

## Winchell's Text in Row With Dies

Following is the text of Walter Winchell's broadcast last night in connection with his dispute with Representative Martin Dies.

This is a newspaperman's personal declaration of independence. Every citizen of the United States of America has the right of free speech. Any newspaperman worth his salt regards it as his duty. I believe that absolute independence and absolute integrity mean the same thing. That means that I speak only for myself. But it also means that no one else has the right to speak for me.

The Constitution of the United States not only provides for the three great arms of our Government. The Constitution's heart is that it limits the powers of that Government. And its soul (its Bill of Rights) is that it protects the citizen who disagrees with the men who run that very Government it establishes. The history of liberty is the history of resistance to irresponsible men who happen to be armed with the powers of government.

### No Idle Theorists

It was no group of idle theorists who met in 1789 to draw a constitution. They were the scarred veterans of a terrible war, and they were determined to write into the law of the land with pen and ink that they had won on a hundred battlefields with ball and powder.

They had made grimly sure that they had done more than establish a government. Because an established government was the very tyrant against which they had just so bitterly fought, they left a constitution designed not only to protect the people from their own Government, they left a constitution which protects that Government from itself.

They gave the greatest powers to Congress—the powers over commerce, the general welfare, and the Treasury. So that Congress could be fearless, its members were given absolute immunity for anything they might say on the floor of Congress. And so that all information may be available to them as lawmakers, Congress was given the power of subpoena.

### Not Right to Hold Court

But the power of Congress to subpoena is not the right of an individual Congressman to hold court. A congressional committee can render no decisions. The only constitutional purpose of congress-

## Affirms Right To Criticize



WALTER WINCHELL

sional hearings is for the instruction and information of Congress as a law-making body. They cannot be used for the purposes of any Congressman.

Your Congressman, like yourself, has the American courts. And constitutionally the American courts alone can administer American justice.

Before these American courts I am charged with absolutely nothing! And, no Congressman has yet elected to challenge me in any open American court—or to lay aside his immunity (long enough) so that I can challenge him there.

The founders of our country did not stop after creating Congress and a Supreme Court. They wanted a Nation of free people—not a government by political police over groveling slaves. And so they armed every citizen.

### Armed With Bill of Rights

Yes, armed him, against his Government with a Bill of Rights! They gave it to him absolutely and they gave it to him independently. An American's right to be a man depends on no branch of our Government; neither does his right to earn a living—because the Constitution also guarantees due process of law.

It is, often the thankless and ironical duty of a conscientious citizen to warn those with whom he disagrees most, of their rights in a general principle. A constitution which fails to protect all protects none!

Conservative and liberal, capital and labor, banker and merchant, farmer and city dweller—all have the same interest in due process. Under that clause a lawmaker has no more right to sit as judge and jury of his critics than the President of the United States had the right to demand the next edition of any newspaper which attacks him.

If any lawmaker thinks he is damaged personally he is guaran-