

Transcript of Senate Proceedings Denouncing

Lawmakers Demand Judge Leibowitz, Mrs. Backer, Ernst, Winchell Be Called

Following is the transcript of the proceedings in the Senate yesterday on the New York Post's story involving a member of the Senate:

Mr. Barkley—Mr. President, I wish to state to the Senator from Wyoming and the Senate that I ask the privilege of making a statement at this time about a matter which involves the highest privilege of the Senate and the highest personal privilege of a member of the Senate.

On May 1, 1942, the New York Post carried a story which grew out of the trial of a case in the State court, city of Brooklyn, where a man by the name of Gustave Herman Beekman was under indictment and under trial for an offense too loathsome to mention in the Senate or in any group of ladies or gentlemen. It involved a house which he operated and conducted in Brooklyn, which was and is described as a house of degradation. He was convicted in the State court presided over by Judge Leibowitz. Following his conviction, before sentence was pronounced, he issued what was alleged to have been an affidavit involving a member of the U. S. Senate as a frequent visitor to the house which he operated.

Based upon that affidavit or alleged affidavit the New York Post on Friday, May 1, carried a headline that occupied practically the whole front page which reads: Link Senator to Spy Nest.

Then it has some photostatic copies of the signature of Gustave Herman Beekman.

On the third page of this issue of the New York Post the headline is as follows: "Senator Linked to Spy Nest Which Lured Service Men."

The article proceeds to describe the place, the name of the street, and the number of the house. The article contains the charge that

a member of the U. S. Senate had been frequently seen in this place talking to an alien who was suspected of being a spy in behalf of the Nazis, while the article indicated that the conversation which was supposed to have taken place between the Senator and this German was not audible. No one could testify to what was said or on what subject anything was said.

The article contained a silhouette of the Senator involved in the charge, a white silhouette, blank as a tombstone, which in all probability might in the imagination fit any one of a dozen or more members of this body, just a white silhouette.

This publication was brought to my attention by the Attorney General of the United States, Mr. Francis Biddle, and it had been brought to his attention by reason of the intimation in New York made to agents of the Department of Justice, the Federal Bureau of Investigation, that there might be a violation of the espionage act on the part of those who resorted to this place, which soldiers and sailors now and then frequented. The intimation was that these boys were plying with liquor in order that they might become garrulous and reveal the whereabouts of ships from which they had disembarked or upon which they might re-embark for future movements.

Barkley and McNary Asked FBI To Make Thorough Probe of Charge

The only interest the Department of Justice had in the matter of course was to ascertain whether there had been any violation of the law regarding alien activities.

The Attorney General called me up over the telephone and told me of the publication, and wanted to talk with me about it. I told him I should be glad to do so especially as it involved a member of this body. He himself did not come to see me that day but he sent one of his assistants, Mr. Cox, a very reliable and a very efficient assistant in the Attorney General's office who told me about the publication and the implications involved.

I told the Attorney General, as well as Mr. Cox, that I should like to confer with the Senator from Oregon (Mr. McNary), the minority leader, about what was the best course to pursue inasmuch as this matter involved the integrity of the Senate. Certainly the Senate of the United States was interested in knowing whether any member of the body was guilty of any violation of the law involving the safety and welfare of his country, whether he was, as intimated in this article, conniving with the enemies of his country, plotting against its security, its safety and its welfare.

I talked with the Senator from Oregon and the two of us agreed that the best course to pursue was for the Department of Justice informally without any action on the part of the Senate, without any official request from the Senate, to make an investigation and reveal the facts, and that the Senate's course thereafter could be determined by what the facts turned out to be.

I advised the Attorney General of the result of my conference with the Senator from Oregon, and the Attorney General stated that they would proceed accordingly.

Friday, when this article first appeared, which named no Senator but carried this white silhouette, was the first of May.

A day or two later—I think on Tuesday, although it may have been Monday, the following

Beekman Offered Inducement to Name 'Topnotchers' Who Frequented Place

Yesterday afternoon, following the session of the Senate, the Attorney General, Mr. Biddle, and with him one of the special agents, whose name I shall give in a moment, came to see me, and they turned over to me copies of the original documents now in the custody of the Attorney General.

