

If I thought he would repeat it, I should certainly offer an amendment and insist upon a vote.

I hope and I believe that not only the Senator from Connecticut but every other Senator who may have thought that clerks who are connected with outside interests that seek special-privilege legislation could properly be used will not have that thought longer, so far as activity in the Senate is concerned.

To me it is the gravest kind of breach of public trust, and a still greater breach of faith with one's fellow Senators, to place upon a committee intrusted with the writing of a tariff law to give special privileges in the form of tariff taxes a man who is in the employ of an association whose biggest purpose at this time is to secure special tariff rates. But the Senator from Connecticut sees no offense in such action. As I have said, that is what makes it so difficult to deal with the situation.

Mr. President, the whole attitude of the Senator from Connecticut is one of honesty of purpose, but even with all the condemnation of his colleagues and of the public press he still seems unable to get the viewpoint of the country and of the Senate that this act is one that is not to be tolerated in the future, at least, in this or any other public body in this country. But our duty is clear. We should pass this resolution by such a decisive majority that there will be no doubt as to what the Senate's position is as regards the actions of the Senator from Connecticut.

Mr. NORRIS. Mr. President, I want to say just a word or two before the debate is closed, and I wish my friend the Senator from Massachusetts [Mr. GILLET] were here. He charged in the early part of the discussion that the resolution is of a partisan nature. I wanted to call his attention to the fact that the debate has disclosed that his insinuation or his charge is absolutely without foundation, when we find that this man, Senator BINGHAM, gets the most of his defense, as far as anything charging him with any personal wrong is concerned, from the other side of the Chamber. We have risen above partisanship, and I am delighted that we have taken this high moral plane. If there has been any partisanship, it has been injected into the debate by those who have taken the course—honestly, I think—adopted by the Senator from Massachusetts in his opening address.

Mr. President, the Senator from Washington [Mr. DILL] called attention to a proposition about which I have been thinking ever since this matter was first mentioned in the public press and ever since the committee has made a report, and to me it is a discouraging feature, more discouraging than anything else. In the resolution as I introduced it there was no charge of personal fraud; it was the action of the Senator that was condemned, and not the Senator. It may be that you can not condemn the action of an individual without casting some reflection upon the individual, and, as I said in the beginning, it was a source of regret that I was unable to reach this wrong without doing that thing.

Mr. FESS. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. FESS. To me the difficulty is that the public will not make the fine discrimination the Senator from Nebraska does.

Mr. NORRIS. We have made no discrimination. We have gone to the other extreme. As I said, the only objection to the amendment suggested by the Senator from Illinois, which I accepted with the modification made, on the theory that it did not change the legal aspects of the resolution at all, was that it calls attention, it emphasizes, we say to the world, that "we condemn this matter, Senator BINGHAM, but you are one of the greatest moral geniuses under the rising sun. We condemn what you have done, but we laud you to the skies." That is the impression I fear the public may get of it, and that is not the right impression. That is not what we want to do; it is not in reality what we do when we adopt this resolution with the amendment attached to it.

The thing I mentioned a while ago that is discouraging is that, as I look at it, the Senator from Connecticut has never yet grasped the situation, he has never yet and does not now understand just what the Senate is doing. He thinks it is all wrong for us to do it. He thought he was all right, and that is the reason he was not guilty of any personal fraud, no personal dishonesty. He believed in the course he has taken, and thought he was justified in it, and he has never yet said anything to the contrary. He still asserts it on the floor of the Senate, and it is right that he should if he believes it. The point is that he has never yet grasped the fact that the action he took was injurious to the honor and the dignity of the Senate, was injurious to public sentiment and to public opinion.

I think I can almost be justified in saying that the theory of the Senator from Connecticut is the same as that of Mr. Grundy, "We had the election, we raised the money, we bought it, we paid for it, the whole thing is ours, from President down, and we can do what we please about it. We can send these

men here and these men there. We are only handling our own property."

So, after all, the amendment of the Senator from Illinois, in my judgment, is not so complimentary as it might be to the Senator from Connecticut. The conception of people that this kind of business is all right, that we have a right to do it, that we are under no other obligation to the country than to do it.

I think the Senator from Connecticut in his conduct went further even than that. It is shown that in acting on this great committee, in which my State is interested, and in which every State is interested, he stood on the narrow ground that all he was going to do there was to see what he could get for Connecticut, and his arguments, and the speeches he has made, are all to the effect that he was justified in doing that. That is the reason why I called the attention of the Senate several days ago to the make-up of this committee; that is the reason why I think this bill, reported by the Finance Committee, is in such disrepute before the country.

The people are disgusted with the way these tariffs are made. They are condemning the make-up of the committees. They are condemning the make-up of tariff bills to suit the will and the wish of the men and the corporations directly interested in them.

