

CARTER GLASS, VA., CHAIRMAN
KENNETH MCKELLAR, TENN. FREDERICK HALE, MAINE
ROYAL S. COPELAND, N. Y. HENRY W. KEYES, N. H.
CARL HAYDEN, ARIZ. GERALD P. NYE, N. DAK.
ELMER THOMAS, OKLA. FREDERICK STEIWER, OREG.
JAMES F. BYRNES, S. C. PETER NORBECK, S. DAK.
MILLARD E. TYDINGS, MD. L. J. DICKINSON, IOWA
RICHARD B. RUSSELL, JR., GA. JOHN G. TOWNSEND, JR., DEL.
MARCUS A. COOLIDGE, MASS. ROBERT D. CAREY, WYO.
ALVA B. ADAMS, COLO.
PATRICK MC CARRAN, NEV.
JOHN H. OVERTON, LA.
JOHN H. BANKHEAD, ALA.
JOSEPH C. O'MAHONEY, WYO.
WILLIAM GIBBS MCADOO, CALIF.
HARRY S. TRUMAN, MO.

United States Senate

COMMITTEE ON APPROPRIATIONS

June 8-1936

KENNEDY F. REA, CLERK
JOHN W. R. SMITH, ASST. CLERK

Judge C. Guy Cutlip
Seminole
Oklahoma

Dear Judge Cutlip:

As you know, the House has just passed the bill creating a new Federal judgeship for Oklahoma. The bill has not been signed by the President as yet, but just as soon as approval is given and the measure becomes a law I will suggest to Senator Gore that we arrange, without delay, to submit a recommendation to the Department of Justice for this place. Under a practice here Senators have to make a recommendation to the Department of Justice and then such Department makes an investigation and, if agreeable, to the endorsement submitted by the Senators, the Department submits the name on to the President for appointment.

I have many good letters in your behalf and assure you that your name will be considered when this matter comes up for consideration. As you know, I can do nothing without the concurrence of Senator Gore, and he finds himself in the same position; hence, whoever is agreed upon will be a compromise candidate. Some ten years ago, when we had a Republican administration, Judge Bierer of Guthrie was protesting against the creation of a new district around Enid which would have meant at that time a Republican Judge. I promised him that I would oppose such district, which I did, and the bill was not passed. Because of that early interest the Judge considered that I would be favorable to him in the event the Democrats came into power and we had the appointment of a judge. I never discouraged the Judge's opinion and have conceded all along that I was committed to him for the place; hence, when the bill is finally approved I will ask the Department to investigate the qualifications and ability of Judge Bierer. I do not know what their investigation will disclose, nor do I know how Senator Gore would react toward Judge Bierer, but I am committed to him for the place and will be until I am convinced he has no chance to win. In such case I will be free to consider the other applicants, and we have about thirty who wish to be considered for the judgeship.

I am thoroughly convinced that you would make a most acceptable Judge and assure you of every possible consideration when the time comes to act.

With all good wishes, I am

Yours most cordially,



Elmer Thomas

ET:SS

June 11th, 1936

Honorable Elmer Thomas
United States Senator
WASHINGTON, D.C.

Dear Senator:-

I received yours of the 8th Inst. relative to the new judgeship for this state. I want to thank you very much for the frankness and sincerity of the same. Furthermore, it was informative. I had thought that the procedure was as you have indicated but had no experience in the matter.

So far as your endorsement of Judge Bierer is concerned I want to say that I like the attitude that stands by for years. It shows a steadiness of purpose and a firmness that thinking people will appreciate. Judge Bierer would make a fine judge. He is the finest of gentlemen; an experienced lawyer and jurist and would be an adornment to the bench in this state. What is wanted, of course, are those in such position as is under consideration who will be the best to be had. You need look no further than Judge Bierer for qualifications, honesty and those other qualities that go to make an excellent judge.

As, however something turns up that prompts the Department of Justice to withhold its proposal there I shall, naturally, feel very proud if I could be the fortunate one to receive your consideration.

Whatever is the final outcome, I want you to realize that I appreciate your very kind letter to the fullest and the man back of it.,

Respectfully.,

C. Guy Cutlip

CARTER GLASS, VA., CHAIRMAN
KENNETH MC KELLAR, TENN.
ROYAL S. COPELAND, N. Y.
CARL HAYDEN, ARIZ.
ELMER THOMAS, OKLA.
JAMES F. BYRNES, S. C.
MILLARD E. TYDINGS, MD.
RICHARD B. RUSSELL, JR., GA.
MARCUS A. COOLIDGE, MASS.
ALVA B. ADAMS, COLO.
PATRICK MCCARRAN, NEV.
JOHN H. OVERTON, LA.
JOHN H. BANKHEAD, ALA.
JOSEPH C. O'MAHONEY, WYO.
WILLIAM GIBBS MCADOO, CALIF.
HARRY S. TRUMAN, MO.

FREDERICK HALE, MAINE
HENRY W. KEYES, N. H.
GERALD P. NYE, N. DAK.
FREDERICK STEIWER, OREG.
L. J. DICKINSON, IOWA
JOHN G. TOWNSEND, JR., DEL.
ROBERT D. CAREY, WYO.

United States Senate

COMMITTEE ON APPROPRIATIONS

March 11, 1937.

KENNEDY F. REA, CLERK
JOHN W. R. SMITH, ASST. CLERK

Hon. C. Guy Cutlipp,
Wewoka, Oklahoma.

My dear Judge Cutlipp:

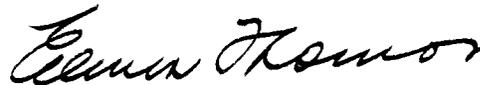
Our mutual friends, Mr. Hicks Epton and Mr. Mitchell, called to see me this morning. They advised that you have not felt so well recently; hence, I hasten to express my sincere regret that you are ill, and to wish you a speedy recovery to your usual good health.

I had an attack of influenza just after the inauguration. However, I have about gotten over that and am feeling much better now.

I hope you will write me a letter, as soon as you feel able to do so, and that you will give me the benefit of your suggestions on any matter in which you are interested.

With kindest personal regards, and assuring you of my continued interest and sincere good wishes for your early recovery, I am

Sincerely your friend,



Elmer Thomas.

ET*mep.