A statement of the facts in the case presents a weird and fantastic story. I do not deem it necessary

week—Senator Walsh, who had not been named in the article, called me over the telephone and said he wished to see me. He had been told by the New York Post that on that day they were going to publish his name as the member of the Senate involved in this charge.

Senator Walsh came out to my house and we had a long conference about the matter. He told me then what appeared later in the paper; that he had told the representative of the New York Post, when he was called up and advised that they were going to name him, that the whole story was a diabolical lie and that if they published it that would be what they were publishing. That afternoon they came out in a story and in an editorial naming Senator Walsh of Massachusetts as the member of the Senate involved in the charge.

Senator Walsh was visibly agitated, as anyone laboring under such a revolting charge would be. I advised him that unless this article appeared in other newspapers than the Post, I doubted the wisdom of his rising in his place in the Senate to make any comment upon it, at least until the Department of Justice had investigated it, and he agreed. That course was pursued.

In the conversation between Senator Walsh and me he stated that he had never in all his life been in this place, or in any similar place; that he had never even been in Brooklyn in his life, except on three occasions, and at those times he went there to deliver public addresses before audiences of the public.

Day before yesterday the Attorney General called me over the telephone and said that their investigation had been completed, that it entirely exonerated the Senator from Massachusetts, and that he had in his possession, and wished to submit to me for such use as I might think proper to make of them, statements taken by special agents of the Department of Justice, the Federal Bureau of Investigation, showing the facts with reference to the matter.

involved which I do not think it would serve any purpose now to publish. In the statement submitted to the Department of Justice by this man Beekman he states that he did not know what was in the original statement secured from him; that it was not read to him; that it was prepared by his lawyer who had defended him on the trial in the State court; that he did sign it because his lawyer ad-



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Attorney accused of participating in attempt to "smear" Senator Walsh.

chusetts than I look like Halle Selassie.

The only similarity is that they are both large men, weighing about the same, perhaps within a few years of the same age. I have four of these photographs. I have the name of the man, which I shall not reveal, because I do not think any purpose could be served by revealing his name, but he is not from Massachusetts, he is not from New York; he lives in New England, but not in Massachusetts.

After the statements were made by Beekman, who made the original statement involving the Senator from Massachusetts, and by a man named Zuber who also made a statement involving the Senator, and by one or two others, they were shown this photograph, and all of them stated that Senator Walsh was not the man to whom they referred. The photograph of Senator Walsh was also submitted to them, and they all stated that he was not the man they had ever seen in this place. While it is not a very good likeness, it is a flattering likeness of the Senator from Massachusetts, it certainly is enough like him to indicate that it is a picture of an altogether different man than the one they identified as the man who visited this place.

After these statements were made by Beekman and by Zuber and by a man named Fox, and by one or two others, the agents of the Department of Justice visited the man whose picture this is, and they took a statement from him, in which he admitted that he was the man; that he had visited this place time after time for purposes which I do not reveal, at the very times and during the very periods which the original affidavit of Beekman indicated as the dates on which the Senator from Massachusetts was claimed to have been seen there.

Of course it is all fantastic. It is almost incredible.

The Department of Justice in its investigation has gone into the matter as thoroughly and as completely as possible. They have taken statements from everyone who had been alleged to have made a statement in regard to this whole matter. All of them unanimously and separately—not together, but separately—made the statement that none of them ever saw in or near or around this place, or at the other place from which he had moved, any man corresponding to the photograph of the Senator from Massachusetts.

These things are unpleasant even to have to talk about, but the Senator from Massachusetts and the United States Senate and the country are all entitled to the facts, they are entitled to the statement that I am making based upon the investigation made by the Department of Justice.

I want to congratulate the Senator from Massachusetts upon the calm demeanor which he has exhibited in the face of this contemptuous and contemptible charge. The Senator from Massachusetts and I have disagreed



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Publisher Accused of Walsh 'Smear'
Dorothy Schiff Backer (above) recently succeeded her husband, George Backer, as publisher of the New York Post. Yesterday Senators demanded that she be called before the Senate to answer for charges made in her newspaper against Senator Walsh, of Massachusetts.

performance of his duties here was concerned, so far as any effort on his part to connive or to consort with; or to converse with, or conspire with anybody who is the enemy of the United States, was unsullied.

