

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30 Omaha Evening Star, September 14, 1925.  
31 Letters from Fess to John Schlatter of Toledo, Ohio, November 3 and 9, 1925, Fess Papers, Box 27, Folder 4.  
32 Letter from Fess to Thomas P. Sweeney of Youngstown, November 14, 1925, Fess Papers, Box 27, Folder 5.
In a long speech before the Senate on January 6, 1926, Fess, who was speaking in favor of ratification of the resolution to join the World Court, affirmed his past views on the subject, but then added that he was voting for the measure, not because he thought it would prevent all wars, but because in his opinion, it was a step toward lessening the chances of war.33 Seeing great hope in the court, he said,

... to me the one agency above all yet proposed, which will build into the thought of the world and create an international conscience, establish an international mind, and make the world see a light against war, is a court to which the points of dispute may be submitted for decision. That decision will be one of the guide posts for the building of a higher civilization, to determine the thought and the conviction of the world against war, and the court, in my judgment, will be the greatest agency for that that has yet been suggested. 34

He continued to believe that the United States should join the World Court and in a letter to his son, Sumner, in October 1931, which made reference to the observation that

33 Congressional Record, 69th Cong., 1st Sess. (1926), 1574-1578.
34 Ibid. Fess voted in favor of the Resolution (S. Res. 5) providing for the United States' entrance into the Permanent Court of International Justice (World Court); a measure which passed the Senate. The World Court, however, turned down our request for entry. Ibid. (January 27, 1926), 2825.
the depression had created a firmer belief in isolationism within the country, Fess persisted in his views regarding the League, but added: "I have always felt that our adherence to the World Court would be wise, and have never had any fear that such a position would in any degree involve us in the League of Nations." 35

During the First World War the United States had loaned the Allies over seven billion dollars, and after the armistice three and a quarter billion more were extended to them and to some of the succession states. The original terms of these loans generally provided for payment of five per cent interest; in 1922 Congress provided that the loans should not run longer than to 1947 and fixed the rate of interest at four and a quarter per cent. The payment of war debts was complicated by two major factors. The first was the existence of a system of interallied debts and the second was the question of reparations, mainly those owed by Germany. The Harding

35 Letter from Fess to Sumner, October 21, 1931, Fess Papers, Box 30, Folder 1.
administration stipulated for the payment of these debts in full but such payment was impossible by the Allies.36

The United States, however, showed itself willing to refund the war debts at a more reasonable rate of interest and to cooperate in attempts to solve the reparations problem. In June 1923, a settlement was negotiated with Great Britain and thereafter with other debtors, markedly easing the terms of payment. Based upon the original five per cent interest rate, these funding arrangements represented a total cancellation of approximately fifty per cent, ranging from thirty per cent for Great Britain to eighty per cent for Italy.37 The Allies' payments of their loans to the United States depended upon Germany's payments to the reparations to them, and Germany was unable to pay such a huge reparation (a Reparation Commission had fixed the total at $33 billion in 1921). Germany was constantly in default, therefore, the Allies could not


37Ibid., 605-606.
repay their loans. Through United States efforts, a new and less burdensome scale of reparation payments was worked out for Germany, but only through extensive borrowing in the United States was she able to meet her payments. Additional borrowings and adjustments in reparations continued, but in 1931 the depression changed the situation. In 1931 Germany defaulted on her reparations and, in addition, Europe was faced with financial collapse. Therefore, President Hoover advised and Congress ratified a one-year moratorium on all intergovernmental debts. But when the war-debt payment fell due in June 1933, there was a general default, and the nations never resumed payment, except for Finland who met her obligation in full.38

As the problem of European war debts emerged after the war, Fess concurred in the demand on the part of the United States for payment in full, but with the movement towards lessening the debt and allowing for easier payment, he generally approved of the arrangement. He, however, had not agreed to the granting of additional loans to the Allies after the war was over. As the movement for reduction in the war debts grew, there were some

38 Ibid.; and Perkins and Van Deusen, op. cit., II, 482-484.
demands on the part of some Americans for total cancellation
mainly because of the feeling that the Allies had fought
the war to protect American democracy.

Fess received many letters in reference to the war-
debt controversy.39 In a letter in 1925 to H. E. Sibley
of the Chicago Journal of Commerce, he explained his views
on the problem. He asserted that as a member of the legis-
lative body which voted to authorize these loans during
the war, the action had been taken with the distinct
understanding that they would be respected and in time
paid. He could not look with any degree of favor upon
the movement, which he said, if not retarded, would reach
the demand of complete cancellation. In his opinion,
however, no nation should be required to pay beyond its
ability.40 In defense of this stand towards reduction and
adjustments, he maintained that he was uncompromisingly
opposed to cancellation of these obligations, yet on the
other hand, he was convinced that it was better to make
an adjustment securing such payments as the debtor was
able to pay, rather than forfeit the entire amount by

39Fess Papers, passim.

40Letter from Fess to Sibley, November 14, 1925,
Fess Papers, Box 27, Folder 5.
exacting more than could be paid. He further contended that the loss of money might not be the only injury suffered by the United States if it forced too large a payment but that it might also cost the country international goodwill.  

A Reverend T. T. Nichols of Custer, Ohio, had written Fess on April 23, 1926, denouncing his approving of the reduction in the Italian debt. For his action, Nichols accused Fess of being un-American, pro-Catholic and anti-Mason. Fess, in a very strong reply, denounced Nichols' accusations and asserted:

"I very seriously deplore anyone who occupies the pulpit writing such a letter as you have written to me, since such unfortunate utterances so disintegrating not only to our better Americanism, but especially our religious organizations, should not come from those to whom we look for wise guidance on matters of character.

... ... ... ... ... ... ... ... ... ...

I voted for this measure, not to favor the Catholics, as a member of the M. E. Church is not likely to do. I voted for it as a 33rd degree Mason, not because of any desire to disrespect Masonry, but

41Letter from Fess to President John W. O'Leary, United States Department of Commerce, March 1, 1926, Fess Papers, Box 27, Folder 6.
as the best possible policy for preventing the loss of the enormous amount of money we loaned.\textsuperscript{42}

Fess then gave Nichols a detailed account of the Italian debt problems.

By 1930, there were increasing reports and rumors of cancellation of the debts. Fess, however, did not approve of this suggestion and in a reply to a constituent, who had urged him to use his influence for the cancellation of the foreign obligations to the United States, he reaffirmed his position on the matter. In rather sharp language he informed his constituent that he was not in a position to vote to cancel the debt as the loaned money belonged to the people and the granting of the loan had been by an Act of Congress. He added that: "It is a shocking bit of information to learn how free some people are to spend other people's money, and then to ask for a cancellation of the obligation."\textsuperscript{43}

Fess voted for the Hoover suggestion of a one year

\textsuperscript{42}Letter from Nichols to Fess, April 23, 1926; letter from Fess to Nichols, April 26, 1926, Fess Papers, Box 27, Folder 6.

\textsuperscript{43}Letter from Fess to Miss Ester E. Brice of Greenfield, Ohio, September 7, 1929, Fess Papers, Box 29, Folder 2.
moratorium on foreign debts in 1931. He in a speech before the Senate, concerning this matter in 1932, Fess spoke in defense of Hoover's moratorium. He gave an account of the situation which brought about the moratorium and explained that Germany could not possibly have met her debt requirement, as her economy would not permit her to fulfill payments on the debt. He then recited the history of the reduction of the war debts and their adjustment in regards to the other countries, especially Germany, France and Great Britain. In his opinion the United States had been very generous towards all countries, but he felt that they were still obligated to pay. He strongly denounced the suggestion made by some critics that the one year moratorium would become permanent; instead, he maintained that there was not a "scintilla of foundation of fact" in the statement. According to him United States had

44Congressional Record, 72d Cong., 1st Sess. (1931), 1126. H. J. Res. 147, in regards to the moratorium, passed the Senate on December 22, 1931, by a vote of 69 to 12.

45Ibid. (April 14, 1932), 8207-8213. Fess gave a lengthy account and history on the matter of the war debts and reparations and strongly defended the action taken to settle the problem.
simply excused these countries for one year from making their payments.\textsuperscript{46}

The most characteristic example of the new economic philosophy of the Republicans from 1920 to 1932 was the official encouragement of large combinations in business. Perhaps nothing better reveals this economic philosophy than their attitude in the realm of hydroelectric power. In the years after World War I the electric light and power industry grew with extraordinary rapidity. Largely through the holding-company device, control over power production was concentrated in the hands of six giant financial groups—General Electric, Insull, Morgan, Mellon, Doherty, and Byllesby.\textsuperscript{47} One of the most important contests in Congress questioning this philosophy at that time, was the call for government operation of the water-power dams at Muscle Shoals on the Tennessee River, which had been constructed to furnish power for nitrate plants during World War I.

\textsuperscript{46}\textit{Ibid.}

At the conclusion of the war, conservative interests insisted on turning Muscle Shoals over to private companies. President Coolidge recommended that the property be sold to the highest bidder, and he vetoed a bill providing for government operation of the dams. But the high cost of privately produced electricity kept the power issue alive, and in 1931, the Norris bill (named for Senator George W. Norris, Progressive Republican from Nebraska) calling for the construction of a second dam on the Tennessee River, and for government manufacture and sale of fertilizer and power, passed Congress. President Hoover, however, vetoed the measure in March 1931 on the principle that he was firmly opposed to the government entering into any business which private business could perform. He maintained his principle of "rugged individualism." Two years later, however, with the creation of the Tennessee Valley Authority under the Roosevelt administration, the government entered into the manufacture of electricity by taking control of Muscle Shoals. The creation of the TVA in 1933 illustrated the great change in political and social philosophy from the 1920's to the mid 1930's.48

48Ibid., 638-639, 718. For a history of Muscle Shoals and a background on TVA, see C. Herman Pritchett, The Tennessee Valley Authority (Chapel Hill, 1943).
In a discussion in the Senate in December 1924, on the problem of Muscle Shoals, Fess strongly denounced any manner of government operation and control. He said that he was against government operation of the plant because: "I am against political operation of industry." In his opinion, the experience of the government operation of the railroads during the war proved that federal control was a failure. Senators George W. Norris and Robert B. Howell, both from Nebraska, had been arguing for government control and Fess acknowledged that their argument was on a "high plane" and made a "pretty strong case" for government operation. But he added that neither of them had convinced him for government operation. Instead, he informed them that government operation was bound to nourish political operation. Senator Norris then asked Fess: "I hope the Senator will not criticize my colleague and myself for not performing an impossibility. We have not expected to convince the Senator." To this remark, Fess replied:

The Senator from Ohio has an open mind on these subjects. I recognize that theory

49 Congressional Record, 68th Cong., 2d Sess. (1924), 719-720. Remarks made by Fess in the Senate on December 17, 1924.

50 Ibid.
is wonderfully enticing, and even the theory of socialism, where the Government will dictate what the production shall be in order that they may save us from overproducing beyond the necessary consumption, is a beautiful theory, but it does not work and never will work. So the Government operation plan is a beautiful theory. But the difficulty is we do not work it out. Why should we tangle our feet in the meshes of theory and bump our brains out against the wall of facts as we place them in Government operation.  

A few weeks later, in the Senate on the same issue, Fess again denounced government operation and reiterated that he was opposed to government ownership of every other industry in which private incentive could be employed and he added that he had: "No sympathy whatever with the effort to prejudice the minds of the public and feed the socialism of America, for God knows we have enough of it at the present time." During the years of the controversy over Muscle Shoals, several attempts were made to lease the plant to private enterprise. In 1925, a bill was introduced to permit Henry Ford to buy the plant, and it passed the Senate but failed in the House. On this occasion, Fess said that he hoped that Congress could lease the plant with  

51Ibid.  

52Ibid., 1092-1094. Remarks made by Fess in the Senate on January 2, 1925.
proper conditions, but if they could not, the government should go on and operate it, but he emphasized that that should be only as a last resort. He reiterated that he did not want to see government operation, but: "I would rather have the Government do that than to junk the plant."\textsuperscript{53}

Fess remained consistent in his views towards Muscle Shoals and in a speech in the Senate in April 1930, he reiterated his former views on the matter, but then he elaborated on why he feared government operation and control:

The danger is that the Government's competition will put out of business the independent units, . . .

For the Government to go into such activities means the destruction of equality of opportunity, the abandonment of the fundamental principle of the American system, and it seems to me we ought not to do it.\textsuperscript{54}

On the vote on the Senate Joint Resolution (\textsuperscript{49}) to provide for the government operation of Muscle Shoals on April 4, 1930, Fess voted against the measure, although it passed the Senate by a vote of 45 to 23. The measure

\textsuperscript{53}Ibid., 69th Cong., 1st Sess. (1926), 5208-5209.

\textsuperscript{54}Ibid., 71st Cong., 2d Sess. (1930), 6497-6511. Fess's remarks on April 4, 1930 concerning S. J. Res. 49 to provide for government operation of Muscle Shoals.
was passed by Congress, but vetoed by Hoover. On the vote on March 3, 1931, in the Senate to override the veto, Fess again voted "no"; the veto was sustained.\textsuperscript{55} With the Democrats in power in 1932, the more liberal elements moved for government operation and control, but Fess still denounced any such scheme.\textsuperscript{56} On May 3, 1933, under the Roosevelt administration, the Senate voted and passed a bill (H. R. 5081) creating the T.V.A. which permitted the government to operate the Muscle Shoals properties. Just before the vote was taken Fess remarked: "I will delay a vote on this bill only long enough to state very briefly why I cannot support it, . . ." He then repeated all of his previous views on the matter. He recommended either leasing Muscle Shoals or turning it over to the states of Alabama and Tennessee. He informed his colleagues that he would vote against the measure: "As I do not want to commit myself to the policy of the Government of the United States further impinging upon the sources of revenue which

\textsuperscript{55}Ibid., 71st Cong., 2d Sess. (1930), 6511; ibid., 71st Cong., 3d Sess. (1931), 7098.

\textsuperscript{56}Letter from Fess to Sumner Fess, March 29, 1932, Fess Papers, Box 30, Folder 2.
must come from private enterprise." He then proceeded to vote against the measure.\textsuperscript{57}

Although Fess denounced government operation and control of Muscle Shoals, he supported the measure (H. R. 5773) in 1928 which provided for the building of Boulder Dam on the Colorado River for the purpose of flood control, hydroelectricity, irrigation and other purposes. In supporting this measure, he explained that he was convinced that such a dam was necessary for flood control in the region and he added that he regarded it as more or less of an emergency. He pointed out that he did not approve of the proposed government operation of the electrical power facilities connected with the project, but that he believed flood control was so essential that the measure should not be defeated over the power question. In his opinion the country also did not need the additional arable land which would be provided through irrigation but in his opinion both the power and irrigation question could

\textsuperscript{57}Congressional Record, 73d. Cong., 1st Sess. (1933), 2791-2792, 2808-2809. The measure (H. R. 5081) passed the Senate on May 3, 1933, by a vote of 63 to 20.
be dealt with later; the matter of flood control was an emergency and should not be delayed.58

During the 1920's and 1930's there were frequent suggestions made for a St. Lawrence water seaway, a project which was not inaugurated until the 1950's. President Hoover had suggested such a project but it had been rejected. On March 14, 1934, during the Roosevelt administration, a Great Lakes-St. Lawrence Deep Waterway Treaty, which was a joint treaty between Canada and United States, was voted upon in the Senate; the measure, however, failed to pass by the necessary two-thirds vote. Fess voted for the measure. A few days before the vote, Fess remarked that he was for the seaway even though he had received many letters advocating opposition to the treaty. He added that he would have gone along with President Hoover on such a project and he, therefore, would go along with President Roosevelt. At first, he said that he had objected to the project because he believed that it required an indefinite and exorbitant fund, but then he said that

58 Ibid., 70th Cong., 2d Sess. (1928), 264-266, 288. Fess voted for the construction of Boulder Dam (H. R. 5773), on December 14, 1928; the measure passed the Senate by a vote of 65 to 11 and was later signed by the President. Ibid., 602.
he had become convinced by the army report that the estimate for the cost was reasonable. Thus, he concluded that he no longer had any objections to it.\textsuperscript{59} In a letter to Walter F. Brown on February 5, 1934, Fess stated that some people perhaps felt he would be against the seaway project because he was against the New Deal and Roosevelt. He then added:

\begin{quote}
\textit{I could not under any circumstances retrace my steps in order to vote against it when President Roosevelt is recommending it, which would be interpreted that I would support a project when urged by President Hoover, but would oppose the same project when urged by President Roosevelt. I can imagine that the character of pressure upon the part of such people would have an effect upon a certain type of senator, ...} \textsuperscript{60}
\end{quote}

The First World War had left a debt of $24 billion, but the prosperity of the 1920's allowed for its reduction. By 1930, it had been reduced to $16 billion. While the Republicans called for a reduction in the debt, they also,

\textsuperscript{59}Ibid., 73d Cong., 2d Sess. (1934), 3989, 4475. The treaty failed to pass although it received a majority vote, 46 to 42. For a study of the controversy, see William R. Willoughby, The St. Lawrence Seaway: A Study in Politics and Diplomacy (Madison, Wis., 1961).

\textsuperscript{60}Letter from Fess to Brown, February 6, 1934, Walter F. Brown Papers, Box 2, Folder 2. A letter from Brown to Fess, February 5, 1934, pointed out the significance of the St. Lawrence water project. \textit{Ibid.}
by a series of revenue acts during the period, reduced taxation by wiping out excess profits taxes, drastically reducing surtaxes and granting rebates on earned income and refunds to corporation. This policy of tax reduction was definitely aimed to aid the business interests of the country and was generally met with national acclaim.61

Perhaps Republican economic principles, in relation to business interests, were best represented in Secretary of Treasury Andrew W. Mellon, who served from 1921 to 1932, under Harding, Coolidge and Hoover; he was a prime example of rugged individualism and business success. He was the head of a huge aluminum trust and the owner of oil wells, coal mines, distilleries, steel mills, utility companies and banks. He also was a formidable power in Pennsylvania politics and a lavish contributor to the coffers of the Republican party. Senator George Norris of Nebraska commented during debate on a Mellon tax bill of 1925 that "Mr. Mellon himself gets a larger personal reduction than the aggregate of practically all the

taxpayers in the state of Nebraska. Mellon favored tax reduction on the principle that it would encourage and promote business enterprise.