That is what the Senator from Connecticut was carrying on. He thought the Republicans had carried the country, and that it was all right for them to act in the way they were acting, I have no doubt, and the only thing that worries me is that he has not yet, apparently, reached the point where he realizes that the country condemns that course, notwithstanding the great victory that was had, and the Senate in this action is trying to condemn that action.

When the Senate takes this action it seems to me it will have accomplished great good for the welfare of the country, for the practice of drafting of laws, and for the honor and dignity of the United States Senate.

The VICE PRESIDENT. The question is on agreeing to the resolution as modified.

Mr. COUZENS. I would like to have it read.

The VICE PRESIDENT. The Secretary will read the resolution as modified.

The Chief Clerk read as follows:

*Resolved*, That the action of the Senator from Connecticut, Mr. BINGHAM, in placing Mr. Charles L. Eyanson upon the official rolls of the Senate and his use by Senator BINGHAM at the time and in the manner set forth in the report of the subcommittee of the Committee on the Judiciary (Rept. No. 43, 71st Cong., 1st sess.), while not the result of corrupt motives on the part of the Senator from Connecticut, is contrary to good morals and senatorial ethics and tends to bring the Senate into dishonor and disrepute, and such conduct is hereby condemned.

Mr. HEFLIN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BINGHAM (when his name was called) answered "present."

Mr. OVERMAN (when his name was called). Again announcing my pair with the senior Senator from Wyoming [Mr. WARREN], I withhold my vote. If I were permitted to vote, since the resolution has been modified, I would vote "yea."

Mr. FESS. I wish to announce the following general pairs:

The Senator from Indiana [Mr. WATSON] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Missouri [Mr. PATTERSON] with the Senator from New York [Mr. WAGNER].

I am not advised how these Senators would vote on this question if they were present.

Mr. HAWES. I have a pair with the senior Senator from Kentucky [Mr. SACKETT]. Not knowing how he would vote, I withhold my vote. If permitted to vote, I would vote "yea."

Mr. BLEASE (after having voted in the affirmative). I have a pair with the junior Senator from New Jersey [Mr. KEAN]. I understand that he would on the two previous roll calls have voted as I did, but on this vote, if he were present, he would vote "nay." Therefore I withdraw my vote.

Mr. GEORGE. The junior Senator from Utah [Mr. KING] is absent on account of sickness. I desire to announce that he was opposed to the resolution in its original form.

The result was announced—yeas 54, nays 22, as follows:

YEAS—54

Allen	Brookhart	Dill	Hayden
Ashurst	Broussard	Fletcher	Heflin
Barkley	Capper	Frazier	Jones
Black	Caraway	George	Kendrick
Blaine	Connally	Glenn	La Follette
Borah	Copeland	Goldsborough	McKellar
Bratton	Couzens	Harris	McNary
Brock	Cutting	Harrison	Norbeck

Norris	Schall	Stephens	Vandenberg
Nyc	Sheppard	Swanson	Walsh, Mass.
Pine	Simmons	Thomas, Idaho	Walsh, Mont.
Pittman	Smith	Thomas, Okla.	Wheeler
Ransdell	Steck	Trammell	
Robinson, Ind.	Steinwer	Tydings	

## NAYS—22

Dale	Greene	Keyes	Shortridge
Edge	Hale	Metcalf	Smoot
Fess	Hastings	Moses	Townsend
Gillett	Hatfield	Oddie	Walcott
Goff	Hebert	Phipps	
Gould	Johnson	Reed	

## NOT VOTING—18

Bingham	Howell	Patterson	Warren
Blense	Ken	Robinson, Ark.	Waterman
Deneen	King	Sackett	Watson
Glass	McMaster	Shipstead	
Hawes	Overman	Wagner	

So Mr. NORRIS's resolution as modified was agreed to.

## ENFORCEMENT OF PROHIBITION

Mr. BROOKHART. Mr. President, I desire to give notice that upon to-morrow, as soon as I can get recognition after the convening of the Senate, I shall briefly discuss the enforcement of the prohibition law in general, and Wall Street booze parties in particular.

## EXECUTIVE MESSAGES

Sundry messages in writing were communicated to the Senate from the President of the United States by Mr. Hess, one of his secretaries.

## PETITIONS

Mr. COPELAND presented petitions of sundry citizens of Brooklyn and vicinity, in the State of New York, praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which were referred to the Committee on Pensions.

Mr. TYDINGS presented a petition of sundry citizens of Baltimore, Md., praying for the passage of legislation granting increased pensions to Civil War veterans and their widows, which was referred to the Committee on Pensions.

## REPORT OF POSTAL NOMINATIONS

Mr. PHIPPS, as in open executive session, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were ordered to be placed on the Executive Calendar.

