7-31-1957

O'Mahoney-Kefauver-Church Amendment

Mike Mansfield 1903-2001

Let us know how access to this document benefits you.
Follow this and additional works at: https://scholarworks.umt.edu/mansfield_speeches

Recommended Citation
Mansfield, Mike 1903-2001, "O'Mahoney-Kefauver-Church Amendment" (1957). Mike Mansfield Speeches. 287.
https://scholarworks.umt.edu/mansfield_speeches/287

This Speech is brought to you for free and open access by the Mike Mansfield Papers at ScholarWorks at University of Montana. It has been accepted for inclusion in Mike Mansfield Speeches by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact scholarworks@mso.umt.edu.
The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, before whom our little span of years is like the brief shining of a candle, while it yet burns we would yield our flickering torch to Thee, that in Thine hands the flame of our lives may be part of the light that glows in the darkness.

Thou hast made this earth so fair and given it to all men richly to enjoy. Thine hands the flame of our lives may help us never to grow dull to all the won­der of disillusionment or cynicism blind us to our belief in them, and in the strong, of persecution, postponement, and bitter disillusion.

On the sacrament of the proceedings of Tuesday, July 30, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Tribble, one of his secretaries, and he announced that the President had approved and signed the following acts:

On July 24, 1957:

S. 44. An act to authorize the Secretary of Agriculture to exchange certain lands in the State of New Mexico; S. 45. An act to suspend and to modify the application of the excess land provisions of the Federal reclamation laws to lands in the East Bench unit of the Missouri River Basin project; S. 1461. An act to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River"; S. 2212. An act to amend the North Pacific Fisheries Act of 1954; S. 2250. An act to amend the act of August 5, 1958, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; and S. 2420. An act to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes.

On July 26, 1957:


EXECUTIVE MESSAGE REFERRED

As in executive session, the PRESIDENT pro tem presided before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

For nominations this day received, see the end of Senate proceedings.

THE JURY-TRIAL AMENDMENT TO THE CIVIL RIGHTS BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of my brief remarks, there may be inserted in the Record a statement

11897
by one of the greatest constitutional lawyers and one of the greatest Senators this century, produced the late Senator Thomas J. Walsh, of Montana, setting forth his position on jury trials; and also an article relative to the jury trial amendment, has been published in the New York Times of Sunday, July 28.

The PRESIDENT pro tempore. Without objection, it is so ordered.

[See exhibit A.]

Mr. MANSFIELD. Mr. President, of late, there has been considerable discussion of the so-called O'Mahoney-Kefauver-Church amendment. A good deal of that discussion has centered around the possible fate of those who might continue to disobey court orders. There has been a general assumption that a court is helpless—without a jury trial, and that the one thing this amendment is designed to do is to make judicial tribunals effective in compelling obedience to court orders.

There has been a general assumption that this amendment is simply not an article relative to the jury trial, to protect the jury's right to vote, to protect the civil rights of American citizens, not whether he wants to, but in circumstances where it does not now exist.

DEATH OF FORMER REPRESENTATIVE NAT PATTON

Mr. JOHNSON of Texas. Mr. President, an honorable career of public service came to a close last Saturday with the death of former Congressman Nat Patton, of the Seventh Congressional District of Texas.

Mr. Patton served 10 years in Congress, ending January 3, 1945. Prior to his congressional service, he had been a member of the Texas House of Representatives, county judge of Houston County, Texas, and a member of the Texas Senate. He filled all these offices with distinction.

Mr. Patton and I had offices near each other when I was a Member of the House. I knew him well. I respected his devotion to my country. I knew him as a man who was an affectionate family man, a faithful friend, a loyal American.

He numbered his friends in the thousands, and among them was the article relative to the jury trial amendment. It will strengthen the legislation now before us, and as it stands, every time it comes to vote it will be a test of whether he wants to take away the right of trial by jury from American citizens, not whether he wants to, but in circumstances where it does not now exist.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of the reading clerks, announced that the House had passed the bill (S. 939) to amend section 23 of the Interstate Commerce Act, as amended, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1636. An act for the relief of George D. LaMont.
H. R. 1593. An act for the relief of Dean E. Posmore.
H. R. 1678. An act to provide for the gilt-
claiming of the title of the United States to the property known as the Barcasona Lighthouse Site, Portland, N.Y.
H. R. 6354. An act for the relief of the estate of Leatha Horn.