The Senator from Massachusetts indicated in his first conversation with me that unless this article appeared generally in the newspapers of the United States, and was confined to this particular newspaper in New York city, he would not exercise what was obviously his right to rise to a question of personal privilege and discuss it, at least until the Department of Justice had concluded its investigation.

I wish to say to the credit of

No One Who Knows Walsh Believed 'Malicious' Accusation, Says Barkley

This whole situation is unfortunate, but it was not brought here by any of us.

It was not initiated by the Department of Justice. It was brought to the attention of the department because of a trial in the State court in the city of Brooklyn. I am advised by the Attorney General that the department has completed its work and has the original documents, of which I have copies, in its custody.

Unpleasant as this episode has been, it is a pleasure to be able to state, as I had anticipated from the beginning I would be able to state, that from the beginning to end there was never the slightest foundation or basis for the opinion, charge, or suspicion that the Senator from Massachusetts was the man involved in the descriptions which were given in this publication on May 1. I shall not go into the question of motives. I do not read the mind of any human in the effort to ascertain his motive. I do not know. Therefore, I make no in-

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Mr. President, I feel compelled to retain the documents which I have received from the department and keep them from the record and from the press. The statements which I have made are borne out by these documents. I am not in a position to say that they will be available if anybody wishes to inspect them at the Department of Justice. I think the Senate will rely upon my statement that these documents amply

the newspapers of America that so far as I know, no other newspaper in the United States carried this story. It may be that one or two other newspapers somewhere carried an intimation of or a resume of the story involving in a vague way some member of the United States Senate, without naming him. I did not see any such publication. I am advised that with the possible exception of one or two newspapers somewhere, whose identity I can not give, the rest of the newspapers of the United States ignored it completely. Of course I can not speak for all of them, and I do not know, because I have not seen them all, but that is my information.

Mr. President, that is about all there is to say. It is most regrettable that for any reason or motive a member of this body, or any American, anywhere, high or low, should be involved in such an unjustified, malicious, degrading charge, or that a member of one of the legislative bodies of this nation should be accused of conspiring with alien enemies against the welfare and safety of his country. Nobody who was acquainted with the Senator believed it. I hope that as the result of the fair, impartial, and exhaustive investigation made by the department best equipped to make it, those who have been responsible for it will see to it that justice is done, even in their midst, with respect to this despicable accusation against a member of this body.

Mr. President, I think it was Hoover, was prejudiced in favor of the Senator from Massachusetts. On the contrary, they rendered a great public service to the nation in making this investigation.

I also congratulate the Senator from Kentucky for the statement which he has made in bringing about the exoneration of the Senator from Massachusetts.

Mr. Barkley—I thank the Senator from Montana. I think it was

is described as a house of degradation. He was convicted in the State court presided over by Judge Leibowitz. Following his conviction, before sentence was pronounced, he issued what was alleged to have been an affidavit involving a member of the U. S. Senate as a frequent visitor to the house which he operated.

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A statement of the facts in the case presents a weird and fantastic story. I do not deem it necessary to go into any details in describing the house, or the charge made, or the practices which were carried on until the defendant's conviction. This Gustav Herman Beekman supposedly made an affidavit, after his conviction, which was supposedly made under some sort of inducement that if he would tell the whole truth and reveal the names of those who were described as some of the topnotchers who frequented his resort, he might receive leniency by way of punishment on the conviction which had just been secured in the State court.

I have here a record of 25 pages, which I shall not insert in the Congressional Record, because it contains disgusting and unprintable things which should not be in the Record. Nor shall I give it to the press, because the statements have no more business in the public press than they have in the Congressional Record.

Besides that there are some confidential matters and names in-

involved which I do not think it would serve any purpose now to publish.

In the statement submitted to the Department of Justice by this man Beekman he states that he did not know what was in the original statement secured from him; that it was not read to him; that it was prepared by his lawyer who had defended him on the trial in the State court; that he did sign it because his lawyer advised him to sign it, but that he did not hold up his hand and swear to it, although the document itself on its face shows that it was sworn to. He states also that he did not make the statement with any knowledge that it was to be made public or that there was to be any publicity whatever about it; that he made it because his lawyer advised him to make it.