In March 1924, a Senate Resolution (200) was introduced in the Senate to direct the committee of the judiciary to inquire into the right of Mellon to hold his office as Secretary of Treasury, on the grounds that his tax reduction measures were for self interest. Fess immediately came to his support in the Senate. He declared that Mellon had great talent for the position, and he called him a great Secretary of Treasury. He then discussed his accomplishments and pointed out his remarkable achievements. Mellon continued to come under attack and in 1929, Senator Norris proposed to disqualify him on the basis that he owned stock in corporations and thus as Secretary of the Treasury he was promoting his own interests. Fess again

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63 Congressional Record, 68th Cong., 1st Sess. (1924), 5253-5255. No action was taken on Secretary Mellon. In 1922, while in the House, Fess had referred to the treasury department under Mellon as "the most brilliant since the days of Alexander Hamilton." Ibid., 67th Cong., 4th Sess. (1922), 197.
came to his defense, and he received many letters on the subject of Mellon's qualifications for office. To one such inquiry he compiled a two page detailed report. He explained that every Secretary of Treasury, as far as he knew, had owned stock in corporations and then he informed his inquirer:

... no government would be apt to enter upon a policy requiring the head of the financial department of the greatest business in the world to be placed in the hands of someone who is either a pauper or who is to be without any experience in business. No organization, not excluding the government, would ever pass a regulation of such indefensible requirements as that the head of its financial division should be devoid of both experience and financial ability.64

Speaking on inheritance taxes in 1925, Fess stated that they were too high. He maintained that although they were a proper source of taxation, they should not be so high so as to lead to avoidance by breaking up fortunes invested in productive industry. In that case, he judged, the tax ceased to be a source of revenue and defeated its own purpose. He stated his belief that inheritance taxes should be left to the states, and that the federal government

64 Letter from Fess to a Mr. Miller (address unknown), May 6, 1929, Fess Papers, Box 29, Folder 2. Fess made several remarks in the Senate in defense of Mr. Mellon. Congressional Record, passim.
should employ this tax only when the state did not.\textsuperscript{65} Fess generally favored tax reduction.

In 1927, a Senate Resolution (336) was introduced favoring permanent tax reduction legislation during the session of Congress of that time. The measure passed the Senate with Fess's vote of approval.\textsuperscript{66} A few days before its passage he had presented his views on the measure. He stated that he was in entire accord with the last tax reduction bill, but he said "I am free to say that it is not a cut-and-dried proposition with me, and it is not a matter of following the administration wishes in the matter."\textsuperscript{67} He reiterated that the national debt should be reduced as rapidly as possible but that it had to be consistent with the integrity of American business. He warned that Congress must be cautious regarding a permanent tax reduction, as: "To undertake to reach into the future is unwise in the highest degree." Further

\textsuperscript{65}Portland (Maine) \textit{Evening Express}, September 25, 1925.

\textsuperscript{66}\textit{Congressional Record}, 69th Cong., 2d Sess. (1927), 2931-2932. The resolution was passed on February 4, by a vote of 52 to 28.

\textsuperscript{67}\textit{Ibid.}, 2671-2675. Fess's remarks on the resolution were made on February 1, 1927.
elaborating on the taxing policies of the past few years, he endorsed the measures to reduce taxes to solve the problem of surplus revenues, but he said that a tax reduction bill should only attempt to meet the contemporary surpluses and should not be made permanent, as one did not know what the future would bring. He maintained that another reduction could be voted later if it were necessary. Displaying his sentiments towards the business interests, he asserted that any system of taxation that was not built upon the possibility of American business prospering was a very unwise form of taxation.  

One of Fess's constituents had written to him urging the repeal of the five per cent federal tax on automobiles. To this he replied that the entire subject of tax revenue was before the committee on ways and means in the House. He evidently was irritated by the number of letters he had received asking for tax reduction, as he informed his constituent:

I have been astonished as well as amused over the demands that are being made for the repeal of various taxes. Were Congress to repeal all the taxes whose repeal is demanded

68 Ibid.
by interested parties instead of collecting taxes from the taxpayers, the Government would be paying a bonus to the citizens. 69

Although the Republicans called for tax reduction that policy was not adhered to in respect to the tariff. The Republicans had strongly denounced the Underwood tariff of 1913, a Democratic measure that had sanctioned downward revision. The Underwood Tariff was never really tried under normal conditions for the European War brought out the year after its passage and no sooner was the war over in 1918, than the Republicans, who came into power, demanded upward revision. In March 1921, the Republican Congress pushed through an emergency tariff bill which was vetoed by President Wilson, but a month after Harding's accession to the presidency, he announced the urgency for revision. Congress responded with the emergency tariff of May 1921. A more important tariff, however, was the Fordney-McCumber tariff of September 1922, which established rates higher than ever before in the country's history. 70

69 Letter from Fess to L. B. Merritt of Lima, Ohio, October 27, 1925, Fess Papers, Box 27, Folder 3. The Fess Papers contain other letters relative to tax reduction.

70 For a study of the tariff, see F. W. Taussig, The Tariff History of the United States (New York, rev. ed., 1931), and Benjamin H. Williams, Economic Foreign Policy of the United States (New York, 1929).
Continued prosperity during the 1920's, convinced the Republicans of the validity of their principle of high tariffs. Even though the high tariff checked post-war international trade and led other countries to adopt a policy for retaliatory tariffs against the United States, nonetheless, the high tariff continued to be widely popular, and in 1930 the Hawley-Smoot Tariff Bill was passed which again increased the rates. It represented increases all along the line, but particularly in minerals, chemicals, dyes and textiles. This in turn led to retaliation from several European countries, which increased their tariffs on United States goods. 71

Fess remained consistent in his views on the tariff and during his lifetime he uniformly praised Republican tariff principles, both privately and publicly. As a member of the House he had vehemently attacked the Underwood tariff and had continued to denounce that Democratic measure. On the other hand he loudly acclaimed the emergency tariff of May 1921 and the Fordney-McCumber Act of 1922. The tariff question continued to be a sensitive and

71 For the effect of our economic policy in Europe during this period, see Raymond F. Mikesell, United States Economic Policy and International Relations (New York, 1952).
vital question, and in 1928 a Senate Resolution (52) was proposed favoring tariff reduction. He voted against this resolution. In debating the resolution, Fess argued that it was not the time for a decrease and he accused the proponents of the measure of "political talk." Instead, he recommended support of the existing tariff and suggested that there should be further increases, especially on agricultural goods. He pointed out to his colleagues that the revenue collected was $322 million under the last full year of the Underwood Bill and that during the current year under the 1922 Act, revenue had amounted to $605 million. After giving these statistics, he uttered that: "That answers for all time the charge that protective legislation destroys the revenue." He then emphasized that the country's foreign commerce, both exports and imports had increased since 1922, hence one could not reasonably suggest downward revision.

Immediately upon coming into office in March 1929, President Hoover called for a special session of Congress

72Congressional Record, 70th Cong., 1st Sess. (1928), 1424-1429, 1512. The resolution passed the Senate in January 16, 1928, by a vote of 54 to 34, but was not enacted into law.  
73Ibid.
(March 4 and 5) to study the tariff question. From April 18 to May 1930, the issue was a center of much debate. As a result of this, the Hawley-Smoot tariff was signed by the President on June 17, 1930. During that time, Fess frequently discussed the tariff and made many remarks on the numerous amendments proposed.\(^{74}\) In his remarks on the measure in October, he urged the expediting of the President's tariff bill and asserted that the Democrats were trying to slow it up. He pointed out that already 776 amendments had been proposed, mainly for the purpose of slowing down passage. He then gave a long history of tariff legislation from the McKinley tariff of 1890 to that time, and he contended that history showed that few tariff bills had been passed; and that with few if any, of the amendments proposed by the minority party had been accepted. In his opinion the Democrats had little chance of amending the pending bill.\(^{75}\) Speaking in September, during debate on the bill, he said:

\[\text{I would be in favor of having us produce;}\]

\(^{74}\)Ibid., 71st Cong., 1st Sess. (April 15 to November 22, 1929) and 2d Sess. (December 2, 1929 to July 3, 1930), \textit{passim}.

\(^{75}\)Ibid., 71st Cong., 1st Sess. (1929), 4961-4964.
but there are many things that we can not produce. So far as our ability to produce is concerned, I would be willing to be totally independent, if we could be; but we can not be that. Therefore, if the small amount of imports is due to our great production ability it is a sense of gratification.

If we could produce all that we needed, I would be in favor of doing so. I feel that that is the independent position of the United States.76

In Fess's opinion, the United States should not attempt to produce what it could not, as he thought some people were advocating, but the country should produce what it could do economically by American labor and by American investment of capital. When asked if he advocated hot-house methods to produce, he remarked: "No! I would not advocate hot-house methods, but I would say that if there is any article we can produce to the proportion of our demands by encouraging its production through protection, it is a wise policy for us to do that."77

The tariff of 1930 created a tariff commission which was constantly to study the tariff problem. It could then

76Ibid., 3621.

77Ibid.
recommend an upward or downward revision of the tariff to fit the current interests of the country. This flexible provision was the center of a great amount of debate and discussion while being studied in the Senate. Fess was a firm advocate of the provision, for in his opinion, revisions of tax items should not be left up to the Senators, as that would involve too much politics. He felt that there was a need for constant study of the tariff such as this provision suggested, and in his remarks on the matter in June 1930, in the Senate, he said:

Our economic life is changing so rapidly that a whole policy with reference to one particular item might be put out of operation over the world, as every one must know we must lodge somewhere the authority to deal with an individual rate without opening up the whole subject. 78

In Fess's opinion, Congress should not undertake a general tariff revision oftener than once every seven or eight years, because the issue always took so much time that other legislation was neglected. To avoid constant revision he endorsed the idea of a tariff commission, which would be composed of well-trained, well-qualified

and unbiased men who could make recommendations for tariff adjustments to the President.\textsuperscript{79}

Fess acknowledged that there might be unwarranted items in the tariff bill. He asserted that there was not a "man in the world" who was completely satisfied with it as there were items which were included that would have been better if omitted, but he added that he had voted for the bill because of the larger interests involved.\textsuperscript{80}

In a nationwide radio broadcast on August 7, 1930, Fess declared that the President's tariff legislation sought to benefit all the people by investments of American capital in American industries, employing American labor. He asserted that the tariff would increase foreign trade without loss of revenue. He further expanded on the purpose of the legislation:

\textit{The fullest employment of our labor is the supreme purpose of this legislation. Hence it looks primarily to increasing the employment of American labor rather than foreign labor, thereby insuring the purchasing power of our people, in building up the American market,}

\begin{flushleft}
\textsuperscript{79}Ibid.
\end{flushleft}

\begin{flushleft}
\textsuperscript{80}Ibid., 6500. Remarks made by Fess April 4, 1930, in the Senate. Fess voted for the final conference report on the Hawley-Smoot Tariff (H. R. 2667) on June 13, 1930. The vote was 44 to 42.
\end{flushleft}
which is the real test of prosperity, in which the entire nation, especially the farmer and the laborer will share.®1

With the coming of and the intensity of the depression after 1929, and the passage of the tariff in 1930, the first few years thereafter saw a drop in the exports of the United States and the retaliation on the part of European countries in increasing their tariffs against United States goods. The immediate cry came for downward tariff revision, especially with the Democratic gains in Congress in 1930 and 1932. In a debate on the Senate on March 30, 1932, on H. R. 6662 to amend the tariff act of 1930, Fess gave several long speeches in which he reaffirmed his former position on the matter. He spoke against Congressional revision, stating that that should be left up to the tariff commission as provided by the act of 1930. On that occasion, he remarked: "I have regarded the enactment of the flexible provision in the tariff law as the most important feature of tariff legislation in the last 40 years," and then he reiterated that the operation of

81Copy of Fess radio speech on the achievements of President Hoover, given over N.B.C. on August 25, 1930, 7 p.m., Lehr Fess Papers.
the flexible provision had clearly demonstrated its wisdom.\textsuperscript{82}

He acknowledged that downward revision might be necessary, but he was firmly against putting the tariff question back into the hands of Congress. During the course of the discussion to amend the tariff, Senator Tom Connally of Texas criticized Fess's views on the issue and remarked (to Fess):

\textit{The Senator from Ohio illuminates any discussion in which he takes part. The Senator is a scholar, and in the beginning of his remarks he treated us to a rather meticulous discourse on the history of the tariff and the biography of many of the leading public men who had had to do with tariff legislation.\textsuperscript{83}}

Senator Connally later rather caustically stated: "I congratulate the Senator from Ohio. He is just full of history; . . ."\textsuperscript{84}

The debate on the tariff question continued the next day and Fess told his colleagues that he had read an article on Sunday from the \textit{New York Times} (March 27) entitled,

\textsuperscript{82}\textit{Congressional Record}, 72d Cong., 1st Sess. (1932), 7108.

\textsuperscript{83}\textit{Ibid.}, 7118. Remarks made by Connally in the Senate on March 30, 1932.

\textsuperscript{84}\textit{Ibid.}
"Tariff Walls rise as world Trade Falls." This gave an opening for Senator Connally, and he rather sarcastically remarked:

I am glad to know that the Senator has even got to the point where he devotes his Sabbath to worshipping at the shrine of the tariff. He spends his time on Sunday reading tariff literature, and I congratulate him.

Mr. President, the Senator from Ohio was the proper orator to make the speech that he submitted to the Senate yesterday; he was the proper orator, because he was enabled to speak in three different characters. He was able to speak as chairman of the Republican Committee, he was entitled to speak as the keynote speaker of the Republican convention in 1928, . . . Then further, he is entitled to speak as one of the Senators who was active in the adoption of that measure on the floor of this Chamber.\(^{85}\)

After Connally finished his remarks, Fess added: "We have listened to a very eloquent address by the junior Senator from Texas. I always enjoy listening to him. He is a splendid orator."\(^{86}\)

Although the demand grew for downward revision of the tariff, Fess persistently clung to his views on the subject. With the election of 1932 nearing, there was the general feeling that a Democratic victory would influence

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\(^{85}\)Ibid., 7118. Remarks made by Connally in the Senate on March 31, 1932.

\(^{86}\)Ibid.
such revision. However, Fess hoped that that would not be the case, for in his opinion:

This country cannot and will not permanently go against the protective tariff system. Even the Democrats themselves, including Mr. Roosevelt, promise to maintain protection to make up the difference in the cost of production. If we win this year, it will not be by abandoning protection, but it will be upon the uncompromising demand of its continuance. 87

With the coming of the New Deal, high tariff barriers were lowered. The Trade Agreements Act, passed on June 12, 1934, authorized the President to lower existing tariff rates by as much as fifty per cent by agreement with nations that were prepared to make reciprocal concessions to the United States. During the course of the debate on the reciprocal tariff act in May and June (1934), Fess continued to denounce such a step in frequent remarks in the Senate. His speeches reaffirmed his views. 88 Downward revision to him meant a trend towards free trade, and he strongly denounced such suggestions. He said that the

87Letter from Fess to B. G. Smith of Dayton, Ohio, September 21, 1932, Fess Papers, Box 30, Folder 3.

88Congressional Record, 73d Cong., 2d Sess. (1934), 9091-10374. Fess made some very long speeches in the Senate in his discussion on the tariff, during May and June 1934. For background on the reciprocal trade agreements, see Grace L. Beckett, The Reciprocal Trade Agreements Program (New York, 1941).
danger of the free trade theory was that under it the country would fail to develop industries. He questioned giving the President control over commerce in connection with reciprocal trade agreements, and he maintained that Congress had no right to grant such power. In criticizing this procedure he said: "If the measure goes to the extent of allowing the Executive to declare a policy, it is certainly in contravention to all principles of a government such as ours." 89

The vote and passage was taken in the Senate on the Trade Agreements Act (H. R. 8687) on June 4, and just before the balloting, Fess made a last minute appeal to his colleagues. He saw the act as a dangerous step in that it would undermine the power of Congress and to his fellow Senators he declared:

The passage of this bill must not be considered as the only condition by which the Nation is going to survive; we will survive if we shall not pass it; and I say that we shall survive and have a more substantial recovery under normal processes and constitutional processes, not with such speed, perhaps, but with the assurance of making no mistake by our taking the necessary time. . . . I think that before the President is given plenary power to do as he likes in

89Ibid., (June 1, 1934), 10204.
establishing a policy involving the many billion dollars of wealth in our country, we ought to provide that whatever action he may take under the bill shall be brought back to Congress [to pass by a majority vote] . . . . If we do not do that, if we impose no limitation whatever, we might just as well abdicate, give over the power of Congress to the President, and go home. 90

The prosperous condition of American business during the 1920's had not been reflected in agriculture. The benefits of the so-called Republican prosperity had failed to reach many of the country's farmers. During most of the decade the farmer was in distress, and by the end of the period with the advent of the depression, agriculture was in a desperate plight. Between 1920 and 1932 total farm income declined from $15.5 billion to $5.5 billion. The producers of the staple crops—wheat, cotton and corn—had never managed to recover from their overexpansion during the war period. Foreign markets were cut by competition from Canadian, Australian and Argentine wheat, and from Brazilian, Egyptian and Indian cotton, as

90Ibid. (June 4, 1934), 10375. Fess voted against the measure, but it passed by a vote of 57 to 33. Ibid., 10395.
well as by foreign retaliation against American tariffs.91

The Republican panacea for agricultural depression
was the tariff, but since the American farmer raised a
large exportable surplus, increase of duties on farm prod-
ucts was futile and when foreign countries raised their
own tariffs in retaliation, the farmer's losses in the
export market became even more critical. The farmers
themselves had come up with various schemes calling for
government support to agriculture just as industry had
sought government protection through tariffs. Out of the
different plans two had emerged: the equalization fee and
the export debenture. The first, which became the contro-
versial McNary-Haugen bill, appeared in 1924. It created
a government corporation which would buy selected farm
products at a "parity" price and sell the surpluses at a
lower price in the world market, the cost to be paid by
an "equalization fee" on processing and by the taxpayer.
The measure was twice defeated in Congress and then passed

91Morison and Commager, op. cit., II, 642-644;
Hofstadter, et al., op. cit., II, 451-452. For two
excellent studies on agriculture during the 1920's, see
Theodore Saloutos and John D. Hicks, Agricultural Dis-
content in the Middle West, 1900-1939 (Madison, Wis.,
1951) and Henry A. Wallace, New Frontiers (New York, 1934).
in 1927 and again in 1928, only to be vetoed by President Coolidge.92

The export debenture plan provided a "bounty" on certain agricultural commodities to be paid in "export debentures" that could be used for paying tariff duties. Hoover managed to defeat this bill by the threat of a veto. In 1929, during Hoover's administration, the Agricultural Marketing Act was passed, which created the Federal Farm Board to encourage the organization of agricultural cooperatives. The Farm Board was authorized to extend loans to the co-operatives, create stabilization corporations for the purpose of controlling surpluses, and insure both co-operatives and stabilization corporations against losses.93

Fess came from a farm background, lived in a rural town, represented a predominantly agricultural district as a Congressman, and came from a leading agricultural

92Ibid. For a discussion of this controversy, see Gilbert C. Fite, George N. Peek and the Fight for Farm Parity (Norman, Okla., 1952) and W. R. Sutherland, A Debate Handbook on the McNary-Haugen Agricultural Surplus Control Act (Lexington, Ky., 1927).

