

MR. PRESIDENT: I am making a statement in regard to Mr. Milligan, who is now under consideration for confirmation on a reappointment. I have never thought, and I do not now think, that Mr. Milligan is qualified for the position of District Attorney for the Western District of Missouri. He is not professionally qualified, nor is he morally qualified.

My opposition to Mr. Milligan began long before vote frauds were brought to light in Kansas City. His morals and his political thinking never did appeal to me.

The President has appointed him and the President wants him confirmed because of a situation in Kansas City due to vote fraud prosecutions in the Federal Court. Mr. Milligan has been made a hero by the Kansas City Star and the St. Louis Post-Dispatch as a result of these prosecutions. The implication has been that any capable lawyer I would recommend for District Attorney in Western Missouri would not do his duty in regard to the vote fraud prosecutions. Every good lawyer and decent citizen in Kansas City and Jackson County is just as strongly opposed to vote frauds as the Kansas City Star and Mr. Milligan.

The detail work and the actual trial of the vote fraud cases have been done by Mr. Milligan's two able deputies, and not by Mr. Milligan. If the District Attorney's Office was to have been rewarded for vote fraud prosecutions by a reappointment, one of these able deputies should have been appointed.

Mr. Milligan has accepted emoluments in the form of fees in bankruptcy proceedings in the Federal Court of Western Missouri. In fact, he has received more money in fees in one case than his salary has been from the Federal Treasury for a whole year. The Federal Court at Kansas City is presided over by two as violently partisan Judges as have ever sat on a Federal bench since the Federalist Judges of Jefferson's Administration. They are Merrill E. Otis and Albert L. Reeves. Mr. Reeves was appointed by that great advocate of clean non-partisan government, Warren G. Harding, and Mr. Otis was appointed by that other great progressive non-partisan, Calvin Coolidge. Insert Times editorial and explain Otis partisanship.

These two Judges have made it perfectly plain to Mr. Milligan—and he has been able to see eye to eye with them, due to the bankruptcy emoluments—that convictions of Democrats is what they want. Lawyers in Kansas City have been afraid to act as defendant attorneys in these cases because it was plainly intimated to them that the

Federal Judges did not consider it the proper thing to do. Lawyers all expect to practice in the Federal Court. In fact, a good friend of mine told me that he didn't dare act as a defendant lawyer in these cases because he had important matters pending in Otis' Court.

No one in Jackson County is allowed on the Jury panels. Every one in a community of 600,000 people is barred from jury service in the Federal Court of Western Missouri in these cases. Grand juries were handpicked and the attitude of the grand jurymen was ascertained by the Court in advance.

Petit jury panels are investigated by the Secret Service, and if a man is found to have acquaintances in Jackson County he is barred from service.

I say to this Senate, Mr. President, that a Jackson County, Missouri, Democrat has as much chance of a fair trial in the Federal District Court of Western Missouri as a Jew would have in a Hitler Court or a Trotsky follower before Stalin. Indictments have been wholesale. Convictions have been a foregone conclusion. Verdicts have been directed. This is Federal Court justice in Western Missouri, on the face of it a conspiracy between the partisan Federal Judges and their bought and paid for District Attorney.

There are certain people in connection with the vote frauds who are guilty and who ought to be punished to the fullest extent. But there are people being railroaded in these wholesale convictions who are no more guilty than the members of this august legislative body.

I am against vote frauds, but that doesn't prevent my wanting a District Attorney who would represent the Government and the people, and who would be above accepting emoluments from a violently partisan Court. I hope the law will be amended so that District Attorneys of the United States cannot accept fees from outside sources.

I repeat the President has made this a personal appointment at the behest of the rabidly partisan press and I am saying that the approval of this District Attorney is an approval of the Hitler-Stalin tactics pursued by the District Court of Western Missouri. Because the President asked for him I have not attempted to exercise the usual Senatorial prerogative to block his confirmation. I think, however, I would not be doing my public duty if I did not tell the Senate just what it is doing.