In the statements made by not only Mr. Beekman but others who were frequenters of this resort, they show that there was a man who came to this place about the time and during the time it was alleged in the original affidavit or statement, whatever it may be called, that the Senator from Massachusetts was accused of having been to this place. The Department of Justice has submitted to me a photograph of the man who actually was there, and I will submit to any Senator or to anyone else who wants to inspect the photograph, that it looks no

more like the Senator from Massachusetts than I look like Halle Selassie.

The only similarity is that they are both large men, weighing about the same, perhaps within a few years of the same age. I have four of these photographs. I have the name of the man, which I shall not reveal, because I do not think any purpose could be served by revealing his name, but he is not from Massachusetts, he is not from New York; he lives in New England, but not in Massachusetts.

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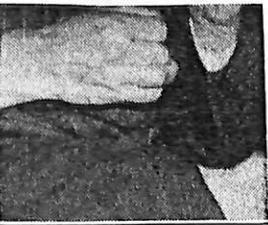
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I want to congratulate the Senator from Massachusetts upon the calm demeanor which he has exhibited in the face of this contemptuous and contemptible charge. The Senator from Massachusetts and I have disagreed many times on the floor of the Senate about matters of policy, both foreign and domestic. We disagreed—and many of us did—on the foreign policy of the Government of the United States prior to the attack on Pearl Harbor on December 7. But I want to say for the Senator from Massachusetts that regardless of those disagreements as to policy prior to our entry into the war, the Senator from Massachusetts has performed his duties as chairman of the Committee on Naval Affairs and his duties as a United States Senator in a manner indicating his patriotism and his loyalty and his devotion to the interests and the welfare of the United States.

When this charge was made, and this publication was banded around, handed from hand to hand, and whispered around from mouth to mouth, there was not a Senator in this body who did not know at the very moment, that the escutcheon of the Senator from Massachusetts, so far as the



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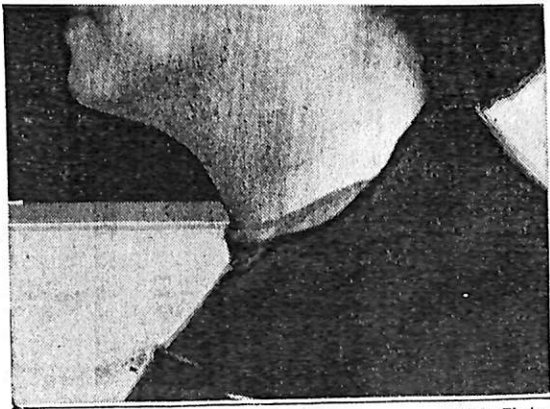
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Mr. President, I feel compelled to retain the documents which I have received from the department and keep them from the record and from the press. The statements which I have made are borne out by these documents. I am not in a position to say that they will be available if anybody wishes to inspect them at the Department of Justice. I think the Senate will rely upon my statement that these documents amply and overwhelmingly justify the complete, and thorough exoneration of the Senator from Massachusetts from any suspicion of ever having been to the place referred to or anywhere near it, or ever having engaged in any activity which could have justified any honest man in making the assertion that he was ever there.

Mr. Wheeler—Mr. President, will the Senator yield?

Mr. Barkley—I yield.

Mr. Wheeler—I wish to congratulate the Attorney General of the United States for making the investigation, and I wish to congratulate the FBI, under Mr. Hoover, for carrying out the investigation and bringing the truth to the country. If the investigation had been conducted by private individuals, there might be the suspicion that such individuals were biased in favor of one person or another; but I am sure that nobody in this country will say that the Attorney General of the U. S., or the FBI, under Mr.

timation; but I am sure that every Senator and every man in the Government of the U. S., including the Department of Justice, felt the same way about it. Their confidence has now been confirmed by the investigation to which I have referred.

Mr. President, that is about all there is to say. It is most regrettable that for any reason or motive a member of this body, or any American, anywhere, high or low, should be involved in such an unjustified, malicious, degrading charge, or that a member of one of the legislative bodies of this nation should be accused of conspiring with alien enemies against the welfare and safety of his country. Nobody who was acquainted with the Senator believed it. I hope that as the result of the fair, impartial, and exhaustive investigation made by the department best equipped to make it, those who have been responsible for it will see to it that justice is done, even in their midst, with respect to this despicable accusation against a member of this body.