93Ibid. For background on the debenture plan, see Gilbert C. Fite, George N. Peek and the Fight for Farm Parity (Norman, Okla., 1952).
state, hence he maintained a keen interest in the needs of the farmer. His economic philosophy in relation to agriculture, however, readily adhered to the prevailing conservative Republican philosophy of the period. All through his Senatorial career, he spoke extensively on the farm legislation before the Senate. In his political campaigns and in his public addresses before many varied groups, adhering to his *laissez faire* philosophy, he consistently spoke against government control and regulation of the farmer.

Fess strongly denounced the McNary-Haugen Bill during the several years it was an issue before the Senate. Criticizing the plan in 1926, he maintained that it constituted price fixing and that it meant "the most gigantic entry of the Government into business ever contemplated in peace or even in war." He added that the "gigantic entry of the Government into business" would be accompanied by "tyranny over the farmer by fraud, politics and corruption." He acknowledged that the farmer needed help but: "They need real help not rainbows."  

94*New York American*, June 6, 1926, article, "Fess says corn belt Plan will injure Farmer."

95Ibid.
In Fess's opinion, the McNary-Haugen Farm Bill would guarantee a profit not only to the producers, but to every flour miller, every meat packer, every butcher, every cotton dealer and others. To him the subsidy plan would lead to no other result than an immense stimulation to overproduction as the government would be paying the farmer to overproduce. In addition, he claimed the measure would "sovietize the great agricultural industry."

Before the McNary-Haugen Farm Bill was defeated on June 25, 1926, Fess had introduced on June 16, 1926, an administration farm bill (S. 4462), which he fully endorsed. The Fess bill would have provided for: a division of co-operative marketing in the department of agriculture, a marketing commission; the acquisition and dissemination of agricultural information; and an appropriation of $100 million for loans to cooperatives in the interest of the farmer. In an address before the State Bankers' Association of West Virginia on June 23, 1926,

96Columbus Dispatch, June 11, 1926.
97Ohio State Journal, June 10, 1926.
98Congressional Record, 69th Cong., 1st Sess. (June 16, 1926).
he pointed out the problem of the farmer and explained his farm bill.99 As he saw it, the farmer had two primary difficulties in developing their own marketing system. The first was the difficulty in securing initiative to set up such organization. The proposed Farm Board would undertake this. The second difficulty was the securing of working capital with which to conduct such organizations. Farmers, he reiterated, could not get large loans. He then pointed out that the farmers could be assisted in erecting a central grain-marketing organization to act in their behalf and under their management; if it were provided working capital it could no doubt come into control of most of the grain output of the country. He explained that such a plan would not involve the government in buying and selling, in supervision or responsibility, as did the McNary-Haugen plan but would build up the initiative of the farm people.100

He concluded his address to the Bankers' Association by stating that his farm bill avoided the dangers


100Ibid.
of: 1. government price fixing; 2. government buying and selling; 3. government subsidy, sales tax, or excise tax; and 4. bureaucratic control of agricultural commerce. Fess maintained that this would be financed by credit banks and banking institutions which would loan to such farm organizations and cooperatives as were established on a sound basis. He asserted that each central farm organization could convert the grain business from a buyers' market into a sellers' market and secure the maximum price which the law of supply and demand permitted. It could then by various arrangements among the farmers, provide for holding the surplus grain until the market needed it.\textsuperscript{101}

After much debate the Fess farm bill came up for vote on June 29, and was defeated by a vote of 54 to 26. The Washington Star on June 27, reported in an article entitled, "Fess Bill's defeat Forecast as Lines split before Vote," that the President was squarely behind the Fess bill, but added that some Republicans insisted that they would support nothing that did not contain the principles of the McNary-Haugen plan.\textsuperscript{102} The Star on the

\textsuperscript{IBid.}

\textsuperscript{102}Washington Star, June 27, 1926.
following day indicated that the enactment of the bill would be a real victory for the Coolidge administration. The Cleveland Plain Dealer after the defeat of the bill, concluded: "The administration suffered one of the worst reversals the President had experienced at the hands of Congress since he entered the White House."103

In February 1927, in a discussion in the Senate on a proposed McNary-Haugen bill (S. 4808) which would have created a Federal Farm Board, Fess acknowledged that there was an agricultural problem but asserted that there were differences of opinion on a solution. His solution would be to relieve the surplus problem by handling it through agencies outside of the government. He then reaffirmed his former views on government control. In denouncing the proposed bill, he stated: "I know of no measure yet presented to deal with an important problem which contains so many unsound features and involves such general bad results as the present unfinished business which is now before us."104 He later voted against the measure, although

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103 Cleveland Plain Dealer, June 30, 1926.

104 Congressional Record, 69th Cong., 2d Sess. (1927), 3131.
it passed by a vote of 47 to 39, only in turn to be vetoed by the President.\footnote{Ibid., 3501-3502, 3518.}

The McNary-Haugen Bill continued as an issue during the remainder of the Coolidge administration and Fess persisted in his denunciations. In a letter in 1928 to a constituent on this farm bill, he wrote:

\begin{quote}
. . . The McNary-Haugen Bill, would have built up another government business as large as the Internal Revenue Bureau. That was one of the objections that I launched against it. I mention this simply to indicate to you how easy it is to increase the employment and to open the way for government experts.\footnote{Letter from Fess to A. N. McCombs of Cadiz, Ohio, October 29, 1928, Fess Papers, Box 28, Folder 5.}
\end{quote}

Although Fess realized that there was an agricultural problem, he maintained in 1928 that the farmer, as a whole, was enjoying a good deal of prosperity. He stated that the past few Congresses had passed twenty-six different measures to aid agriculture; all of these, he pointed out, had been recommended by some of the best agricultural minds in the country. He asserted that these twenty-six laws were pronounced by the American Farm Bureau as of greater importance than all the legislation on the farm question.
that had been passed previously since the adoption of the Constitution in 1787. He added that he had supported all of these measures, which included the increased tariffs. He concluded that: "There has been no time in the history of the world when farmers have enjoyed more of the modern comforts than today, notwithstanding his dollar does not buy as much of his needs as it did before the war."107

Fess denounced the "debenture plan" to solve the farm problem, on the same grounds that he had opposed the McNary-Haugen "equalization" scheme. He stated that he believed that the farmers did not want a subsidy and that he did not regard the debenture feature as expressing the opinion of a very large section of agriculture.108 He, however, approved of the Hoover solution to the farm problem, as embodied in the Agricultural Marketing Act of June 15, 1929, which created a Federal Board to encourage agriculture cooperatives. This bill was similar to

107Letter from Fess to Mrs. Stanley W. Hickle of Kenton, Ohio, October 31, 1928, Fess Papers, Box 28, Folder 5.

108Congressional Record, 71st Cong., 1st Sess. (1929), 730-731, 900-910. Fess voted for the Hoover Farm Bill (H. R. 1), which passed the Senate on June 14, 1929, by a vote of 74 to 8. ibid., 2886.
his proposal in 1926, as it encouraged cooperative market-
ing.

In the midst of the discussion and debate on the Hoover farm bill on May 1, 1929, Fess and Senator Norris, became embroiled in what turned out to be a rather amusing bit of dialogue. Norris had been making remarks against President Hoover that Fess considered to be disrespectful and the latter came to the President's defense:

Fess: "I hope the Senator will not make any further insinuations about the President of the United States."
Norris: "The Senator from Ohio ought to go to school and learn what 'insinuation' means!"
Fess: "If the Senator from Ohio should go to school he would choose the Senator from Nebraska as his teacher."
Norris: "The Senator from Ohio would learn something if he did that." [laughter]
Fess: "That depends altogether upon whether the teacher has any ability or whether the pupil has any ability."
Norris: "It might be that the pupil would have so little ability that nobody could teach him anything. In that case he would not learn anything."
Fess: "We have been listening to this teacher for 30 years here, and we have not gotten a long way in matter of information."109

The debate and controversy over the administration's agricultural policies in May 1929, led to the report of a

109Ibid., 734. This debate occurred on May 1, 1929.
split in the ranks of the Republican party. President Hoover had called for a special session of Congress for March 4 and 5, to take up the question of the tariff and the farm problem. As a result, a special or extra session met on April 15, and lasted until November 22, in order to take action on these two measures. Against the administration's wishes, a "debenture plan" amendment had been attached to the proposed farm bill. Fess, who had been elected Republican party whip at the beginning of that Congress, was supporting the so-called Hoover farm bill. In a vote on May 9 on the debenture amendment, a number of progressives and liberal Republicans, including Senators Borah, Gerald P. Nye of North Dakota, and Smith Brookhart of Iowa had voted for the debenture plan. Fess, who was irritated by this insurgency, strongly denounced their action in a personal letter (May 9) to his close friend, Marshall Sheppey, a Toledo businessman, and he referred to them as "pseudo" Republicans. His letter read:

The first administration test in the Senate was made in the closing hours of the session. We

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110 New York Times, Columbus Dispatch, Cleveland Plain Dealer and the Cincinnati Enquirer, May 10, 1929.
lost by three votes through a combination of all
the insurgents, save one. . . .
. . . The President had been led through Senator
Borah and other pseudo Republicans to promise
a special session upon the representation that
such a promise would bring these Republicans to
the President's program.111

Fess revealed the letter to the press, who immediately played
up the "pseudo" Republican statement that there was a split
in the party ranks and, as a result, the incident received
national publicity. The Columbus Dispatch on May 10, car-
ried the incident in a front-page headline, entitled,
"Tariff and Relief Discord splits G.O.P. in Congress"; the
Cincinnati Enquirer of the same date, in the front page,
stated, "Fess Slaps--Ohioan takes "Pseudo" Republicans to
Task"; and the Cleveland Plain Dealer, on the 10th in a
striking headline said, "Hoover Faces G.O.P. Split."112

The New York Times on May 10, printed the controversial
letter and reported that "developments today [May 9]
created a break in the Republican ranks in the Senate of
such proportions" as to cause many observers to discern

111 Letter from Fess to Sheppey, May 9, 1929, reprinted
in the New York Times, May 10, 1929, 1. The letter was
quite long.

112 These three Ohio newspapers gave the incident pub-
licity for the next few days.
danger to the success of the policies of the Hoover administration in that body.

The newsmen sought out Senator Borah for a statement, and he told them that he did not want to become embroiled in a quarrel with Fess, as personal controversies were exceedingly distasteful and he always sought to avoid them, but that since Fess had made his letter public and was whip of the Senate: "I presume I ought not to remain silent." He then related that he had been an advocate of the debenture plan for three years and he judged that

Mr. Fess hastens with impatient pride to devote all kinds of bounty in the way of high duties to manufacturing interests but recoils with pseudo pride from extending the same principle precisely to the producers.

Borah, Nye, and Brookhart threatened to defend themselves against Fess's accusation, and Borah and Brookhart stated that they would take the matter to the floor of the Senate. As the incident became more serious, President Hoover played the role of a conciliator by inviting the contending parties to the White House for dinner, but on separate occasions. The Cleveland Plain Dealer, on


114 Ibid.
that occasion, referred to the President's action as, "Hoover turns Fess and Foe across Knee." Upon Borah's leaving the White House he stated: "I regard what he [Fess] said as merely the personal view of Senator Fess and not reflecting the opinions of many Republicans."

He believed that it would not cause a breaking up of the Republican party into hostile camps or create anything like the consequences which newspaper writers had pictured.

Fess also discounted party disunity and said that his letter had not been intended for widespread publication. He added: "The matter will be forgotten [and] it will not lead to any party division or any personal animosities."

These conciliatory statements by Fess and Borah, however, did not quell the incident, and Senator Brookhart announced that he would take up the issue in the Senate. In the meantime, Fess had announced that if the incident were discussed on the floor of the Senate he would then speak on the responsibility of the majority party. At that time, May 11, he announced that he had received

115Cleveland Plain Dealer, May 13, 1929.

hundreds of letters and telegrams on the subject, and only one of the communications had been critical.\textsuperscript{117}

On Monday, May 13, Brookhart prepared to make his statement to the Senate on the matter. The New York\textit{Times} of May 14, reported that most of the Senators were present and that the galleries were crowded with people who came to witness a "promised explosion which would accentuate party dissention," but they had gone away disappointed. The\textit{Times} added: "It was expected that a forensic duel would be produced by Senator Brookhart's remarks with Senator Fess and Borah taking part in it. But that expectation was not fulfilled."\textsuperscript{118} Brookhart began his speech by saying that it was regrettable that politics should have been injected into the farm relief situation. He informed his colleagues that he had looked up the definition of "pseudo" in the dictionary and found that it meant "fake, counterfeit, pretended [and] spurious."

In closing, he asserted that: "I do not feel mad at him [Fess] at all, I am just sorry for him that's all."\textsuperscript{119}

\textsuperscript{117}\textit{Ibid.}, May 12, 1929.

\textsuperscript{118}\textit{Ibid.}, May 14, 1929, 1.

\textsuperscript{119}\textit{Congressional Record}, 71st Cong., 1st Sess. (1929), 1170-1171.
Brookhart then yielded to Fess who stated that he had heard Senator Johnson from California use "pseudo" a few days before in a speech in the Senate and he had been impressed with its usage. Fess then remarked that in writing his letter to Sheppey, he had used the word without looking up its precise meaning in the dictionary, and he now realized he had misused it. Fess said later, outside the Senate chamber, that Brookhart's speech did not justify a response.

The "pseudo" matter thus ceased to be an issue, and the New York Times in an editorial on May 14, judged that there was no need of reconciliation between Borah and Fess, as they really had not quarreled. The Times was of the opinion that Fess had made the remark, because, "Mr. Fess retains some smack of the scholar's jargon left over from his service as a college president."

With the accession of President Roosevelt and the coming of the New Deal in 1933, new steps were taken to solve the agricultural problem. As the result of the depression, agriculture was in a desperate and stricken

\[120\]Ibid. Senator Borah never discussed the incident in the Senate.
condition. The administration, through the advice of its economic and agricultural experts, decided that prompt and drastic remedial action was necessary of the collapse were not to turn into a catastrophe. The administration proposed to use the auspices of the government to organize the farmers and to use federal subsidies to pay them to cooperate in reducing production. Heretofore, the great problem had been overproduction which resulted in low prices for the farmer. By cutting production and balancing supply and demand, it was hoped that the price would rise; thus prices were to be raised by having farmers restrict production in accordance with some common plan.121

To put this government plan into operation, the Agricultural Adjustment Act was passed in May 1933, which established an Agricultural Adjustment Administration (A.A.A.) to carry out its provisions. The A.A.A. authorized the Secretary of Agriculture to make agreements with farmers by which the farmers promised to cut their production of staple crops, and the government in turn undertook to give

121 Morison and Commager, op. cit., II, 707-711; and Hofstadter, et al., op. cit., II, 509-511. For further information on the New Deal farm policies, see Edwin Nourse et al., Three Years of the Agricultural Adjustment Act (Washington, 1937); and Gilbert Fite, George N. Peek and the Fight for Farm Parity (Norman, Okla., 1954).
them cash subsidies. Since the A.A.A. did not become law until after the spring planting period in 1933, acreage restriction during the first year of the measure had to be replaced or supplemented by the destruction of crops, particularly cotton and hogs. Cotton planters were paid to plow up one-fourth of the growing cotton crop, and more than six million young pigs were slaughtered. The A.A.A. was further amended and implemented by Congress to permit the Department of Agriculture to set up production quotas for the farmer. In both 1934 and 1935 more than thirty million acres were taken out of production, in return for which farmers were paid over one billion dollars.\textsuperscript{122}

The New Deal approach to the farm problem was widely criticized. The reduction in production when people were hungry was bound to invite criticism, especially when it concerned the slaughtering of little pigs and the plowing under of valuable crops. The new policy towards agriculture, as well as the New Deal as such, was denounced especially by the conservative Republicans such as Fess,\textsuperscript{122}

\textsuperscript{122}Ibid.
as undermining the Constitution and creating a dictator in
the President.\(^{123}\)

Fess viciously attacked the New Deal solution to the
agricultural problem. Even before the Roosevelt adminis-
tration came into power, he criticized the demands by
people for the government to take direct action towards
farm relief. He saw such action as creating "a sense of
helplessness" which he claimed would lead to the demand
that the government give aid for every ill that afflicted
society. He admitted that the country was in an inde-
fensible position with such a large amount of foodstuffs
belonging to the government and no one seeming to know
what to do with it; and no one, he said, would feel
justified in obstructing the use of such government sur-
pluses to alleviate hunger. But in his opinion, for the
government to give the food away would be a step in the
direction of government relief, which would ultimately
lead to making appropriations directly out of the Treasury

\(^{123}\)On January 6, 1936 the Supreme Court declared the
A.A.A. unconstitutional in the case: United States v.
Butler, et al., Receivers of Hoosac Milk Corporation, 297
U.S. 1.
for the aid of people who were indigent for any cause.124

Commenting on an amendment to a wheat bill in 1932, which provided for the setting aside of five million bushels to be fed stock in a specific section of Nebraska, he concluded:

This amendment was passed without the batting of an eye. It is these incidents of socialism that will doubtless undermine the sturdy character that has always dominated America.125

He continually criticized the crop quota and other agricultural controls introduced by the Department of Agriculture and stated that such measures were undermining the free enterprise system. In addition, he accused the administration's farm policy of being directed through a group of political farmers and theorists, who knew nothing about practical farming. In regards to these matters, he wrote:

I can imagine what a revulsion of righteous indignation will be aroused when, before the farmer of my state is permitted to plow his ground, either for wheat, corn or some other product, or plan how many hogs he will raise, he must come to Washington to

124Letter from Fess to John T. Gribble of Bredette, Montana, January 5, 1932, Fess Papers, Box 30, Folder 2.

