

## NEWBERRY CASE BECOMES ISSUE IN EVERY STATE

Senate Procedure to Be Weighed by Voters in Coming Elections.

### OLD GUARD IN EVIDENCE

By RICHARD LINTHICUM.

WASHINGTON, Jan. 24.—Now that the Newberry case has become a political issue in every State and in every Congressional district in the United States, the details of his victory in the Senate constitute an important part of the evidence to be presented to the people.

The powerful influences which enabled Senator Truman H. Newberry of Michigan to retain his seat in the Senate of the United States by the narrow majority of five of his Republican colleagues may be logically deduced from a consideration of the following known facts:

1. While the Newberry case was pending before the Senate, President Harding entertained the defendant Newberry at the White House, the theater and on the golf links, thus lending encouragement to the activities of the "social bloc" referred to by Senator Kenyon, Republican (Iowa), working in behalf of Newberry.

2. On the eve of the date when the Senate took up the final consideration of the Newberry case, the President permitted it to be made known that "President Harding holds Mr. Newberry in very high esteem."

3. Senator Willis, Republican (Ohio), classed among the "doubtful" Senators, visited the White House and following that visit introduced a resolution condemning the huge expenditures in the Newberry case and made a part of the resolution declaring Newberry to be duly elected.

4. The old guard leadership, still in control of the Republican Senate, with which Senator Newberry is identified by reason of his wealth, constituted a solid nucleus of the Newberry vote to which it was only necessary to gather a few shapless progressives to constitute a majority.

### EFFECT OF ATTENTION ONLY SURMISED.

To what extent President Harding's social attentions to Senator Newberry and the President's appearance at a crucial moment as a voluntary character witness for the accused influenced votes in behalf of Newberry may only be surmised. It had been stated that Mr. Harding would not interfere in the Newberry case, but if his acts and utterances referred to were not intended to influence the votes of Senators it is not otherwise apparent for what they were intended.

It has been generally understood that Senator Willis and the President were not on the most cordial terms because of Ohio patronage, so that the visit of the Senator to the White House, with his published admission that he discussed the Newberry case with the President, is rather unusual and somewhat surprising. His colleagues have decided that President Harding and anything to do with formulating his resolution, but the facts remain that he did visit the White House, that he did talk with the President about the Newberry case and that subsequently he introduced a resolution which is generally supposed to have given Newberry at least three therefore doubtful votes including his own, without which Newberry would have been defeated.

All the known facts are in support of the statement of Correll Hull, chairman of the Democratic national committee, that "Senator Newberry, accused openly in the Senate of occupying a purchased seat and convicted in court on the facts, retains that seat by the gracious commandment of the President of the United States," and that Newberry's victory "is a distinct personal triumph for the President."

Of all the regrettable phases of the Newberry case the most regrettable is that the President of the United States voluntarily should have splashed the Newberry mud on the executive garments.

### NORRIS VOICES MORAL ISSUE.

The moral issue involved in the Newberry case was succinctly and forcibly stated by Senator Norris, Republican (Nebr.), when he said:

"They had a public sale up in Michigan. The property that was placed on the auction block was a seat in the United States Senate. The sale was public, the bidding was in the open, and the property was knocked down to the highest bidder. The only question before the Senate is, 'Shall that sale of the seat in this chamber be confirmed?'

The political issue involved in the Newberry case is not confined to Senator Norris, but includes the entire legislative and the forty-one old guard members, who voted for him, but involves the entire Republican party. This was clearly stated by Senator Underwood, Democratic leader of the Senate, who said:

"It is not Senator Truman H. Newberry who is under indictment in this case, it is the Republican party. It is not only Senator Newberry who is charged with violating the corrupt practices of the old guard in Michigan, but it is the Republican party."

After referring to the methods used to elect Senator Newberry, he continued:

"If you confirm him in the title to that seat you confirm the action of the Republican committee that elected him by these methods. That is the issue that is before the country; and that is the issue that we, as the opposition party, are entitled to carry to the American people and condemn you for the position you have taken."