I also congratulate the Senator from Kentucky for the statement which he has made in bringing about the exoneration of the Senator from Massachusetts.

Mr. Barkley—I thank the Senator from Montana. I think it was infinitely better for the Department of Justice, through the Federal Bureau of Investigation, to have made this investigation rather than the Senate itself. The Senate might have been thought by some persons to be prejudiced in behalf of one of its members. Nobody can lay any charge of partiality at the door of the Department of Justice.

From the very beginning of this matter, from my first conversation with the Attorney General and until my last conversation with him and his representatives, all they have sought to do was to obtain the truth, and they have done so.

Mr. Clark of Missouri—Mr. President, will the Senator yield?

Mr. Barkley—I yield.

Mr. Clark—First I wish to express the appreciation which every member of this body feels for the action of the majority leader in bringing this matter out into the open, having a report on the facts,

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He obtaining against later p Senate

and give opportunity I think of the U. great cr which h investigat which I covered; I distinguish: Mr. Pr to me t sufficient by receive ment ag tucky sa to exami that for own inte United S into the conspira this body ber has by the F the Fedtation of I do not the inclc ining in sonalitie: against achusett

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I.N.P.

Leibowitz

statement mack- ical" charges ator Walsh, untrue by FBI, told.

Senate an op- on the facts. Attorney General takes is entitled to in the manner in which this in- vestigation was conducted in the manner in which this in- vestigation was apparently un- piracy to smear a member of this body. It does not seem that the Senate will have its duty simply to report. A mem- ber from Ken- tucky he was not able to give any motives. I think maintenance of its duty is the duty of the Senate to examine behind this filthy smear a member of the Senate, and of how he was mem- orially exonerated by the Bureau of Investiga- tion and charge. We ought to allow pass without exam- ination motives and period this conspiracy senator from Mass-

Senate should call the Senate, in view of which the Senator has made, the old news the New York Post would call to the bar of Walter Winchell, commentator who dis- form of the Navy States by appearing uniform to try to rs of Congress. address he undertook to only the Senator chusetts, but three rs of the Senate happen to begin with

of the Senator from kes it perfectly ob- ere has been subor- nery, to which the self, in view of the om the trial judge in New York paper, sen a party. I think a summoned to the Senate to ascertain as a party to subor- nery.

n, I think that the r, Morris Ernst, who trial judge in the case, and who after- these charges to as I understand, in smear the Senator chusetts, should be he bar of the Senate. a conspiracy or an fort, as has appeared time, to smear mem- Senate and the House happen to agree with papers on public ques- eople should know it. ow that a few weeks as a dinner in Wash- moted by the Com- it and the New Repub- ne. At that dinner, called the Overseas ents' Dinner, it is a common notoriety that ent was made that men opposed our entrance war before Pearl Har- be destroyed. As I un- he statement was open- at that time—I was not ut I have it on very ority—that they should i" for subversive ac- possible; if that was im- ney should be fought on me tax frameup; and if impossible they should d" on a violation of the e, or anything else any- I think of.

—Mr. President, will the led? ark of Missouri—I am g on the time of the om Kentucky. s to me that the attempt the Senator from Massa- s plainly and clearly a, in view of the FBI re- a matter. It is a mat- ch the U. S. Senate take cognizance. We find out where Mr. Win-

Mr. Clark of Missouri—I entirely agree with the Senator. I was not trying to obtain a categorical answer from the Senator. I made the suggestion because it seems to me that it is something which every member of this body ought to take into consideration with a view to protecting the dignity and integrity of the Senate, and protecting this body from baseless, filthy, and dishonorable attacks.

Mr. Barkley—I appreciate the statement of the Senator.

The Senator has mentioned Mr. Morris Ernst, whom I do not know. I know that there is such a lawyer. I was told by a certain person that he had been informed that Ernst sat on the bench with the judge in Brooklyn who tried the case. I asked the Attorney General about it, and he said that that statement was incorrect; that some time during this episode, when these statements were being made, Mr. Ernst was present as attorney for the New York Post. I am informed that he is the attorney for the New York Post, and

Tobey Says Walsh Had Confidence Of Senate in His Pre-War Attitude

Mr. Tobey—Mr. President, will the Senator yield?