125Ibid.
get permission from a Federal employee as to what he can do. Such a proposal is so indefensible that I cannot for the life of me see how the average farmer can allow these political farmers who are here in Washington pretending to represent the interest of the farm, to push such proposals.126

In a discussion of the proposed Agricultural Adjustment Act in the Senate in April 1933, he criticized the measure because he declared that it would make a dictator out of the Secretary of Agriculture. In addition, he stated that neither Jefferson nor Hamilton had ever dreamed of anything like that farm bill. "In fact," he said, "no one has ever dreamed of anything like this. I cannot go along with this admitted experiment. After voting for the mass of legislation of farm relief the past 20 years, with the present results in agriculture, I cannot take this leap into sovietism."127 Speaking in the Senate on March 7, 1934 in reference to the operation of the A.A.A., he concluded:

Whatever be the explanation, there is no justification, in the interest of reducing

126 Copy of a letter from Fess to unknown correspondent, date unknown, but evidently 1933, Fess Papers, Box 30, Folder 4.

127 Congressional Record, 73d Cong., 1st Sess. (1933), 1721-1729.
production, for the destruction of foodstuffs. That is a wicked thing and it ought not to be permitted under any circumstances.\textsuperscript{128}

Fess consistently attacked the New Deal farm policy while in the Senate. In his campaign for reelection in 1934, he repeatedly criticized that phase of the New Deal, and in so doing he cited many statistics to illustrate its failure. In a campaign speech in Van Wert, Ohio, on October 5, he pointed out the dangers of the continuation of the A.A.A. and added: "The A.A.A. was designed to increase the price of the farmer's products, but its actual result in many cases has been to decrease the price. . . ." To him, it was a vicious policy to keep the farmer from running his farm in accordance with his own judgment.\textsuperscript{129}

The Esch-Cummins Transportation Act of 1920 had differed from previous railroad regulations in that it had sought to encourage rather than discourage consolidation. It empowered the Interstate Commerce Commission to

\textsuperscript{128}\textit{Ibid.}, 73d Cong., 2d Sess. (1934), 3909-3910.

\textsuperscript{129}Copy of a campaign speech, given at Van Wert, Ohio, October 5, 1934. This speech was contained in a folder which included many of the campaign speeches of 1934. The folder belonged formerly to Edward M. Martin, personal secretary to Fess, but is now in Lehr Fess Papers.
evaluate all railroad properties and to fix fair rates and a fair return to investors. A so-called recapture clause provided that all net earnings over six per cent should be divided equally between the carriers and the government, the latter to use the earnings as a revolving fund for the benefit of the weaker roads. A Railway Labor Board was set up to mediate labor disputes. The Interstate Commerce Commission was also given power over railroad finances to protect the investing public.  

Moreover, after years of government attempts at anti-trust prosecutions, the railroads were now authorized and indeed encouraged to plan combinations that would make their operations more efficient. In fact, the Interstate Commerce Commission worked out a plan in the mid-1920's for the consolidation of all the railroads into nineteen major systems. Yet, consolidation came slowly and the Interstate Commerce Commission did not readily approve such mergers.  


131 Ibid. On the railroads, see D. Philip Lochlin, Railroad Regulation since 1920 (Chicago, 1920).
The encouragement for the consolidation of the railroads was consistent with the Republican principle of sympathy towards the business interests. As a member of the committee on interstate commerce, Fess introduced a bill (S. 1175) on December 9, 1927 for the unification of the railroads engaged in interstate commerce, but no action was taken on the bill in that session of Congress.  

In the next session, on February 23, 1929, he presented a detailed report (S. Rept. No. 1884) on Senate bill 5817 to authorize unification of the railroads, but still no action was taken. The New York Times on February 17, reported that the Senate Interstate Commerce Committee had approved of the Fess bill on February 16, by a vote of seven to two. The Fess bill, an administration measure, sought to facilitate unification of the railroads of the country into a few great systems operating upon a basis of equal opportunity for fair profit and service to the public. This unification could be brought about by merger, consolidations, or other methods of obtaining control.

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132 Congressional Record, 70th Cong., 1st Sess. (1928), 347.

133 Ibid., 70th Cong., 2d Sess. (1929), 4127-4136. Fess did not read his report in the Senate.
The bill as amended in the committee directed the Interstate Commerce Commission to prepare a tentative plan for consolidation, but the measure would not make mandatory the carrying out of such a plan. A committee amendment would have given the Commission power to permit petitioning railroads to institute condemnation proceedings against any line desired for consolidation when the price asked was deemed to be prohibitive. The committee had no hope of passing the bill at that time but was reporting it so as to bring the legislation before the country for discussion.134

In the first session of the next Congress, on April 26, 1929, Fess again introduced a similar bill (S. 668), but no action was taken.135 At that time, Fess delivered an address over the Washington Star weekly radio forum on the subject of "Railroad Consolidation." He said:

The unification proposed is based upon the principle of concentration and control. Concentration is the order of modern industry. To forbid it is to reject the essential of modern progress. It is in the interest


135Congressional Record, 71st Cong., 1st Sess. (1929), 595.
of increased efficiency and sound economy. Control, however, is necessary in the public interest, which after all, is the real test of all legislation.\textsuperscript{136}

In his address, Fess pointed out that the proponents of the railroad unification bill hoped that such legislation would insure an adequate transportation system, operated by private enterprise under proper regulation in the interest of the public. He stated that such legislation would enable railroad management to proceed with improvements to their lines, and these, in turn, would bring greater prosperity to all the people. He explained that such a plan of unification was the only alternative for government ownership.\textsuperscript{137} The Fess bill was never enacted, and the Interstate Commerce Commission remained reluctant to approve consolidations.

The United States by 1920, with a merchant fleet second only to that of Great Britain in size, and in large part government owned, as the result of the needs of the past war, had to decide what its policy should be for the future. In 1920, Congress attempted to answer

\textsuperscript{136}Printed in the Congressional Record, 71st Cong., 1st Sess. (1929), 877-878.

\textsuperscript{137}Ibid. The radio address was also reported in the New York Times, May 5, 1929, 9.
this question with a new merchant marine act (Jones Merchant Marine Act) based upon two principles: First, the United States must not give up the preeminence it had won in shipping; and secondly, public ownership and management must give way as speedily as possible to private ownership and management. The Act permitted the Shipping Board to sell the government-owned merchant fleet to private companies. What the Republican dominated Congress had in mind was a great merchant marine of the best equipped and most suitable types of vessels, adequate to meet the nation's needs both in time of peace and war and ultimately to be owned and privately administered by citizens of the United States.\textsuperscript{138}

But the 1920's were unfavorable to Republican aims. Foreign trade continued to decline alarmingly; few purchasers came forward to buy government ships; and the outlays necessary to maintain thousands of unused vessels mounted ominously. President Harding, strongly backed by the shipping interests, eventually decided that only a generous ship subsidy would serve to accomplish the objective of the Merchant Marine Act. The subsidy bill passed

\textsuperscript{138}Hicks, \textit{op. cit.}, 10.
the House in November 1922, but the Senate, with the help of a filibuster on a quite irrelevant antilynching bill, sidetracked the bill without the necessity of a vote.139 The Merchant Marine continued to decline, and finally in 1928 Congress passed the Jones-White Bill, which offered generous mail subsidies and set aside $250 million to be used for construction loans to private companies. As the result of the depression, however, international trade continued to decline, and the Merchant Marine remained in a state of distress.140

In 1925, Fess received many letters from industrialists and merchants protesting against government ownership and operation of the Merchant Marine.141 Fess answered these petitions in somewhat of a form letter. He stated that he hoped that the United States could insure the prosperity of the Merchant Marine under private ownership and could maintain the American standard of wages. He

139Ibid., 60-61.


141Fess Papers, Box 26 (1925). Most of the protests were from Cincinnati.
explained that he saw no way of doing this except through a subsidy to make up the difference in cost. In his opinion, the government properties should be returned to private ownership, and he added: "I deem it quite important to do this, even though it may be a loss, since the loss will not be commensurate with what we must suffer if we continue government operation."142

In a discussion in the Senate on February 10, 1927 over the question of the American Merchant Marine, Senator Wesley L. Jones of Washington asserted that the only way that the United States could have a merchant marine was through government ownership and operation. Fess disputed that principle and in turn, argued that it would be a dangerous step. He acknowledged that private enterprise could not do it alone, but he asserted that United States could not lower herself to European labor standards. In his opinion, the best solution was government subsidies rather than government ownership. He said that the country definitely needed a merchant marine and should not depend on foreign countries.143

142Letter from Fess to P. V. Shoe, President of the Kosse, Shoe and Schleger Company of Cincinnati, August 14, 1925.

143Congressional Record, 69th Cong., 2d Sess. (1927), 3413-3415.
A year later, Fess reaffirmed his position on the matter in a discussion in the Senate. He admitted that the operation of the merchant marine under private enterprise had been "very gloomy": "It is gloomy; but I am not convinced that we have reached the point when we can definitely say now that every avenue is closed to private enterprise, and that we are entering upon Government operation once and for all. I am not ready to do that." In his opinion, the government would not be so apt to guard against loss as would private enterprise, because, he contended, the former was able to operate at great loss, while the latter could not, as it must show a profit. The government losses, he reiterated, could be compensated for out of the Treasury. Therefore, he maintained, the government would suffer less loss by granting subsidies to private enterprise, than by operating the business itself. 144

Fess, who had approved of Federal aid for highway construction as a member of the House, remained consistent in that view as a Senator. On one occasion, in the Senate

144Ibid., 70th Cong., 1st Sess. (1928), 1015, 2062-2066, 8795. Fess did not cast a vote on the original bill (January 31, 1928) or on the conference report (May 16, 1928) for the passage of the Jones-White Bill (S. 744).
on a discussion relative to Federal Aid for Highways, he stated that Ohio was one of the wealthiest states:

But I believe that the proper theory of the Government is that the nation must be looked upon as a unit and, while recognizing the various States in their individual sovereignty, that we ought not to build the territorial boundaries so high that a citizen in Ohio is not interested in what is done over in Indiana, or a citizen in the northern section is not interested in what is done in the southern section, or a citizen in the East loses his interest in the far west.

I think that our policy, inaugurated some time ago, of giving Federal aid to all the States, not only in the way of road building, but also in the way of general improvements, and in the way of education, is a policy that is wise.\(^\text{145}\)

He maintained that the improvement of the roads was of interest to the entire nation. In pointing that out, he said:

We make the wealthy State, in proportion to its wealth, help do the thing that ought to be done for the welfare of the entire Nation without much regard for State lines. We also require the wealth-producing element that pays the taxes to educate the children of those who do not pay taxes just the same as the children of those who do pay taxes. That is really the penalty that is attached to being a rich man or a rich State.\(^\text{146}\)

\(^{145}\)Ibid., 68th Cong., 2d Sess. (1925), 2995-2998.

CHAPTER XI

HOOVER, THE DEPRESSION, AND THE NEW DEAL

With the accession of Herbert Hoover to the Presidency in March 1929, Fess became one of his most loyal supporters. At the time, however, when Hoover was nominated at the Republican National Convention in 1928, Fess was questioned as to some critical remarks that he had made about him in 1918. Two weeks before the general election of November 5, 1918, President Wilson had appealed to the American electorate for a vote of confidence, and he had asked them to express themselves to that effect by returning a Democratic majority to both the House and the Senate. On that occasion, Hoover, who was serving in the Wilson administration as Food Administrator, supported the President's appeal. Fess, who was at the time chairman of the Republican Congressional Committee, resented Hoover's seeming endorsement of the Democratic administration.¹

¹New York Times, November 5, 1918, 8.

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In 1928, Fess recalled the incident when questioned by reporters. He acknowledged that when Hoover made his seconding statement he was very resentful and had attacked it in "the most scathing terms." He said that at the time he was acting and speaking politically, "As I was bound to do." As a result of Hoover's action, Fess had afterwards opposed his selection as a member of the Harding cabinet, but the President had asserted that Hoover's great knowledge and constructive ability would be of great value to his administration. Fess stated that Harding had told him that Hoover could have any cabinet post except that of Secretary of State, of the Treasury, or Attorney General. Fess said that he then told the President that he recognized Hoover's great ability but pointed out that he "could not do team work." 2

After Hoover became Secretary of Commerce, Fess explained that he came to have a great admiration for him because of his great efficiency and his ability to do teamwork with other government officials. As a result, he had become convinced that his earlier judgment had been

wrong. In concluding his statement, Fess said: "I came to
know him better through consulting him and once I came
to know him, the more I came to admire his wonderful and
varied attainments."3

Evidently Fess must have given Hoover some consider­
ation as Coolidge's running mate in 1924, as a letter of
June 21, 1924, from Hoover to Fess, revealed:

Thank you for your letter about the use of
my name in connection with the Vice-Presidency.
I have no feeling of disappointment over the
ultimate result, as I did not want the job and
had so expressed myself. I do want to thank
you for the thought that dominated your own
action in the matter. 4

In the campaign of 1928, Fess, who was up for reelec­tion,
fully supported the Republican platform and Secretary
Hoover. In the early part of October, he wrote to Fred
Lazarus, Jr., of Columbus:

We have the opportunity that rarely comes
[to] our people for a constructive administration.
I sincerely regard Herbert Hoover as the best
equipped administrator of any man in public life.
We have been in such a long period of sustained
business activity that I am constantly fearful
of a breakdown on this high level unless it is
guided by a master mind such as Mr. Hoover. In

3Ibid.

4Letter from Hoover to Fess, June 21, 1924, Fess Papers, Box 25, Folder 2.
others words, I sincerely believe that if Governor Smith were elected, the country would go into a period of depression that we have not experienced for years.

On the other hand, if Herbert Hoover is elected, confidence will be continued, and new resources will be unlocked with the prospect of even an increase of business activity, and of general welfare. 5

A week before the election on November 6, Fess predicted that Hoover would receive at least 420 electoral votes and perhaps 429, while Smith would not receive over 102. He based his conclusion on several facts: the country was Republican in normal years; the Republican party had been augmented by the women's vote since 1920; the polls and straw votes were running strongly in favor of the Republicans; the great registration; and the obvious interest in the election was in favor of the Republicans. All of this, he explained, was demonstrated by the Maine vote--"Maine pointed the way." 6 The results of the election proved that Fess's prediction was nearly accurate as Hoover received 444 electoral votes to Smith's 87. 7

5Letter from Fess to Lazarus, Fess Papers, Box 28, Folder 3.

6Letter from Fess to Luther H. Fox of Tiffin, Ohio, October 31, 1928, Fess Papers, Box 28, Folder 5.

7For a study of the election of 1928, see E. A. Moore, A Catholic Runs for President (New York, 1956).
Fess received numerous requests for tickets to the Hoover inauguration, but as a Senator, he was only allotted eight. In observing the limited number of tickets allotted to him and the large number of requests for such, he said: "The distress growing out of the ticket situation is beyond expression, with so many people thinking that a Senator can secure a ticket and of course not understanding why it cannot be done." On inauguration day, March 4, there was a slow drizzle of rain which increased to rather a heavy downpour, and Fess observed that the day was "so inauspicious," yet the parade and inauguration were "quite a gorgeous performance."

Fess was at the summit of his career from 1928 to 1932, as he had been keynote speaker in 1928 at the Republican National Convention, had been elected Republican party whip in the Senate in March 1929, and was selected in August 1930, by President Hoover, to serve as chairman of the Republican National Committee, a post he held until after the National Convention in June of 1932.

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8Letter from Fess to Marshall Sheppey of Toledo, February, 26, 1929, Fess Papers, Box 29, Folder 1.

9Letter from Fess to W. B. Campbell of Cincinnati, Ohio, March 5, 1929, Fess Papers, Box 29, Folder 1.
The first year of Hoover's term was largely concerned with the administration's agriculture and tariff program. The President had called a special two-day session of Congress on March 4 and 5 to study the question and that body had gone into another special session on April 15 to commence work towards their passage. The results were the Agricultural Marketing Act of June 1929 and the Hawley-Smoot Tariff Bill of June 1930. 10

The great Republican prosperity of the past decade, however, was not to continue through the Hoover administration, even though he had announced in his inaugural address that "in no nation are the fruits of accomplishment more secure." The administration was not yet a year old when on October 29, the Great Depression crashed down on the country and Hoover's promise of a "final triumph over poverty" was shattered. 11

Upon the advent of the depression, the Hoover administration adopted a policy of discounting the seriousness

10 These have been discussed previously.

of it. It seemed inconceivable that the economic structure should collapse. The panic, they were convinced, was a stock-market panic, induced by speculation and precipitated by fear. All that was necessary for a return of prosperity was a restoration of confidence and to that end the administration directed its energies. The administration expected also that its new farm bill and its tariff bill of June 1930 would aid in recovery. In conference after conference with the industrial leaders of the country, Hoover urged the maintenance of employment and wages. The administration, however, was unwilling to grant direct relief; that burden was one for local government and private charity to shoulder. There also were demands for a large scale program of public works, financed directly by the government but such proposals were met with opposition by the administration and especially by the conservative Republicans, who were devoted to state rights and a balanced budget. Not until 1932, when the Democrats controlled the House and a coalition of Democrats and Republican Progressives ran the Senate, were drastic measures taken to cope with the depression. The
most important one was the Reconstruction Finance Corpora-
tion (RFC). This Act of January 1932 authorized the RFC
to lend money to railroads, banks, agricultural agencies,
industry and commerce.\(^{12}\)

Fess, as a conservative Republican, would prove to
be a firm supporter of Hoover's approach to the solution
of the depression, and he immediately began to praise the
President for his efforts toward recovery. Fess, who was
acting as spokesman for his party, presented a first year
appraisal of the administration, in a speech in the Senate
on March 4, 1930. In his opinion, the President had come
to that office with almost universal recognition as the
best equipped man from the standpoint of experience and
business, who had ever been a candidate for that office.
He then observed:

I regard the handling by the present
President of the economic forces that were
playing toward disaster as the most outstanding

\(^{12}\)Morison and Commager, op. cit., II, 644-651. For
accounts of the depression during the Hoover administration,
see Roger W. Babson, Cheer Up! Better Times Ahead (New
York, 1932); Gilbert Seldes, The Years of the Locust, 1929-
1932 (Boston, 1933); Harris Warren, Herbert Hoover and the
single economic accomplishment in the history of government of which I have any knowledge.\textsuperscript{13}

In the election of 1930, Fess wholeheartedly supported the administration, and he went on the campaign tour in order to promote his party. On one such tour, he accompanied Vice President Curtis in October, through West Virginia, Ohio and Indiana, making campaign speeches. At Indianapolis, on October 11, he spoke at a Republican rally, and he praised Hoover for "protecting private enterprise," asserting that: "The President met the situation [depression] as an emergency demanding immediate as well as drastic action, mobilized the forces of labor and capital and planned a program of uninterrupted production and distribution."\textsuperscript{14}

In a radio address on August 25, 1930, Fess, who was speaking as chairman of the Republican National Committee, praised the Republican administration, especially the newly enacted tariff and farm bills, and he claimed that Hoover was succeeding in stabilizing the economic condition of

\textsuperscript{13}\textit{Congressional Record}, 71st Cong., 2d Sess. (1930), 4666-4672.