### RESOLUTION PARADOXICAL.

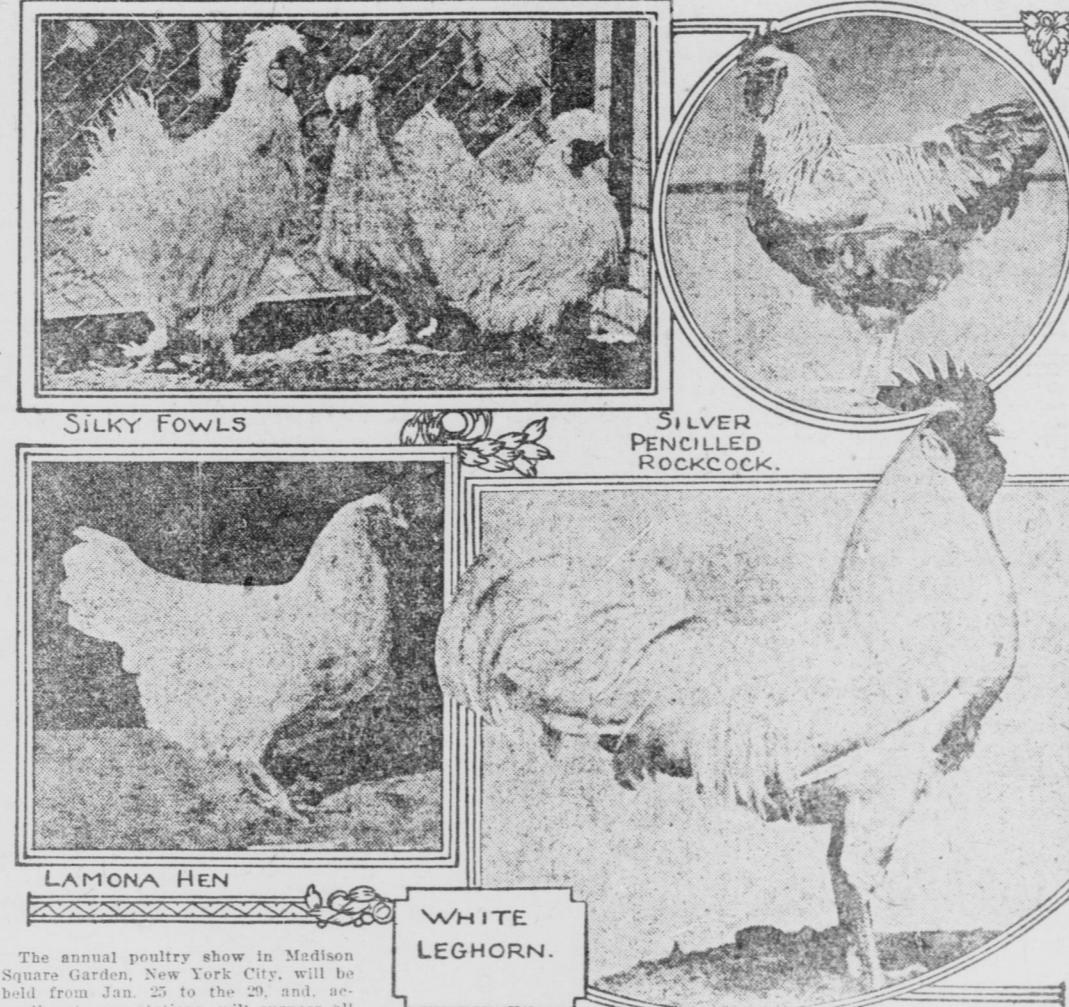
All the history of the Senate there is no other such paradoxical resolution as the one adopted seating Senator Newberry, which after dismissing the contest and declaring that Newberry is entitled to hold his seat in the Senate, contains the following:

"The following of such excessive sum in behalf of the candidate either with or without his knowledge and consent, being contrary to sound public policy, harmful to the honor and dignity of the Senate and dangerous to the perpetuity of a free government, such excessive expenditures are hereby severely condemned and disapproved."

In other words, the act which was "contrary to sound public policy," which was "harmful to the honor and dignity of the Senate," which is "dangerous to the perpetuity of a free government," such excessive expenditures are hereby severely condemned and disapproved."

The farcical performance is thus characterized by Senator Kenyon of Iowa,

### TYPES ENTERED IN NEW YORK POULTRY SHOW



### HAYNES SAYS LIQUOR ARMY OF U. S. STRONG

Prohibition Enforcement Head Does Not Underestimate Task.

### LIQUOR FLEETS BUSY

WASHINGTON, Jan. 24.—There are still 2,500,000 whisky drinkers in the United States, according to Prohibition Commissioner Haynes.

Mr. Haynes estimates that out of the estimated 2,500,000 regular whisky drinkers at least 1,000,000 are in the class of old drinkers who imbibe almost at will, and as freely as potholehounds will stand, under prices of beverage liquor that are well nigh prohibitive for the average man with average earnings.

But against this admission, it must be remembered that Commissioner Haynes recalls that in the old wet days there were 20,000,000 liquor drinkers in the United States. He figured that 17,000,000 drinkers had been converted to teetotalism, leaving only 3,000,000 drinkers. He believes that of those who now find it possible or practicable to imbibe in beverage intoxicants, those of that class are consuming only 5 per cent of the quantity they were accustomed to drink in the pre-prohibition days.

### STATE OF DRYNESS NOT REACHED.

When the rosy reports of "dry" directors go into the filing cabinets and tours of personal observation are made it has required officials long to discover that the country has far to go before a state of dryness that prohibition enthusiasts had hoped for can be an actual fact.

As the days of law enforcement wear on their weary way these things still stand out: Bittery of public officials influenced in liquor matters have become common enough to not excite any special alarm; smuggling of imported liquors over coast routes keep up in undiminished volume; liquor fleets are increasing their areas of operations against the will of the law; and, finally, illegal distilling is growing at a startling rate; and bootlegging has taken on something of the earmarks of achievement, legal or otherwise, if one judges alone the ease with which bootleggers defeat the processes of the courts and the aims of law enforcement.

### HANDLERS KEEP AVENUES OPEN.

Whisky handlers have kept the whisky avenues open, and probably even the prohibition chiefs can only guess, with their limited facilities for detecting the sources. Just how much illicit liquor is flowing over the country. None have arisen to deny many of Prohibition Commissioner Haynes' statements that less liquor is used since the saloon days, or that the health record of the country is better, the death rate less and that perhaps the former drinkers are more prosperous than in the old more or less care-free days.

### WHEN FIVE OR SIX YEARS FROM NOW

some presents himself here with a certain amount of free government, and yet to seat the man; and the gentlemen who have done the wiggle and wobble have now found a cyclone cellar where they think they can go and escape the wrath and the tornado of an indignation public opinion.

"We are asked to believe by the Senator (Mr. Willis) that his resolution will express some policy in campaign expenditures. We have a policy expressed in the \$10,000 limit that both houses of Congress voted, and that was flagrantly violated in this Michigan campaign. What more policy do we want?"

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