Mr. Barkley—I yield. Mr. Tobey—I rise to add my commendation to the distinguished majority leader for the fine tribute he has paid and the fine remarks he has made about Dave Walsh. My mind goes back to the days after Pearl Harbor, when I spoke on the floor of the Senate, and when Dave Walsh replied to my remarks. He spoke of the responsibility devolving upon him as chairman of the Senate Committee on Naval Affairs, and of the talk he had had with the President, and of how he was talking with various people; and then he said, "In this trying time in administering the affairs of the Naval Affairs Committee, Mr. President, I must have the confidence of the Senate."

I answered back, and said to him, "You have it"; and the distinguished senior Senator from Michigan (Mr. Vandenberg) also paid tribute to the confidence the Senate has in Dave Walsh, that day after I had spoken.

In closing my brief remarks at this time I simply desire to say that Dave Walsh is my friend of many years standing in my birth State of Massachusetts, and to me it is a terrible thing that this thing could have happened to him and to the Senate of the U. S., through the calumny and abuse of this vermin group in Brooklyn, N. Y., and in New York City.

To my mind come the words of Spencer, written many years ago with reference to the fact that in the end justice will make her own cause right.

And justice is making her own cause right in the incident before us this morning; and the Senate of the United States, both parties, all groups, and all thoughts will join with the senior Senator from

New York Post Predicted Senator Would Be Involved Before Case Was Tried

"When the notorious Beekman case is prosecuted in Brooklyn County Court next week it will involve one of the highest ranking legislators in the country."

Then the New York Post says: "The first mention of the sensational Beekman case in which a United States Senator is linked with a Nazi spy ring appeared in The Lyon's Den, thus registering another scoop for the Post's scintillating columnist."

Then there is a photostat of it. It said:

"The jury was out 50 minutes when the verdict of guilty was announced. Judge Leibowitz said in part—"

And then the Post says that it shows that Judge Leibowitz knew that a Senator was involved. Of course he knew that a Senator was involved, because of the fact that the New York Post had carried this story saying that a Senator was going to be involved.

Then Judge Leibowitz is reported to have said—and I want to call attention to the man to whom he spoke, who has been running a house of degradation, one of the lowest types of individuals who could possibly be found in the United States of America, in my judgment.

Mr. Tobey—The scum of the earth.

Mr. Wheeler—Yes; as the Senator suggests, the scum of the earth.

It is reported that Judge Leibowitz said to Beekman, after he was convicted:

"The defendant's fate lies in his own hands. If he assists us and tells the truth and makes a clean breast of his activities and those in connection with them, and if he uncovers the whole spy ring with which he was connected, the

Ernst, I have been informed by a very reputable newspaperman, whose information is usually correct, that Mr. Ernst brought the story to Washington and went to the White House with it, in an attempt to interest the highest authority in Washington in an effort to smear the Senator from Massachusetts. To the credit of the President and his advisers, Mr. Ernst's suggestions were entirely rejected. I do not know whether that is true or not, but I have been so informed by reputable newspapermen who are usually accurate, that that is true.

Mr. Barkley—I can not affirm or deny that, because I do not know. I do not know whether Mr. Ernst brought the charge down here or not, or who brought it. I have never been told, and therefore I would not hazard a guess as to that.

Mr. Clark, of Missouri—That was the basis of my suggestion. I should like to have Mr. Ernst come to the bar of the Senate and respond to questions about how deeply he is involved in the conspiracy.

Kentucky in helping justice make her own cause right in the present instance.

More power to the Senator from Kentucky, and we join with him in solid phalanx to vindicate the good name of Dave Walsh and the State of Massachusetts and the Senate of the United States.

Mr. Barkley—I thank the Senator for his remarks. I should state, if I have not already done so, that in all these statements made by these various persons to the Federal Bureau of Investigation and the special agents sent up there, all of them made the statement, as will be shown, that they made these statements freely, without coercion, or without influence or pressure brought to bear upon them to make such statements.

I think that should be stated.

Mr. Wheeler—Mr. President, will the Senator yield?

Mr. Barkley—I yield.