\textsuperscript{14}\textit{New York Times}, October 8 and 11, 1930. There were several papers relative to Fess's campaign tour in the Fess Papers.
America. Although many observers blamed the depression on the administration, Fess contended that it was the immediate and direct result of the World War, for he believed: "Every feature of the chaotic situation has its roots in that convulsion which involved the entire world." He contended that if inflation of prices, which was caused by the war, opened the way for great profit and was the result of great financial gains, then deflation, which must and would come, would see great losses. To him no one was more responsible or more active in the inflation than the stock market interests who were at the time haranguing and assaulting the government. In his opinion they had seized upon war conditions as occasion for investments and had come to blame the government because it could not save them from the results of such plunging.

As the depression deepened, criticism of Hoover and his administration mounted, but Fess remained steadfast in his support. He professed this loyalty in his correspondence, his public speeches, and in the Senate. An

15Official copy of Fess's radio address, August 25, 1930, over N.B.C., Lehr Fess Papers.

16Letter from Fess to Sumner Fess (no date, but probably 1930), Fess Papers, Box 30, Folder 1.
example of that loyalty was expressed in a letter on November 3, 1931 to his son, Sumner:

"Here is America with the head of the Nation concededly [having] the most able and most widely sympathetic impulses of any leader in the world, spending every working hour either in consultation or alone to lead the nation out of the cataclysm. ... Wall Street, international bankers, and the whiskey soaked journals are not only withholding their sympathetic support, but are in many cases openly criticising his efforts. ..."

As the depression continued, Fess was caught up in the administration's optimism that recovery would soon begin, and he frequently stated that "conditions are looking better." By the middle of 1931, he indicated that there were definite signs of improvement. On June 29, 1931, he wrote to Charles E. Hard, a Portsmouth newspaper editor: "There has been a very substantial turn in the tide within the last few weeks." By October, Fess believed that there was a better spirit in the country, and he stated that certain industries, such as the textile and shoe industries in New England, and the steel industry

17 Letter from Fess to Sumner Fess, November 3, 1931, Fess Papers, Box 30, Folder 1.

18 A letter from Fess to Hard, June 29, 1931, Charles E. Hard Papers, Ohio State Historical Society, Columbus, Ohio.
were showing signs of recovery. The better attitude of the people, he credited to the efforts of President Hoover. The greatest danger to the recent recovery, he believed, would be that, "With the approach of the session with the demagogue at large, all sorts of nostrums will be presented with the danger that some of them may be enacted into law." That, he reiterated, would be our greatest danger.  

Some critics of the administration were calling for deficit spending in order to bring about recovery, contending that the government needed to forget about balancing the budget. Fess, however, was of the school that believed above all that the government must stress economy and a balanced budget. On one occasion, he said: "We must balance the budget, otherwise the credit of the Government would be permanently injured." Even as the country became deeper involved in the depression, Fess was still calling for a balanced budget. In February  

19Letter from Fess to Sumner, October 27, 1931, Fess Papers, Box 30, Folder 1.  

20Letter from Fess to Sumner, December 11, 1931, Fess Papers, Box 30, Folder 1.
1933, in a discussion in the Senate, on the question of currency inflation, he said:

Our problem is to find the means of cutting the expenses of the Government to such a degree that we may balance the Budget by a taxation system which will not dry up the resources of industry. If there is any way by which we can do that, business will start.21

At that time he emphasized that: "The plain duty of the Congress is to cut expenses of the Government, without fear or favor, everywhere it can be done."22

Fess did not believe in direct aid to the states or to the people to solve the unemployment problem of the country. He believed that such government aid would start a trend whereby the people would look to the national government for the relief of many of their ills. In a relief bill (S. 3045) on February 16, 1932, which would have provided for cooperation by the federal government with the several states in relieving the hardship and suffering caused by unemployment, and for other purposes,

21Congressional Record, 72d Cong., 2d Sess. (1933), 4579-4580.

22Ibid.
Fess voted "no."23 In June of the same year, he did not vote on a bill (S. 4860) which provided loans to states and territories for relief of unemployment and other purposes; this bill passed the Senate by a vote of 72 to 8.24

In April 1932, a Senate Joint Resolution (131) proposed to provide assistance in the rehabilitation of certain storm stricken areas in southeast United States and in the relieving of unemployment as a result of the disaster. Fess voted against the measure, although it passed the Senate by a vote of 40 to 17. In stating his opposition to the resolution, he said:

"I do not think there ever was a time when it is so appropriate for us to call attention to this drift we are in. This proposal is obvious proof conclusive that we are not retracing steps we ought not to have taken in the past, but the steps we took in the past are always quoted as the reasons for actions like this. This is not only a continuance of a bad practice but it is an expansion of one, including a new field, and there must be a halt somewhere. It seems to me there must be a halt somewhere. It seems to me this is the time to make a test whether we are


24 Ibid., 12549. It was not known why Fess did not vote.
going unlimitedly into this sort of thing, the Federal Government always to be called upon which [sic] some injury takes place, instead of the locality looking after it.25

In early March 1932, President Hoover called a conference of Representatives and Senators, Fess among them, in order to seek advice on relief and recovery. Hoover explained to the conferees that he would make no public statement of their conclusions, so therefore they could speak candidly. He presented certain questions to them:

1. Should the government continue to administer direct relief through the organization of committees?
2. Should the federal government make grants to the states for the voluntary committee support, conditional upon regular state and municipal participation also?
3. Should the federal government take over the administration of and appropriate funds for direct doles?
4. Should the government expand appropriations from the federal treasury for public works beyond the program he (Hoover) had proposed?

Hoover stated that all those present favored the continuing of his committee organization; all opposed direct federal government administration and doles; all agreed to grant-in-aid to the states if it became necessary; and, except

25Ibid., 7659. Although the conditions in the Southeast were caused by the storm, they were aggravated by the depression.
for Garner, all opposed the expansion of non-productive public works.\footnote{26}

The Congressional Record indicated that Fess voted for the creation of the Reconstruction Finance Corporation (RFC) in 1932, which was authorized to lend large amounts to banks, railroads, life insurance companies, and other business organizations to keep them from going under.\footnote{27} Fess later voted against a measure (H. R. 12445) on July 9, 1932 to relieve destitution, to broaden the lending powers of the RFC and to create employment by authorizing and expediting a public works program and providing for a method of financing such a program. The measure passed but was vetoed by the President. He voted against an amendment to that bill (H. R. 12445), which would have permitted the RFC to make advances to the Secretary of

\footnote{26}{Herbert Hoover, \textit{Memoirs}, \textit{op. cit.}, III, 153. Those present at the conference were: Republican Senators, James E. Watson, Indiana; David A. Reed, Pennsylvania; Fess; and Democratic Senators, Joseph T. Robinson, Arkansas, and Carter Glass, Virginia; Republican Congressmen present were Bertrand H. Snell, New York, Willis C. Hawley, Oregon and the Democratic Congressman present was Charles R. Crisp, Georgia.}

\footnote{27}{Congressional Record, 72d Cong., 1st Sess. (1932), 1705. This measure passed the Senate on January 11, 1932 by a vote of 63 to 8. See, Gerald Nash, "Herbert Hoover and the Origins of the Reconstruction Finance Corporation," \textit{Mississippi Valley Historical Review}, XLVI (1959), 455-468.}
Agriculture for financing the sales of agricultural products abroad, and he also voted against another amendment, which would have authorized loans to states for educational or hospitalization purposes. Both of these amendments failed to pass the Senate.²⁸ In March 1934, in a discussion on Roosevelt's recovery program, Fess referred to the Reconstruction Finance Corporation:

... had the American people not made the mistake of rejecting a program [in the Hoover administration] constructive in every degree, except for the Reconstruction Finance Corporation, which was not a sound one, but which was much more sound at the time than its administration is today, if we had gone on with that program and not tampered with the medium of exchange and the measure of value and if we had kept faith with the people and our country, we would have been far out of the depression today instead of being in a worse condition than the nation has ever been in before.²⁹

As the time for the Republican National Convention came near, there was some doubt as to whether Hoover would be or should be renominated. The liberals in the party, such as Senators Borah, La Follette, and Norris disliked his policies. These so-called insurgents had fought both the administration's tariff and farm legislation. They

²⁸Ibid., 13662, 13702, 13769, 14957.
²⁹Ibid., 73d Cong., 2d Sess. (1934), 3705.
criticized the tariff for aiding the eastern industrialists and hurting the agricultural interests, and they denounced Hoover's farm bill for not giving direct relief to the farmer through a subsidy, such as the export debenture plan. The Presidential veto of the Norris plan for public operation of Muscle Shoals had also brought criticism. Furthermore, Hoover was attacked for his inaction to relieve the depression, as it was believed that he should have taken more direct government action.  

Despite the opposition, by the time the National Convention met on June 14, 1932, there was no doubt as to Hoover being renominated. This was done on the first ballot. In August 1931, Sumner Fess had suggested to his father that perhaps Hoover should not be renominated. Such an idea was ridiculous and unwise in Fess's opinion, and he concluded that for the sake of the Republican party and the country, there should be no question raised as to the wisdom of renominating the President. Such talk was


31 Hoover received 1,126-1/2 votes to 13 for Senator Blaine of Wisconsin, 4-1/2 votes for Calvin Coolidge, 4 for former Senator Joseph I. France of Maryland, 1 for Charles G. Dawes, and 1 for James Wadsworth of New York.
perfectly useless, he explained, as no other man could be renominated. According to Fess no other man, "unless he was a publicity seeker," would accept the nomination. To Fess, the President had accomplished "beyond the possibility" of any man who had ever been in his place. He informed Sumner in regard to his concern that Hoover might not be renominated: "It may be that the only lesson that will sink into the Republican brain will be an experience with a Democratic administration."32

Fess, as chairman of the Republican National Committee, had the honor of opening the National Convention on June 14, at the huge new stadium in Chicago. As he called the convention to order at 11:35 and was about ready to speak, some bright shining lights were cast upon the rostrum. The lights blinded Fess and when he requested them to be turned off, he remarked: "The light is not coming until I am through. I am running this show."33 In regards to this incident, the New York Times commented that "it gave the convention the first chance to sit back and indulge

32Letter from Fess to Sumner, August 25, 1931. Fess Papers, Box 30, Folder 1.

in a little laughter." After calling the convention to order, Fess called for the pledge of allegiance to the flag, after which, he gave a brief speech on the flag, as it was Flag Day. The speech, in which he glorified the Stars and Stripes, was not listed in the official program. The New York Times, in commenting upon his opening the convention, said that it would be his "last appearance in the limelight" of the National Convention, as he was not to be reelected as chairman because he had requested to retire.

Fess was a delegate at large at the convention and was made permanent chairman of the Ohio delegation on the opening day of the event. He was nominated by Postmaster General Brown, and his selection was met with no opposition. Upon being nominated, he said: "I am very appreciative of the honor. To be head of the Ohio delegation in any convention is indeed a signal honor." The convention itself

34 Ibid.


37 Columbus Dispatch, June 14, 1934.
was a rather dull affair, as both Hoover and Vice President Curtis were nominated with little opposition.

Fess wholeheartedly endorsed and supported the Republican platform of 1932, the party's candidates, and its record over the four previous years. As keynote speaker and temporary chairman of the Ohio Republican State Convention in July, he pledged himself to the Party, and its platform. As the campaign progressed, Fess decided that it would be difficult to predict the outcome of the Presidential election. Writing to Sumner in August, he announced that it was too early to make any definite statements about the November election, but he felt there were certain facts on which you could definitely rely:

The first is that Hoover began to grow the day Congress adjourned, which was gradual up to the time of his acceptance speech, when his stock took a tremendous boost. He will continue to grow up to election time because of the fact that he will make no mistakes. On the other hand, Roosevelt [was bigger at the convention than he will ever be again]. He will continue to grow less with the utterances he is making.

Fess realized that the Republicans were weakened in

38Ibid., July 14 and 15, 1934.

39Letter from Fess to Sumner, August 23, 1932, Fess Papers, Box 30, Folder 2.
the campaign because no matter how strong their argument might be in supporting the administration, the factors of unemployment and discontent would tend to destroy and dispute their arguments. Under these circumstances, he concluded that the Democrats had little more to do than "keep still while conditions supply the argument for them." He ascertained that so long as the opposition depended upon mere generalities, the Republicans would have an uphill job, no matter how ardently they worked, especially if there were no definite recovery.

As the campaign progressed, Fess became very bitter at the tactics of Roosevelt and the Democrats in attacking Hoover and the administration. In his correspondence with his son, Sumner, he was very pronounced in stating such views. In a letter on September 20, he wrote:

As you know, I have always held to constructive statements in all my political history. I have never believed it is a wise course to deal with the negative attacks of the opponent. However, I am thoroughly convinced that these tactics are not safe

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Ibid. September 15, 1932, Fess Papers, Box 30, Folder 3. This letter definitely indicated Fess's doubts about victory, as he informed Sumner: "This letter of course must not be made public." For a study of the 1932 campaign, see Roy V. Peel and Thomas C. Donnelly, The 1932 Campaign (New York, 1935).
when you deal with a candidate whose utterances are as irresponsible as those made by Roosevelt... The silliness of his promises, ... promising all things to all people, ... without a scintilla of conscience in his ability to carry out the promise, is about criminal.

His glittering generalities on the agricultural problem, where he promises to benefit every farmer without being specific on any proposition, is a good example.41

Writing to Sumner again, on October 14, he expressed that one could not yet forecast the election result and then explained:

It is too early to give a forecast. The tide as expressed has been against us, but the current cannot be properly estimated by complaint. The fellow with a sore toe is always talking. The quiet thinking citizen is likely to be the determining factor. All straw votes as well as other public utterances represent the complaining. ... The quiet current is a matter to be watched. There is no doubt that this current is running toward Hoover. It is whether the disaffected on the street and on the farm is sufficient in numbers to be determining. They are like the boy who stubs his toe against the chair, and shows his resentment by kicking the chair out of the hall, doing no good to the chair and much harm to his toe. At the present moment any statement of a forecast would be purely a guess.42

On October 23, two weeks before the election, Fess expressed the opinion that there was a good chance of a Hoover victory. He concluded that there was no Roosevelt

41Letter from Fess to Sumner, September 20, 1932, Fess Papers, Box 30, Folder 3.

42Ibid., October 14, 1932, Fess Papers, Box 30, Folder 3.
sentiment, and although he felt people might prefer someone
different than Hoover, as between the two, "there is no
choice. The argument is all in the reelection of Hoover."
It was his conclusion that the only hope that Roosevelt
had for election was to capitalize on the miseries of the
people and "use it as a vehicle upon which to ride into
office."^3 In the middle of October, Fess accompanied
Hoover through his Ohio campaign. He joined the President
at Portsmouth and continued in the campaign, making
speeches at various cities throughout the state.^4 As
the result of the tour, Fess observed that there was an
upswing in sentiment for Hoover, as he was making a
"great impression" and was being received with enthusiasm.^5

As of October 30, a week before the election, Fess
was still expressing doubt as to the election results.
He contended that all elections, as a rule, were determined

^3Ibid. October 23, 1932, Fess Papers, Box 30,
Folder 3.

^4The campaign tour included Portsmouth, Waverly,
Chillicothe, Circleville, Columbus, Toledo, Marion, Fos-
toria, and Cleveland.

^5Letter from Fess to Lehr Fess, October 24, 1932,
Fess Papers, Box 30, Folder 3.
in the last three weeks and he believed that that would be even more true of the campaign of that year. He repeated his claim that the determining factor in "any great contest" was "the quiet, thoughtful, citizen" who was "activated by judgment rather than impulse." This type of person, Fess exclaimed, would attend a political meeting but was "not vociferous, simply because he is thinking." Fess surmised that: "No prior campaign ever presented such a large group of that element as this one." 46

On November 8, Hoover and the Republicans went down to a crushing defeat. Roosevelt had 472 electoral votes to Hoover's 59. In the popular vote Roosevelt had a plurality of more than 7,000,000. 47 The Democrats also won both Houses of Congress as they had more than seventy per cent of the House and a margin of twenty-five in the Senate. In Fess's home state, Roosevelt received 1,301,695 votes to Hoover's 1,227,379. 48

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46 Letter from Fess to Sumner, October 30, 1932, Fess Papers, Box 30, Folder 3.

47 Roosevelt received 22,809,638 votes and Hoover 15,758,901.

In evaluating the results of the election, Fess deduced that "the people in large numbers voted against rather than voting for anything." He observed:

Those in favor of Roosevelt were few. Those against Hoover were many. People were not for Roosevelt for anything that he had done. People were against Hoover for many things he could not do. Their vote was against conditions and for that reason was thoughtless but passionate. Judgment gave way to emotion and prejudices.