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BLAINE:

A bill (S. 2003) granting a pension to Ove H. Gram (with accompanying papers); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 2004) granting an increase of pension to Martha Burst; to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 2005) to authorize the city of Oakland, Calif., to use the Coast Guard cutter *Bear* as a nautical training ship; to the Committee on Commerce.

By Mr. SHORTRIDGE:

A bill (S. 2006) for the relief of John Davidson; to the Committee on Naval Affairs.

## AMENDMENTS TO THE TARIFF BILL

Mr. RANDELL submitted seven amendments intended to be proposed by him to House bill 2667, the tariff revision bill, which were ordered to lie on the table and to be printed.

## REVISION OF THE TARIFF

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

The VICE PRESIDENT. The question is upon the first amendment of the committee passed over, which the clerk will report.

The CHIEF CLERK. On page 7, paragraph 20, under the heading "Chalk or whiting or Paris white," in line 18, the committee proposed to strike out "three-fourths of," so as to read:

Ground in oil (putty), 1 cent per pound.

Mr. SMOOT. Mr. President, I will have to ask that this amendment go over for this reason, and this reason only: The putty rate has been increased, but the whiting rate remains exactly as it is in the text of the House. If we change one, we must change the other, and under the unanimous-consent agreement we can not now consider the whiting amendment.

Therefore I will have to ask that the putty amendment go over.

The VICE PRESIDENT. Without objection, the amendment will go over. The clerk will report the next amendment passed over.

The LEGISLATIVE CLERK. In paragraph 28, coal-tar products, on page 14, in line 8, after the word "derivative," the committee proposes to insert "vanillin, from whatever source obtained, derived, or manufactured."

The PRESIDING OFFICER (Mr. Fess in the chair). The question is upon agreeing to the committee amendment.

Mr. WALSH of Massachusetts. Mr. President, will the Senator from Utah explain the amendment?

Mr. SMOOT. Under the ruling of the Treasury Department vanillin was declared a coal-tar product, and we merely transfer it to the coal-tar products paragraph.

Mr. WALSH of Massachusetts. I have no objection.

Mr. WALSH of Montana. Mr. President, may I inquire the effect of the change?

Mr. SMOOT. That will depend on whether we keep the American valuation or not.

Mr. SIMMONS. It is a coal-tar product?

Mr. SMOOT. Yes; it is a coal-tar product and the change will have very little effect. I think it is satisfactory to everyone.

Mr. BARKLEY. We have no objection to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment passed over will be stated.

Mr. SMOOT. The next amendment passed over is on the same page, beginning with line 17.

The LEGISLATIVE CLERK. On page 14, after line 16, the committee proposes to insert:

(b) Synthetic indigo, "Colour Index No. 1177," and sulphur black, "Colour Index No. 978," 3 cents per pound and 20 per cent ad valorem:

Mr. SMOOT. Of course, this is a great decrease. It is synthetic indigo. I think there is no objection to the amendment.

Mr. HARRISON. It cuts the present rate in half.

Mr. SMOOT. It is more than half. It reduces it from 7 cents to 3 cents.

Mr. HARRISON. Some of us think it should go still further down, but that is a pretty good result as there are no imports.

The PRESIDING OFFICER. May the Chair inquire if the Senate has acted on the amendment striking out lines 13, 14, 15, and 16?

Mr. SMOOT. That has been acted upon.

The PRESIDING OFFICER. The question is upon agreeing to the amendment in lines 17, 18, and 19, page 14.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The LEGISLATIVE CLERK. On page 14, after line 19, the committee proposes to insert:

(c) The ad valorem rates provided in this paragraph shall be based upon the selling price (as defined in subdivision (f) of section 402, Title IV), of any similar competitive article manufactured or produced in the United States.

Mr. SMOOT. That makes no change in the law. It takes the language from one section and puts it in another.

Mr. LA FOLLETTE. I understand that, but it raises a question concerning the American selling price for coal-tar products and intermediates.

Mr. SMOOT. That will have to come up later.

Mr. LA FOLLETTE. Is it the purpose of the Senator to take that up following the adoption of the pending amendment?

Mr. SMOOT. No; we can not take it up because there is no amendment to the paragraph itself.

Mr. LA FOLLETTE. But this is an amendment, and that is the point I wanted to get straightened out so far as the parliamentary situation is concerned.

Mr. SMOOT. It is not an amendment to existing law. If we change the American valuation, then of course this will have to be changed, but if there is no such change, then this is just a transfer from one paragraph to another.

Mr. LA FOLLETTE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LA FOLLETTE. In the opinion of the present occupant of the Chair, would the Senator from Wisconsin be estopped from presenting a motion, while still in Committee of the Whole, to strike out the committee amendment beginning at line 20, if action is now taken to adopt that amendment?