Having been in a period of deflation let us hope there may be a resumption of business under the force of the program put in operation by President Hoover. One thing is assured that if we come out of the difficulty it will be on the program already in operation.49

When Roosevelt came into power, on March 4, 1933, he immediately called for a special session of Congress which met for a few days in March and then was in session from April 4 to June 16, 1933. The Roosevelt Administration and the so-called New Deal began with a period of economic planning or perhaps with what one should call a period of economic experimentation. At the time of his nomination, he had not given deep thought to the great national

49 Letter from Fess to Sumner, November 12, 1932, Fess Papers, Box 30, Folder 3.
economic questions, as he had devoted more attention to the problem of how to weld and use a political coalition. An important feature of the New Deal was the recruitment of a "brain trust" to counsel the President on technical matters and to help him draft his speeches. This "brain trust" was recruited both before and after his election, but it came into prominence after his inauguration. The purpose was to give the President expert counseling in the different economic fields.50

The New Deal differed in its approach to the question of recovery from the Hoover administration, especially on the question of relief. Hoover had stayed close to traditional means of administration relief, even when confronted by wholesale suffering, and his capacity to act was limited by his constitutional and political scruples. But the New Deal tried to shape relief policies to the measure of the human needs it had to meet. The authors of the New Deal were not troubled by an inhibitions about the role the federal government should play. Within a

year after Roosevelt took office, Congress, under the relentless leadership of the President, had enacted a far-reaching program of social and economic legislation.\textsuperscript{51}

With the introduction and enactment of the New Deal, Fess became one of its bitterest opponents. Even before Roosevelt's inauguration, he had a feeling of uncertainty as to what the new administration would do. Fess declared that all of this uncertainty was well understood before the election, but nevertheless, the people were dissatisfied and "leaped from the frying pan into the fire with their eyes wide open."\textsuperscript{52} By the end of December 1932, he was of the opinion that the Democrats did not know what they were going to do. To him they were just awakening to their folly in having alleged that all the country's troubles were produced by Hoover and to the hollowness of all their "glittering promises" to remedy everything, including a government job for everyone. He observed: "They have not the slightest intimation of the situation, \textsuperscript{51}


\textsuperscript{52}Letter from Fess to Sumner, December 20, 1932, Fess Papers, Box 30, Folder 3.
and no plans or program, . . . Their much advertised leader, surrounded by theoretical college professors, is without a single constructive idea so far as is announced."53

Fess announced before the new administration came into power, however, that he would cooperate with it on every sound proposal, but that he would resist to the "limit of my strength and effort to substitute some schedule of false unsound nostrums to cure economic ills."54

. Upon his inauguration, the new President called for a special session of Congress to meet on March 9. One of the first measures of the Roosevelt administration was to declare a bank holiday, in order to save the banking system of the country which was on the verge of total collapse. Many of the banks of the country had already closed when the President took office on March 4, and on March 6, by Presidential proclamation, he suspended all banking operations and gold transactions for four days. A specially called session of Congress rushed through the

53Letter from Fess to Lowell Fess, December 28, 1932, Fess Papers, Box 30, Folder 3.

Emergency Banking Act on March 9, which ratified the President's earlier action and provided steps for reopening the sound banks. Fess voted for the measure (H. R. 1491) on March 9. 55

Although Fess approved of the bank holiday he strongly opposed and attacked any manipulation of the currency. He bitterly fought the suggestion of inflationary experiments to cause a price rise in commodities. To carry this out, in May 1933, the President was given the power by Congress to reduce the gold content of the dollar, provide for unlimited coinage of both gold and silver at a ratio he could set, accept a limited amount of silver in debt payments from foreign governments, and issue silver certificates against the bullion thus received. On April 5 the President exercised his authority to forbid the hoarding of gold and gold certificates, and two weeks later the nation formally abandoned gold. Much of Roosevelt's dealings with the money system was an experiment and

55 Congressional Record, 73d Cong., 1st Sess. (1933), 67. The measure passed the Senate by a vote of 73 to 7. For a study of the banking crisis, see C. C. Colt and N. S. Keith, 28 Days: A History of the Banking Crisis (New York, 1933).
came under much criticism, but it was an attempt to raise commodity prices.56

There had been suggestions of devaluation of the gold dollar, abandoning of the gold standard, and the implementation of bimetallism even before Roosevelt assumed the Presidency. Fess asserted in February 1932, that there would continue to be agitation for the abandonment of gold, but he predicted such a step would not be taken. He remarked that some people would urge the increase of money with a lowering of the standard of value as represented in gold by the coinage of silver. That nostrum, according to Fess, was "so completely exposed in 1896 and the years following that it can scarcely be resurrected with any respectability."57 Fess was asked in February 1933 if he would sanction the proposal of devaluation of the gold dollar as a remedy for the depression. He replied: "I certainly would not, and would fight such a proposal to the limit of my influence as both dishonest, on the one

56 For significant studies of the money question, see Arthur Whipple Crawford, Monetary Management under the New Deal (Washington, 1940); G. Griffith Johnson, Jr., The Treasury and Monetary Policy, 1933-1938 (Cambridge, 1939).

57 Letter from Fess to Sumner, February 12, 1932, Fess Papers, Box 30, Folder 2.
hand, and economically unsound on the other." 58 He then proposed that if Congress and the country would stop the clamor for tampering with the dollar, it would be the most distinctive feature toward recovery that would be possible. He acknowledged that it was understandable that all sorts of nostrums were proposed to solve the economic problems, especially on the money question, but he predicted that if Congress manipulated the money it would cause still greater calamity. 59

In a discussion in the Senate in February, 1933, on the money system and the gold standard, Fess vehemently denounced any suggestion of manipulation of them and added that he was against going off the gold standard and against devaluation of gold. To support his claim, he asserted that there was sufficient gold in the country and, therefore, inflationary methods were not necessary. To him the problem was one of not using the money that was available. According to him: "Our concern should not be to

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58 Letter from Fess to a Mr. Fletcher (address not given), February 8, 1933, Fess Papers, Box 30, Folder 4. This was a four-page typewritten letter on the gold and money question.

59 Ibid.
try to increase the money at the cost of its value, but to try to stimulate business in order that it may employ the money that we now possess, and have it increased as business increases."60 In a debate with Senator Brookhart of Iowa, Fess informed him:

The only thing that will put money in circulation is business that can employ service and produce commodities. The Senator holds that putting money in circulation provides business, when as a matter of fact business puts money in circulation. He has the horse at the wrong end of the cart.61

In defending his claim that there was enough money in the country and that all that was needed was to find a way to better use what the country had, Fess proposed his solution:

What I am about to say will probably be impossible of accomplishment, but we can make a gesture along the line. I will probably be called a demagogue after I get through. . . .

If we could proceed now to balance the Budget--and I dislike to use that phrase--if we could proceed now to live within our income, business would start at once. But as long as the saber is hanging over the head of business, the threat that if men go into business and make

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60 Congressional Record, 72d Cong., 2d Sess. (1933), 4571-4583.
61 Ibid., 4575.
money, taxes will be imposed to absorb what they make in order to balance the Budget no man will enter business. . . . 62

In his discussion in the Senate in February 1933, on the money system and the gold standard, Fess asserted that all the basic elements were present to build business upon a sound basis. He pointed out that the country had the farms, the transportation agencies, the manufacturing plants, the managerial ability, the skilled labor, and the banking resources, all intact, but awaiting one factor, confidence. How was this confidence to be created? Fess suggested that the country must move to a rational balancing of the federal budget and that it should also be done in the states; that was the first thing that had to be done. The country must cut taxes, he pointed out, no matter how hard it would hurt. It was up to the new President, he declared, to create confidence; this would take wise statesmanship. To accomplish this, he concluded that there must be no inflation of the currency, no abandonment of the system of sound money, and no new experiments, but a balanced budget. 63

62 Ibid., 4579.
63 Ibid., 4583.
In a discussion in the Senate on June 3, 1933, Fess denounced the proposal to abandon the gold standard. He said: "There has been no proposal that has reached either the House or the Senate in my experience that has been such a surprise to me as the one now pending." He pointed out that both parties had pledged their faith to maintain sound currency. In reference to this, Fess declared:

"I think when the Government sets the example of breaking its own pledge and ignoring the terms of its own contract, it opens the way for everyone who does not want to abide by the terms of a contract into which he has entered to disregard it."

Fess remained consistent in his views and never did accept Roosevelt's money policies on legislation, as he continued to denounce them in the Senate, in his public speeches, and in his correspondence. In January 1934, the country abandoned the gold standard and in a vote in the Senate on such a bill (H. R. 6976) on January 27, 1934, Fess voted against it. On a measure (H. R. 9745) to authorize the Secretary of the Treasury to purchase silver,

64 Ibid., 4913-4919.

65 Congressional Record, 73d Cong., 2d Sess. (1934), 1484. The measure passed the Senate 66 to 23.
issue silver certificates, and for other purposes, Fess voted against it on May 12, 1934, although the measure became law.66

Fess, who had resisted any efforts of the government toward direct relief for easing the hardship and suffering caused by unemployment, continued to resist such measures in the Roosevelt administration. On such a measure (S. 812) in March 1933, which provided for the cooperation between the federal government and the states on such relief, Fess maintained that there was positively no limit to the danger of setting out on a policy that the government was responsible for unemployment. He asserted: "We are starting on a scheme in this bill that we will never be able to stop, . . ." In his opinion, loans by the federal government to the states for such purposes would never be repaid and he believed that the states and local contributions could take care of starvation. In regard to this, he said:

If it were not that Uncle Sam is looked upon as a Santa Claus to give alms, there would

66Ibid., 8714. The measure passed the Senate, 62 to 13. In a discussion and debate on the question of bimetallism on June 8, Fess had gone into great detail on the matter. He said history had shown that if a country went on a basis of bimetallism the silver would drive out the gold.
never be presented such a proposal as this, but every State would take care of its own citizens.67

Even as the depression deepened and the unemployment problem became worse and the hardships and suffering resulting from it increased, Fess still spoke out against what he called the dole. As of June 1934, he still believed that there was not a community that could not take care of its own unemployment. Upholding this opinion in the Senate on June 8, 1934, he emphasized that he had repeatedly argued against the dole when it was first proposed in the Hoover administration. At that time, he said that he had urged time and time again that the dole was dangerous because it was not for the unemployed, but for the unemployable. It was his contention that as the government had increased the use of the dole, this, in turn, had increased the number of unemployed, where it had reached the point that it was demanded as a matter of right.68

67Ibid., 73d Cong., 1st Sess. (1933), 1035-1041. Fess voted against the measure (S. 812) on March 30, 1933, but it passed by a vote of 55 to 17. See, Grace Adams, Workers on Relief (New Haven, 1939); Josephine Chapin Brown, Public Relief 1929-1939 (New York, 1940).

68Ibid., 73d Cong., 2d Sess. (1934), 10801-10802.
In June 1933, the National Recovery Act was passed. It had the dual purpose of recovery and reform. It was designed to speed up industrial production, spread unemployment, reduce hours and raise wages, and provide money for a system of public works and emergency relief. In reference to this measure, Fess said that: "Never in the history of any civilized country, outside of Russia and Italy, has there been such a proposal as this one." He charged that it was only an experiment and that no one knew whether it would work or not. Furthermore, he said that no one ever dreamed that the people in the United States would reach the point where no man could enter into a business without first going to Washington and securing a permit, and then, after securing a license, would not be able to continue in business unless he agreed to produce only so much, so that his output would be limited. He declared: "If anybody had ever suggested such a thing happening in America, it would have been thought that he

69 For information on the National Recovery Act, see Douglass V. Brown, et al., The Economics of the Recovery Program (New York, 1934); Leverett Lyon, et al., The National Recovery Administration (Washington, 1935).
was of unsound mind, . . . " Fess declared that he absolutely could not support such a bill. 70

With the inauguration of the New Deal, especially as it concerned the first one hundred days of Roosevelt's legislative program, Fess saw what he considered to be a definite threat to the Constitution—the introduction of revolutionary principles. He immediately became very critical of, and very disturbed by, the new administration. He expressed his feelings very openly, and in his private correspondence, he especially was very frank in his opinion on the New Deal and its leader. In one such letter to Sumner, on May 1, 1933, he said:

Since the American people rejected Mr. Hoover with such an overwhelming vote at the very time when we were slowly emerging from the depression, and cast their lot with an advocate of the new deal of socialism, which is now in full sweep, I do not have as much feeling of responsibility in remaining here as I have in the last twelve years. During that period I have not spent any time away from Washington and very little outside the chamber while the Senate has been in session. Today anything the President recommends, no matter how foolish, or how unwise, it will

70 Congressional Record, 73d Cong., 1st Sess. (1933), 5302-5305. Fess voted against the passage of the bill on June 9, 1933, although it passed and was sent to the House, after which it was returned to the Senate for a vote on a conference report, on June 13, but Fess abstained from voting. Ibid., 5424-5425, 5861.
be enacted, in spite of any kind of opposition Republicans could make. There is no particular need of our attempting to hold up anything, first, because the Republicans cannot do it, and secondly, the Democrats, not knowing what to do, have wholly abdicated and given the authority over to the White House, . . .

This accounts for this indefensible program. Nothing has ever been undertaken like it in the history of American civilization. . . . If the President puts into operation the authority that is granted him, which is our only hope that he will not do, it would mean a brief spurt in business, only to lapse back to a worse situation with all business endangered. We can do nothing more than wait.71

Writing to his son, Lowell, on May 29, 1933, Fess said that the "legislature might about as well at the opening of the special session enacted a Fascist law" delegating all powers of the legislature to the President. In still stronger language, he concluded:

Karl Marx never approached in his program the degree of socialism that the new deal is announcing, on the one hand, and the demand upon Congress on the part of the Executive to delegate complete power of Fascism to him, on the other, in order that he may inaugurate the Soviet recommendations that are emanating from his inner cabinet of professors who are steeped

71Letter from Fess to Sumner, May 1, 1933, Fess Papers, Box 30, Folder 4. See Gerald Johnson, Roosevelt: Dictator or Democrat? (New York, 1941).
in socialism. ... We are treading a path from which no living man can indicate when we will return, if ever.72

In a six-page letter to his son, Lehr, on June 10, 1933, Fess made a very interesting appraisal of the "100 day session" of Congress. He referred to the closing days of that session, as a mixture of thrills, fatigue, disgust, and resignation, and he then went on to define each one:

One is thrilled over the executive juggling of the entire business of America as one would juggle a deck of cards. ...

... ..............................................................

The fatigue is both physical and mental, incident to continuous suspense over the program, which, step by step, is taking shape where all industry is to be controlled by impulse.

... ..............................................................

My disgust arises out of the fine play acting of the Senators who loudly speak one way, and under their breath damn the thing they do without hesitancy.

... ..............................................................

Resignation comes because of the conviction that there is no use!73


73Letter from Fess to Lehr Fess, June 10, 1933, Fess Papers, Box 30, Folder 4.
He then concluded his letter to Lehr by stating that if the President would send up a message asking that Congress temporarily suspend the operation of the Constitution, it would pass by an overwhelming vote, and the enormity of it, he asserted, would be that the people would probably applaud it.

During the course of the New Deal, especially during the first year, the program of reform and recovery was often referred to as a revolution. In an address at Antioch College in October, 1933, William M. Leiserson, Secretary of the National Labor Board, Washington, D. C., had referred to the National Recovery Act as the beginning of a new American Revolution. Fess, upon reading of the report of the address, questioned the use of the word "revolution," and therefore, he wrote Leiserson and reprimanded him for its usage:

The inclusion of the purpose of revolution as a part of the administration's policy has come to be frequently stated by various members of the executive staff of the Government. It has been my understanding that the purpose of the administration is recovery, not revolution. This I take it is the expressed purpose of the grant of powers by Congress to the President through the National

74 Springfield Morning Sun, October 17, 1934.
Industrial Recovery Act and other emergency legislation. . . . The word revolution helps to create fear. No instrumentality can more effectively entrench fear in the minds of men than to promote the idea that this administration stands for revolution.

But I wish to express a thought beyond the fact that such actions are retarding recovery. I, together with millions of Americans, regardless of party, or race, or belief, am giving unserving [sic] loyalty to this administration and its efforts for recovery. If under the cloak of this loyalty this administration is promoting the purposes of revolution rather than that of recovery, then a different issue is presented to the country. It is an issue of such unprecedented importance that it should be decided by the country and not imposed upon it by administration officials under the protection of a spirit of loyalty which is given not for revolution, but for recovery.75

Fess strongly denounced the New Deal legislation and Roosevelt in his speeches and remarks in the Senate. In a discussion on the Civil Works Administration in February 1934, Senator Robert F. Wagner of New York had contended that because of that act there had been a decrease in unemployment. Fess disputed the claim that the decrease had been due to that act. As a result of the discussion, Wagner stated that: "We are going upward all the time due

75Letter from Fess to Leiserson, October 17, 1933, Fess Papers, Box 33, Folder 5.
to a very inspiring leadership which the Nation fortunately
has had since March 4." Fess replied that it had been
"a very adventurous leadership." Wagner then replied that
he would say "inspiring," and he added that the "people
of the United States agree with me." Fess then remarked,
in what illustrated his great and sincere mistrust of the
New Deal: "I think the Senator is right about that. Some-
times even the people are mistaken." \(^7^6\)

Fess was never able to understand how the American
people could accept the New Deal. He felt that Roosevelt's
whole program would be so offensive to the majority of the
people that they would publicly announce their dislike for
it. In a discussion of Roosevelt's recovery program, in
the Senate on March 5, 1934, Fess declared that his program
had been enacted because there seemed to have been "a
friendly conspiracy," including the press, the air, and
the screen, to give every possible publicity to everything
that had been attempted by the President. Fess concluded:

I have never in my own experience, either as
an observer or as a reader of history, known
of a period when there has been such united
support of those in power and authority, first,

\(^7^6^{Congressional Record}, 73d Cong., 2d Sess. (1934),
2181-2182."
on the part of those who believe in the program, and second, in the quietude on the part of those who have not any faith in the program.77

On one occasion, Fess declared that theories had been "hatched in the brains of individuals" who could not make a living if "they were turned out to make it"; and men, he claimed, who knew nothing but theories were undertaking to tell the government how to run the greatest business in the world—the United States government.78

Fess was faced with the question in 1934 of whether he should seek reelection, and it was a decision that only he could make. Age was an important factor to consider, as he was now seventy-two, and in addition, he realized that his conservative Republican principles were not popular. Yet, he felt that he had the duty and responsibility to reveal the dangers of the New Deal to his constituency. Before making his decision, he decided to seek the advice of other people. Writing to his son, Lehr, on April 6, 1934, he said:

I wish you would give me your confidential reaction as to the definite course to be pursued. Please try to avoid any personal interest whatever.

77Ibid., 3700.
78Ibid., 3704.
While I do not want any intimation of any sort that I have any doubt as to what I am going to do, I am really anxious to have the unbiased judgment of those interested in the future as to what should be the proper course to pursue in reference to my candidacy. Of course this would be fatal if the information should become broadcast. The mere intimation that there might be any uncertainty would immediately open the flood gates.79

Lehr Fess told his father that he might be defeated but added that only he could make the decision as whether to seek reelection.80

After further consultation with his personal friends he decided to try for the Senate again. In a letter to his son, Lehr, on April 26, he was still undecided what he should do, but he stated why he felt impelled to do so:

It is not a question with me as to the success of an election. The only question with me is whether the necessity of uncovering the dangers of this present program will justify the burdens inevitable in making the campaign. . . . I feel the exposure of the whole program [New Deal] is the greatest service that has come to me in my political life.81

Fess did not make any primary campaign, although there

79Letter from Fess to Lehr Fess, April 6, 1934, Fess Papers, Box 31, Folder 1.

80Personal interview with Lehr Fess, October 18, 1963.

81Letter from Fess to Lehr Fess, April 28, 1934, Fess Papers, Box 31, Folder 1.
were four other Republicans on the ballot: Jacob S. Coxey, Sr., Edward Lamb, John M. Vorys and Walter B. Wanamaker. The election results on August 14 gave Fess 308,672 votes, a plurality of 201,488 over his closest contender, Wanamaker, who received 107,184 votes. Fess, however, had a majority of only 94,379 over the combined vote of the other four candidates. The results definitely indicated a substantial opposition to Fess within his party.

Fess's Democratic opponent for the fall campaign was Vic Donahey, three term governor of Ohio, 1923-1929, who had retired from politics after his term had expired in 1929, to enter private business. Donahey had been a colleague of Fess in the Ohio Constitutional Convention of 1912. Fess ran his campaign on the complete denunciation of the New Deal and its leader, while his opponent endorsed the Roosevelt Administration and his policies. Fess gave over eighty regular speeches during the course of the campaign, and on November 4, two days before the election, he remarked that the campaign had been harder than either

82Ohio Election Statistics, 1934. Fess received 308,672 votes; Coxey, 38,776; Lamb, 31,419; Vorys, 56, 914; and Wanamaker, 107,184.
of his other two Senate races, but that he had felt in better physical shape than at any time in the last ten years.\textsuperscript{83}

Shortly after the primary election, Robert A. Taft wrote to Fess and suggested that perhaps he should not criticize the direct relief program of the government as he had been doing in his campaign. Taft wrote:

\begin{quote}
I presume to make one suggestion. There is a very considerable amount of relief going on, particularly in the distribution of food and clothing to people who are out of work. I think it is somewhat overdone, and yet I do not see how we could absolutely cut off this relief at the present time, or throw it back on the local communities. . . . And I do not believe we should take a position in favor of the immediate elimination of relief. One or two of the reports of your speeches which I have seen in the papers did not discriminate, and represented you as favoring the complete elimination of all such expenditures.\textsuperscript{84}
\end{quote}

To that suggestion, Fess replied:

\begin{quote}
I greatly appreciate your suggestion on the delicate situation of dealing with relief, especially that which goes to the distribution of funds for food and clothing on behalf of those who are out of work. I have from the beginning appreciated that particular factor, and have invariably stated that Federal relief under the present circumstances cannot be avoided,
\end{quote}

\textsuperscript{83}\textit{Cincinnati Enquirer}, November 4, 1934.

\textsuperscript{84}Letter from Robert A. Taft to Fess, August 22, 1934, Fess Papers, Box 33, Folder 1. Taft had written Fess asking him for an advance copy of his speech to be given in Cincinnati, so it could be handled by the newspapers.
but that the emphasis must be placed upon exhausting the local and State sources before the Federal Government is called upon. Even that statement is not politic, but it is sound. I appreciate your suggestion and will keep it in mind.⁸⁵

As the campaign progressed, Donahey became the heavy favorite to win in November.⁸⁶ Although Fess realized that he faced an almost hopeless task and fully expected to be defeated, he maintained publicly that he would win. Speaking on November 4, two days before the election, he said: "Judged on the usual basis of election results, I shall be reelected. . . . I am always defeated by straw votes and elected by ballots."⁸⁷ The Cincinnati Enquirer on November 7, printed a statement by Fess that he had made sometime prior to the election:

I have been here [Congress] 22 years. I don't think I'm coming back. I don't think I'll ever be back, for I am too old to run again if I lose. But I'm going to fight to the last minute, fight the New Deal. I won't just quit.⁸⁸

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⁸⁵Letter from Fess to Taft, August 22, 1934, Fess Papers, Box 33, Folder 1.

⁸⁶Cincinnati Enquirer, Columbus Dispatch, Cleveland Plain Dealer, Toledo News-Bee, all predicted Fess's defeat.

⁸⁷Cincinnati Enquirer, November 5, 1934.

⁸⁸Ibid., November 7.
The Toledo News-Bee, a week before the election, in predicting the defeat of Fess, carried an article entitled, "Senator Fess, a Martyr to his Cause, stands Alone at the Shrine of Rugged Individualism." It was observed that if there was "An heroic figure at this uninspiring, lethargic campaign, it is the little red-faced professor from Yellow Springs." Further commenting, it asserted that Fess was a living embodiment of the protective tariff's full dinner pail on its last legs." Praising his courage in the campaign, it added:

The curtain is down, the audience is walking out, but the man who sat at the feet of Calvin Coolidge and Herbert Hoover in such satisfying content lingers, a picture of mingled pathos and heroism, indignantly refusing to quit the stage until the lights go out and the janitor's gone.

Lehr Fess stated that although his father never admitted defeat, he knew that he would be. Lehr observed that it was very pathetic when his father during his campaign speeches in 1934 would try and try to bring the audience to their feet and to "move" them as he had done

89Toledo News-Bee, October 30, 1934. The article was written by Parker La Moore, News-Bee Staff Correspondent.

90Ibid.
in past campaigns, and the audience would make little re-
action. Many times in previous campaigns his audience would 
yell and cheer and then stand up and applaud, but little 
of that reaction occurred in 1934.91

Fess was retired to private life on November 6, by 
the largest majority every recorded up to that time against 
a losing Republican candidate in Ohio for the Senate.92 
Donahey received a plurality of 437,138 votes over Fess 
who even failed to win the three counties so very close 
to his career, Allen, Hardin, and Greene.93 The Columbus 
Dispatch on November 7, announced that Donahey's victory 
was a foregone conclusion and suggested that his triumph 
was because of his huge personal following in the state 
which was acquired as a result of his being governor, and 
because of Fess's refusal to "Woo the public's favor at 
this time in a topsy-turvy political world by giving up

91Personal interview with Lehr Fess, October 18, 1963.

92Cincinnati Enquirer, November 7, 1934.

93Ohio Election Statistics, 1934. Fess polled 839,068 
votes to Donahey's 1,276,206. W. C. Sandberg ran on the 
Communist ticket and received 13,546. Fess lost Greene 
County by 467 votes out of a total of 11,573; Hardin County 
by 1,339 out of a total of 14,633; and Allen County by 
4,092 out of a total of 26,148.
any of his dearly held ideals." An editorial on November 8 in the Cleveland Plain Dealer, an anti-Fess newspaper, stated that Fess was one of the ablest foes of the New Deal, and, then in an editorial the next day it printed a very commendable tribute to him. It judged that no foe of the New Deal could have won a victory in the Senate race in Ohio, and it added that "Mr. Fess knew it better than most people." The editorial reported that Republicans as a whole did not help Fess's chances as they were very pessimistic as to victory. The article concluded:

Fess made an impassioned though hopeless campaign from one end of the state to the other, arguing ably a political philosophy which most of his hearers rejected, never stooping to trim, never resorting to demagoguery, always arguing, arguing against the inevitable.

Scrappy Simeon Fess! We pay tribute to his uncompromising bellicosity. So militant a defender deserves a better cause to defend.94

94Cleveland Plain Dealer, November 9, 1934.
CHAPTER XII

END OF A CAREER

Fess was short and slenderly built, as he was five feet, eight inches tall and weighed 140 to 150 pounds. In his younger years his hair was slightly red but as he grew older it turned gray, and he became somewhat bald. He had sparkling blue eyes that seemed always to have a twinkle. He had a ruddy complexion, a rectangular face, a stern jaw and a slight pucker to his mouth. One observer in 1933 described Fess as having an unusually high forehead, bushy eyebrows and a "regular old time Ohio smile that was always in evidence except on occasions when the great party of Lincoln was under fire."\(^1\)

In official life Fess was regarded as very serious and sober, but in his home town of Yellow Springs his neighbors and friends looked upon him as being very

\(^1\)The Ohio Mason, April 21, 1933.

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friendly and always having a big generous smile.² A magazine article in 1928, on the occasion of his reelection to the Senate, referred to his sense of humor as follows:

It is a sense of irritation among those who are thrown with Dr. Fess that his sense of humor does not seem to be as other men's. It is not that he is soured on the world; he is kindly, differential to those who hold positions less exalted than his own. But frequently he seems much amused when others see nothing laughable at all; and even frequently he sees nothing amusing in occurrences which convulse his fellow Senators.³

Although the general public may have looked upon Fess as being very serious, in his domestic life he had a delightful sense of humor, liked a good laugh and always maintained a spirit of pleasantry.⁴

In his official duties as a college teacher and president and as a member of Congress, Fess dressed very conservatively, his usual attire being a dark suit which sometimes showed that it had been worn but was always

²This was related in several personal interviews. Fess's critics usually referred to him as being very serious minded and sober-faced.

³American Mercury, December, 1928.

⁴This was related by members of the Fess household and was also verified by the Fess Papers, passim.
pressed and never spotted. When at his home in Yellow Springs, except while working in the garden, he usually wore a tie but was not quite so formally dressed as on official business; yet, he always wore a tie at his noon-day and evening meal.5

Clara Brooks, who lived with the Fess family for nearly thirty years, stated that Fess was a wonderful father and husband. She added that he was a strict disciplinarian and allowed no "monkey business" from his children or his grandchildren; yet, he had an appreciation for the normal antics of children.6 Lois Fess, niece of Fess, and a daughter of his brother James, was reared in the Fess household. In 1908, when only five years old she came to live at the Fess residence where she remained until adulthood. She was treated just like one of the family. Although the Fess children were several years older than she, her aunt and uncle would often read to her, frequently from "Uncle Tom's Cabin," "Uncle Remus" and horse and dog stories. According to Lois, she had

5This information was obtained from a number of sources.
6Personal interview with Clara Brooks, September 25, 1963.
all the "plain simple things any child needed—no fancy unnecessary frills."7 Lois stated that she never got a cross word from her Aunt and Uncle; and she added that during her time there, she never saw a slap or paddle and never heard rough language or slang. At the table, manners conformed to quite a strict rule. If the boys got into an argument, they were excused from the table to go to the basement to settle the matter by a fight, if need be. Once they left the table they were through eating so far as the parents were concerned.8

Mrs. Fess performed many of the normal household duties, but she always had the aid of a cook and cleaning woman. She was considered a wonderful mother, and she believed in talking and reasoning with her children in matters of discipline, rather than raising her voice in anger. She was a good household manager and always kept a budget. She was devoted to her family and husband and was considered an ideal wife for Senator Fess in that she could always muster up that "extra push" to stand with or

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7Letter from Lois (Fess) Figgins to this writer, March 22, 1964.
8Ibid.
back up her husband. Normally she expressed her individuality quietly and independent of him. She tried to keep as many problems from him as possible as she realized he had many of his own. As a wife she gave him a secure and pleasant background and it was said that entertaining just came natural to her.\(^9\)

Mrs. Fess was active in the Methodist Church at Yellow Springs and belonged to several of the church organizations. At the time of her death in 1925 she was a member of the Junior Women's Club in Xenia and the Shakespeare and Literary Club of Yellow Springs. She frequently wrote articles for the local weekly, the Yellow Springs News. While Fess was President of Antioch she was active in the college social affairs and students were welcome in her home for tea and cookies. She often accompanied Fess to Washington, although while the children were still in school she remained at home in Yellow Springs. Upon Fess becoming a Senator in 1923, she became a popular member of the organization known as Ladies of the Senate.\(^{10}\)

\(^9\)Ibid., also personal interview with Lowell and Lehr Fess.

\(^{10}\)Yellow Springs News, December 25, 1925. The News carried a biographical sketch of Mrs. Fess at the time of her death.
On November 24, 1925, while returning to Washington, D.C. from Yellow Springs, the Fess automobile skidded off the road near Uniontown, Pennsylvania. As a result Mrs. Fess received a serious injury, but she journeyed by train, accompanied by Fess, on to Washington where she entered a hospital. She was on the "road to recovery" when she developed pneumonia and died on December 20. Her death proved to be a great shock to Fess, and it brought into sharp focus his dependence upon her abilities and capabilities which he had formerly taken for granted.11

After his wife's death, Fess never sought to remarry, although he was a most eligible widower. He was very popular among the hostesses in Washington, and received more invitations to dinner than "one person could possibly have accepted," but for the most part he declined them. He thought they were "after him," particularly if they were widows. Miss Savage recalled that one well known dowager insisted on coming to the office to see him and that the secretaries had quite a time keeping her out.

11Letter from Lois (Fess) Figgins to this writer, March 22, 1964. Personal interviews with Lehr Fess, October 18, 1963 and Lowell Fess, March 16, 1964. Mrs. Fess was buried in the local cemetery at Yellow Springs.
On one occasion, she insisted that she was going to walk right into his private office, as they had been giving her the "busy" line for weeks. When she marched in, one of the secretaries had time to signal Fess, and he therefore had gone out another door. She found the office empty. At least she now understood the situation and never again visited the Senator's office. Miss Savage pointed out that no one should get the idea that Fess did not like women, for he did. He enjoyed their company very much, but he seemed to be scared to death that he was going to get entangled with some widow and "could not get out."

According to Miss Savage he was one of the most, if not the most, fascinating conversationalists she had ever known, and he loved talking to the ladies, but he did not want to get "trapped."¹²

While President at Antioch, Fess and his family lived in the official residence on the campus, but in 1920 he bought a large brick semi-Victorian house on the main street in Yellow Springs, where he maintained his legal residence until his death in 1936. The original home was a large

¹²Letter from Marjorie Savage to this writer, May 14, 1964.
square brick structure, located in a wooded seven acre plot. Fess did extensive remodeling, as he added a large front porch, hard wood floors, a sun parlor and a two-car garage which had a sleeping porch and a library above it. The house was the most distinguished looking residence in Yellow Springs, although it was not a mansion. Fess once said of his own home:

When I see such a beautiful home as Mr. Sheppey [Toledo industrialist] has, ours looks rather tame. However, his represents all that money can purchase, while ours represents personal labor, which enters into every phase of it. There is more of the utilitarian here than in his house.

Fess especially enjoyed his summers away from Washington when he was able to engage in his favorite hobby, gardening. Fess received a great amount of relaxation and self-satisfaction from his garden, and Lowell Fess said, at the time of his father's death, "I think people here knew my father best as he appeared in the garden and

13 Personal interview with Lehr Fess, October 18, 1963 and personal observation of the Fess home, September 1963.

14 Letter from Fess to Margaret Welsh, September 5, 1932, Fess Papers, Box 30, Folder 3.

15 There are many accounts of his gardening. Pictures of Fess in his garden were frequently used in campaign material.
his walks around the town."¹⁶ In taking care of his garden, he arose at the crack of dawn, long before any other member of the household was awake, put on disreputable old coveralls, a red bandana around his neck, and then started digging. Along about seven-thirty he would return to the house, and would thoroughly enjoy a bountiful breakfast which Clara Brooks had prepared for him. If members of his family were there or guests were visiting in the house they were supposed to be at the table whenever he was ready for breakfast. After he ate he would usually return to his garden and work until ten o'clock, when he would come in, clean up for lunch and dress for the rest of the day, ready to receive the many visitors.¹⁷

Besides the many vegetables Fess raised, he also grew many flowers and he knew them all by name. A few years before he died, he planted an orchard at the rear of his plot. In much of his correspondence Fess often mentioned his garden, and in a letter in 1932 to Margaret Welsh, his personal secretary, he wrote: "This morning

¹⁶Springfield Sun, December 24, 1936.

¹⁷Information from many sources, including personal interview with Clara Brooks, September 25, 1963.
while working out where the lettuce bed was last year I got into a bumblebee's nest and got stung on the cheek. It took me back to the days when my chief pleasure was fighting bumblebees."¹⁸

At the rear of his garden, Fess had built a little building which he called the "shelter house," which was actually his hideaway where he spent many hours in reading and study. If curiosity seekers or other people, who really had no business taking up his time, came to the door, Clara Brooks could be honest and say he was not at home. He used the little house more when the house was full of company than he did at other times. Near the shelter house, he built a big stone fireplace, and Clara would frequently cook a steak over the coals. Nothing gave him more pleasure than to have it served out at the fireplace. He loved to serve his guests out-of-doors, and with pride he treated them to his home-grown sweet corn, tomatoes, cucumbers, beans and other vegetables. Fess's favorite foods were chicken and waffles and he enjoyed simple everyday food; on weekends he liked to have baked apples and dumplings.

¹⁸Letter from Fess to Margaret Welsh, July 25, 1932, Fess Papers, Box 30, Folder 2.
On holidays and special occasions he especially enjoyed having his family participate in an extra special feast.\(^{19}\)

Fess also enjoyed the great outdoors, and he loved to take long walks, especially through the wooded area, which included Glen Helen that surrounded Antioch. Two or three miles from Antioch was (and is) a statue of Horace Mann which Fess frequently visited. In his later life he enjoyed tramping to the statue with his stick-cane and his dog by his side.\(^{20}\) A local newspaper at the time of his death commented on this: "He frequently walked out to the new monument erected to Horace Mann. His dog 'Gretchen' always went with him. One neighbor remarked the other day that the dog was beginning to walk like him."\(^{21}\) Fess still enjoyed his brisk walks when in his seventies, and on the occasion when an unwelcome visitor came to see him, in order to get rid of him and his companions, he took them for a walk. Fess related that his caller was one of those:

\[. . . \text{Who seem to have nothing to do but run}\]

\(^{19}\)Letter from Marjorie Savage to this writer, May 14, 1964 and personal interview with Clara Brooks, September 25, 1963.

\(^{20}\)Personal interview with Clara Brooks, September 25, 1963.

\(^{21}\)Springfield Sun, December 24, 1936.
around. In order to get rid of him, I walked him and the two fellows with him down through the Glen, and made them puff like stage coach horses.  

Fess had a great fondness for the out-of-doors and the beauty of nature. In July 1930, Fess spent several days at President Hoover's camp on the Rapidan in Virginia. He wrote as follows to his granddaughter, Dorothy, daughter of Lehr:

> How I wish you could see the wonderful camp, since it must be seen to be appreciated. Just think within 100 miles of the Capital such a quiet retreat where mountain and stream combine to give rest to tired nerves. Yesterday, the President sent a car for me and within 3 hrs. and thirty minutes I was here, having stopped on top of one of the mountains to pick dew berries [sic]. They were as sweet as sugar. You would have enjoyed them. The top [of the] mt. was clear of timber from which you could see 200 miles distant. I think sometime ago it must have been occupied by a mountaineer, as I saw a great cherry tree and other evidences of human activity.  

In a letter to Margaret Welsh written in October 1932, Fess displayed his fondness for the out-of-doors and his fascination for nature. In addition, the letter captured

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22Letter from Fess to Margaret Welsh, July 28, 1932, Fess Papers, Box 30, Folder 2.

23Letter from Fees to his grandchild, Dorothy Fess, of Toledo, July 6, 1930, Lehr Fess Papers.
the beauty and easy style of some of his writings:

I cannot get over the beautiful week-end outing we had at Skyland. Every phase of that trip was stimulating. It was a beautiful time to go and come, a magnificent road, a panorama of color, and an invigorating time of year. Not having been there before, every successive hour brought its new interest, reaching a climax in the camp. I have tried to tell the girls of the wonderful fireplace, and the nice arrangement of the cabin, with all its modern conveniences and yet on the top of a hitherto inaccessible location.

The romance of sleeping within hearing of the crackle of the fire, the darkness to be interrupted only by the blaze, and the stillness not even to be broken by a fugitive rooster’s crow, which I listened for in vain during the early hours of the morning, is beyond expression, to say nothing of the sociability of the campers under the direction of a perfect host.24

Fess was an avid reader and at the time of his death his personal library at Yellow Springs contained about five thousand books. His reading consisted of a great variety of subjects, but was inclined toward the classical works. Invariably, when he had a few minutes to spare, he would pick up something to read.

According to Fess, one’s reading was largely determined by the mood of the reader. On one occasion, while

24 Letter from Fess to Margaret Welsh, October 14, 1932, Fess Papers, Box 30, Folder 3. The host is not known.
reading Savonarola, he stated that parts of it were intensely interesting but that he was reading it more because he was "forced by the conviction that any well written treatise on such a leader" was worth while. In reading the Life of Emerson, he noted: "I am dividing my reading between the Life of Emerson by Russell, which is too critical and intellectual to be easily read, and Adam Bede, which reads racily after reading the biography of George Eliot."

In a letter to Margaret Welsh, his personal secretary, in 1932, Fess revealed several books which he was reading or had read, among them Goethe's Wilhelm Meister and Faust, Sir Walter Scott's History of Scotland, and James Norman Hall's Mutiny on the Bounty. He further added:

It is amazing how cheap many very good books are now. I am gratified that your tastes are running along the lines of deeper thought rather than the shallow. It is not difficult to distinguish the taste of a real writer from one who is writing simply to sell his book.

I started to read "Faraway" by Priestly, but was disgusted. . . . and so laid it aside.

25Letter from Fess to Margaret Welsh, July 28, 1932, Fess Papers, Box 30, Folder 2.

26Ibid., September 26, 1932, Fess Papers, Box 30, Folder 3.

27Ibid., October 20, 1932, Fess Papers, Box 30, Folder 3.
Fess also read several of the leading newspapers among which was the Manchester Guardian, of which on one occasion he said: "It has been coming to my desk for many years, and I aim to scan every copy of it." 28

While in Washington, his reading usually pertained to the current legislative program, as he spent countless hours in the Library of Congress in furthering his knowledge on the many subjects being discussed in the House or Senate. Fess wanted to have a complete understanding of the current legislation so he spent hours scanning the records for facts and statistics to give him such knowledge. He was often commended by his colleagues, both by his own party and the opposition, for his thorough investigation and research in preparing his defense of, or attack on, legislative matters. 29 His many letters to his constituents were frequently filled with an abundance of facts and statistics to explain and support his position on legislation. 30

28Letter from Fess to Judge David F. Pugh of Columbus, April 22, 1926, Fess Papers, Box 27, Folder 6. Among other newspapers which Fess read regularly were the New York Times, Cleveland Plain Dealer, Columbus Dispatch, and the Cincinnati Times-Star.

29Congressional Record, passim.

30Fess Papers, passim.
stated that any one who ever worked for Senator Fess was spoiled, "for he had such a remarkable memory for figures and facts that no one ever had to do any research of any kind for him." She added that he could get up and speak extemporaneously and quote figures on almost any subject on which he was required to speak.31

One of Fess's outstanding attributes was his ability as a public speaker. During his years at Ohio Northern, the University of Chicago and Antioch, he became well known as a public speaker and lecturer. His success in both the field of education and in politics was aided immeasurably by his oratorical skill. He first became active on the public rostrum while at Ohio Northern during which time he spoke frequently at teachers' associations, school commencements, and religious organizations. Not only did he find this work to be most interesting and educational but it also proved to be financially rewarding. Being an educator, and one especially interested in teacher training, he became most active in Teachers' Institute work which

31 Personal letter from Marjorie Savage to this writer, May 14, 1964. This was verified by other observers.
was so common in that day. Many counties and city school systems conducted the Institutes each year for a few days to a week, in order to provide refresher courses, educational discussions, and professional guidance for their teachers. Usually the Institute engaged several speakers who talked on a variety of subjects.32

Up to 1917, Fess was very active in the Institute work, and he lectured frequently throughout Ohio, Indiana, Michigan and Pennsylvania in this field. He usually would receive $100 to $250 for his service.33 Besides his Institute work, he gave many high school commencement addresses throughout Ohio, and he also sometimes spoke in Indiana, Michigan and Pennsylvania. For such service he usually received fifteen to seventy-five dollars.34 The demands for him as a speaker became so great that he had to refuse many offers each year. Frequently his audience would be so gratified by his address that they would ask him to return.35

32Fess Papers, passim.
33Ibid.
34Ibid.
35Ibid.
Up to 1917, when the United States entered the First World War, most of Fess's correspondence concerned his activities as a public speaker and many of the letters which he received were in appreciation of his addresses or lectures. He spoke on a variety of subjects, often oriented to the field of education, but his favorite topics were famous political figures of American history, among which were: George Washington, Patrick Henry, Alexander Hamilton, Thomas Jefferson, Abraham Lincoln, Robert E. Lee, Ulysses S. Grant and William McKinley. After an audience heard his address on such great men, he frequently would receive many notes of congratulations for his "inspirational talk."36 One such letter in 1911, from E. O. Randall, historian and then Secretary and Editor of the Ohio State Archaeological and Historical Society, read:

I can hardly express the pleasure and profit I received in listening to your lectures on Henry, Jefferson, Hamilton and Washington. I have heard very many of our leading historical speakers and while in Cornell sat at the feet of Goldwin, Smith, Freeman, Von Holst, Froude,

36 Ibid.
Greene, the American Historian [sic], and many others of distinction. I think I have never heard one from whom I derived so much information in so entertaining form as I have from your lectures. I trust I may have the pleasure of meeting you and becoming acquainted. 37

As a student and teacher of history, Fess admired the great men of history, and he believed that the youth of America could become better citizens by studying and knowing the lives of famous men, especially famous Americans. Fess admired Abraham Lincoln, and his "Aunt" Lizzie recalled that as a young boy: "He enjoyed staying home and studying and he read everything he could find about Abraham Lincoln." 38 No doubt the fact that Lincoln was a poor boy who rose to fame inspired Fess in his rise from a poor farm boy to a Senator of the United States. Fess spoke frequently on Lincoln and Lehr Fess stated that in 1909:

"On the one hundredth anniversary of Lincoln's birth, [Fess]. . . . received more than a thousand invitations to deliver his inspirational oration on the Great Emancipator." 39 During his lifetime, Fess gave numerous addresses

37Letter from E. O. Randall, Columbus, to Fess, August 14, 1911, Fess Papers, Box 4, Folder 1.

38Lima Star, October 16, 1927.

39Lehr Fess, "The Most Unforgettable Character I have ever Known."
on Lincoln's birthday and other special occasions. He frequently referred to Lincoln's greatness in his speeches and as a member of Congress he often mentioned Lincoln, as well as the other great Americans, in his discussions, and in so doing, he pointed out the contributions of those men toward the development of American democracy. 40

There was no simple answer to Fess's success as a speaker, but perhaps the most important factor was that he enjoyed it. He had a large vocabulary and he developed the knack of quickly "sizing up" his audience so that he could adapt his remarks to the mood and mind of his listeners. One observer who heard Fess speak many times, remarked that his voice was not especially strong but rather a rasping high one but that he had the outstanding attribute of being able to hold the attention of the audience even when speaking at the end of a meeting. 41 Another observer mentioned that he always seemed so interested in his subject that the listener was immediately

40 Congressional Record, passim.

41 Personal interview with Mrs. Dean Miller Birch, Yellow Springs, September 25, 1963.
caught up in his enthusiasm.\(^2\) Dr. Wilfred E. Binkley, professor of history and political science at Ohio Northern University, who heard Fess speak on various occasions, recalled that he became very emotional and dramatic in his speeches and on one occasion actually broke down and cried.\(^3\) Lehr Fess said that his father had learned a "trick of the trade," for being small in stature, he often began his speeches very softly, forcing his audience to "lean" to hear him, and then he would "light out," becoming very emotional and sometimes would visibly show his own emotional stress in his speeches. Lehr especially remembered his father's address on the "Death of McKinley," which was highly dramatic and emotional and usually brought tears to the eyes of the listeners.\(^4\)

After Fess was defeated in 1934, and following his retirement from the Senate in 1935, he returned to his home in Yellow Springs to engage in his favorite hobbies.

\(^2\)Personal interview with Mary Fralick, Yellow Springs, September 25, 1963.

\(^3\)Personal interview with Dr. Wilfred E. Binkley, Ada, Ohio, September 18, 1963.

\(^4\)Personal interview with Lehr Fess, October 18, 1963.
gardening and reading. After his political retirement, he edited a history of Ohio entitled, Ohio--A Four Volume Reference Library. Although he completed his work on the history, it was not published until 1937, a year after his death.\footnote{Lehr Fess stated that his father spent much time in editing this work and scanned each page very carefully. The four volumes were: Vol. I, Digest of Ohio History; Vol. II, Headlines of the Twentieth Century; Vol. III, Historical Gazetteer of Ohio; and Vol. IV, Ohio's Three Hundred.} In addition to his efforts toward the Ohio history, he spent much of his time in research at the Library of Congress, where he had been assigned a small study room in preparation for a book on British political theories and the development of the two-party system. He died, however, before he was able to complete the work. He must have completely enjoyed his endeavor as in a letter in April 1935, to Martin A. Roberts, superintendent of the Reading Room at the Library of Congress, Fess said: "I do not think I have ever spent three months of as satisfying mental activity as I have spent here." \footnote{Letter from Fess to Roberts, April 3, 1935, Fess Papers, Box 33. The exact nature or title of his research at this time is not known.}

\footnote{Simeon D. Fess, ed., Ohio--A Four Volume Reference Library (Chicago and New York: The Lewis Publishing Company, 1937).}
who had assumed another position after Fess's defeat, spent many Saturday afternoons at the Library of Congress taking his dictation toward his new book, and frequently he would invite her to come to dinner with him, and then she would spend the evening taking dictation for him. ¹⁷

Two weeks before Fess's seventy-fifth birthday, which occurred on December 11, 1936, cards had been mailed to nearly four hundred of his intimate friends, colleagues in both the House and Senate, political friends in Ohio and elsewhere and heads of departments in Washington who knew him well, informing them of the milestone that was approaching. It was suggested that since he was rather alone in Yellow Springs, and missed the excitement of Washington life, he would appreciate hearing from them on that special occasion; he really felt that many of these people had forgotten him. As a result, he was overwhelmed by the volume of cards, letters, and telegrams he received from all over the country; his happiness knew no bounds.

¹⁷Letter from Marjorie Savage to this writer, May 14, 1964. Lehr Fess stated that he thought of completing the work but found the material so disorganized and incomprehensible that he gave up the task.
for these messages all came as a complete surprise. He was so thrilled that he was eager to return to Washington to show the cards to his friends, especially the Margaret Welsh family and Marjorie Savage. He arrived in Washington on December 23 bearing a large portion of his birthday greetings, but he did not live long enough to get them out of his luggage. An hour after arriving at the Carleton Hotel, his residence in Washington, he was stricken suddenly by a heart attack, and died before a physician could arrive.

His death came as a surprise, as he seemed to be in excellent health. The Xenia Evening Gazette reported on the day of his death that in an interview twelve days previous with Fess, he had remarked:

I work every day, sleep like a baby, eat like a bear and have never felt better in my life.

When the children joined Fess at Yellow Springs to help celebrate his birthday he seemed to be in excellent health.

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48 Ibid.


50 Xenia Evening Gazette, December 23, 1936.
health. At that time it was expected that he would rant against the New Deal. Instead, he spent the afternoon relating "To us the thrilling incidents in English history. That night we listened to the abdication of King Edward, and then were regaled by his account of the ever-increasing influence of the Prime Minister and the House of Commons."51

Both Lehr and Lowell Fess believed that their father died of a broken heart and frustration over his defeat in 1934. Lehr Fess wrote:

Father was completely frustrated after his defeat for the Senate in 1934. No longer in position to effectively express his opposition, Father observed with dismay so-called social security, leaf-raking, NRA, mounting public debt and the approach of the socialized state. He was convinced that the American way of Life was at an end.52

Marjorie Savage, however, stated that she believed he died from an "overdose" of happiness, resulting from the outpouring of friendship, admiration and devotion in connection

51Lehr Fess, "The Most Unforgettable Character I have ever Known," and personal interview with Lehr Fess, October 18, 1963.

with his birthday. She added that his return to the capitol was "just more than his 75 year old heart could stand."53

It was of interest to note what some of the newspapers said on his death. The New York Times:

Senator Fess was a vivid example of the Old Guard Republican--earnest, hard working, but intolerant of new-fangled ideas. The recognition of Russia he regarded as a "diplomatic blunder"; he deplored the League of Nations, the advent of Franklin D. Roosevelt and the passage of Herbert Hoover.

. . . He was acknowledged to be the driest of the drys and a conservative of conservatives, to say nothing of being one of the staunchest of the Republican Old Guard.

His critics termed him a political syncophant and arrant opportunist and turncoat. His friends hailed him as an unswerving devotee to the principles of conservative Republicanism as exemplified by the accomplishments of the Harding, Coolidge and Hoover, administrations. He never gained fame for the profundity of his convictions. One of his critics once described him as a "statesman renowned for taking trivial things seriously."54

The Cleveland Plain Dealer reported:

He was a friendly, kindly man straight speaking and straight acting, an uncompromising Republican who yielded nothing to the political changes which brought the New Deal over the horizon, and who after more than twenty years

53 Letter from Marjorie Savage to this writer, May 14, 1964.

of public life in Washington went down to defeat under the same flag he had always borne.\textsuperscript{55}

The Cincinnati \textit{Enquirer} on December 24, 1936 said:

"A scholarly and able speaker, he attacked numerous New Deal measures in analytical fashion." The Columbus Dispatch in an editorial remarked:

Senator Fess stood firmly for the principles he believed right, nowhere was this better demonstrated than in the campaign where he met defeat, when in the face of what he knew was almost certain political doom he extended himself to the limit of his energy to preach his own philosophy of government. He went down to defeat with his colors flying and his ideals intact. That requires courage of a kind too seldom seen in the political arena, where expediency often is substituted for conviction.

People who knew Senator Fess inevitably placed boundless faith in him, in his ability, in his word and in his sincerity.\textsuperscript{56}

Vic Donahey remarked when he learned of Fess's death:

"He gave his best in every undertaking and followed the best light he could obtain. He was my friend and I always spoke of him as the 'grand old man'."\textsuperscript{57}

Martin L. Davey, the Democratic Governor of Ohio

\textsuperscript{55}\textit{Cleveland Plain Dealer}, December 24, 1936.

\textsuperscript{56}\textit{Columbus Dispatch}, December 24, 1936.

\textsuperscript{57}\textit{Cleveland Plain Dealer}, December 24, 1936.
stated: "The death of former Senator Fess removes one of the stalwart figures of American public life. He fought for things in which he believed. None doubted his sincerity."  

Edward M. Martin, Fess's long time secretary and confidant, paid him the following tribute:

He had more courage than any man I ever saw in public life. He detested a trimmer. He always presented his views forthrightly and didn't care whether people liked them or not. He analyzed criticism carefully, welcomed that which was constructive and was not bothered by the destructive kind. Instead of becoming cynical as a result of early hardships, he developed a kindly philosophical spirit that was manifested in helpfulness to others.  

On December 27, 1936, the last rites were held for Fess in the Methodist Church at Yellow Springs with burial in the community cemetery. Hundreds of people were present, among which were many notables, most of whom were from Ohio and the local area. John W. Bricker, Attorney-General of Ohio, and Attorney Homer C. Corry of Springfield, a former 

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58 Ohio State Journal, December 24, 1936.

59 Columbus Dispatch, December 24, 1936.
student of the deceased at Antioch, spoke briefly. In his funeral oration, Bricker eulogized:

There was no fear in him, he never hesitated, he never trimmed for public favor, he did not equivocate, there was no double meaning in his words. He would discuss any issue with one seeking truth and light.60

Perhaps the words inscribed on his monument are the finest tribute one can pay to Senator Fess:

A great teacher and orator whose life and character were a source of inspiration in the lives of thousands. Authority on history and government, leader of his colleagues and confidant of Presidents. A genuine patriot whose loyalty and unimpeachable integrity never yielded to expediency or compromised a conviction.61

The value of Fess's estate was approximately $50,000.62 For a man who had been in public life for twenty-two years, it is a tribute to his integrity that he had accumulated so little, when without doubt, being in his position, he had many opportunities to increase his material wealth.

60Copy of the funeral oration given by John W. Bricker, Fess Papers, Box 33, Folder 3.

61From personal observation of the Fess Monument, Yellow Springs, Ohio. His large monument is very plain although it is one of the most attractive in the cemetery.

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In addition to clippings and copies in the Fess Papers, the files of the following newspapers, covering various lengths of time, were consulted:

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Cincinnati Times-Star
Clinton County Democrat (Wilmington, Ohio)
Clinton Republican (Wilmington, Ohio)
Columbus Citizen
Columbus Dispatch
Cleveland Plain Dealer
Greene County Tribune (Xenia, Ohio)
Lima Times-Democrat
Ohio State Journal
Springfield News
Springfield Sun
The Western Star (Lebanon, Ohio)
Washington Post
Xenia Gazette
Xenia Republican

Clippings located in the Fess Papers, Lehr Fess Papers, and Antiochiana Library, Antioch College, Yellow Springs were utilized from the following newspapers:

Alliance Review
Bellefontaine Examiner
Cincinnati Commercial Tribune
Cleveland News
Dayton Herald
Delaware Gazette
East Palestine Leader
Franklin (Ohio) Chronicle
Fremont News
Lima Star
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Los Angeles Daily Times
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Norwalk Reflector Herald
Omaha Evening Star
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<td>Leuchtenburg, William E.</td>
<td>Franklin D. Roosevelt and the New Deal</td>
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