Mr. Wheeler—I understand that even after the Federal Bureau of Investigation made the investigation—and I was told this yesterday—the New York Post then published a statement to the effect that this same man had retracted the statement which he had formerly made to the FBI, and had said he was forced to make it by the FBI—showing, in my judgment, the viciousness of the New York Post in attempting to continue to smear the Senator even after the FBI made an impartial investigation. I am also informed that when the man Beekman or Beekman or whatever his name may be first made the affidavit, it was made at approximately 12 o'clock at night; and I also desire to call the Senate's attention to the fact that the New York Post boasts of the fact—I hold in my hand a copy of the New York Post, which says:

"I will give him the maximum of two years."

If this man does not make a statement telling what Judge Leibowitz and the New York Post wants, he will be given 20 years.

Some members of the Senate have been prosecuting attorneys just as I have been. How many of the members of the Senate who have prosecuted cases would believe under oath a man who was running a house of degradation, the very scum of the earth? How many would take his word, and would smear a member of the U. S. Senate, a man who has been elected by the people of the great State of Massachusetts at least five different times, if my recollection serves me correctly, and who has been Governor of the State and Lieutenant governor of the State.

Yet this newspaper, the New York Post, publishes the statement of such a man all over the country.

If often falls in course of common life

That right sometimes is overborne by wrong.

The avarice or force of guilt or strife

That weakens her and makes its party strong.

But justice, though her doom she do prolong.

Yet at the last will make her own cause right.

Some persons talk about stopping some newspapers in the name of unity; and yet, I say to my friends, the members of the Senate, that this newspaper and some other newspapers are doing more to stir up disunity in the United States of America and they are doing more to break down the confidence of the people in their Government of the United States than anything else that can possibly happen could do. In one

matter to be stopped because of its spreading of disunity, certainly the New York Post, which was aided to be financed by the Federal Reserve Bank, should come under the ban of the Government of the U. S.; and I agree with the Senator from Missouri that this matter should not stop here. Some persons may say, "Well, it involves only one Senator." No, that is not correct; let me say that in my judgment this is a diabolical attempt on the part of certain individuals in the city of New York to smear every Member of the Senate of the U. S. who has disagreed with them on matters of foreign policy. I have no apologies to make for the position I took before we got into this war; but I know that there is not a Member of the Senate, and I do not think there is a Member of the House of Representatives, who does not want to do everything he possibly can and humanly can do to aid in the winning of this war in the shortest possible time. Yet a number of persons constantly attack Members of the Senate who disagreed with them prior to Pearl Harbor, and then they say they want to bring about unity in this country!

Unity in this country? Unity in this country under those circumstances?

I hold in my hands an advertise-

Senator Wheeler Urges Prosecution of All Involved in 'Smear Conspiracy'

I say that in my judgment it is not only an attack upon Senator Walsh but if the members of the Senate had permitted those responsible to get away with a smear upon Senator Walsh it would have only been a question of time before they would have tried to smear and frame every other member of the Senate who had the courage to stand up in the Senate and vote his convictions.

So it is not a question of a personal matter as to one Senator; it is a question of whether or not we are going to vindicate the members of the Senate and whether or not we are going to let people on the outside hold members of the Senate up to ridicule and intimate that they are traitors to their Government and that they are guilty of the lowest kind of degradation that could be imagined by the human mind.

I agree that bringing the owner of this newspaper to the bar of this Senate is far too easy on him. We should not let him off with that.

If it were a Federal judge who made that statement I should say that he ought to be impeached. I should say that any Federal judge who made such a statement under the conditions that this did ought to be impeached by the Congress of the U. S. I doubt that there are any men in this body who would not vote for such impeachment.

I say that all those who are involved in this conspiracy, for it is a conspiracy, ought to be prosecuted, and the lawyers, whoever they may be in connection with it, if the story of this man is true that his lawyer got him to make it, ought to be disbarred.

Mr. Barkley—Mr. President, I wish to state that the lawyer referred to whose name I could not recall a moment ago was one Mr. Strelzin. He is the man who represented

Nye Quotes From John O'Donnell's 'Capitol Stuff' in the Times-Herald

Mr. Nye—Mr. President, at the time the Senator from Missouri was on the floor I sought to interrupt to the end that there might be a clarification of certain language that had been resorted to at a dinner of the so-called overseas writers here in Washington. For the purpose of the Record I am sure we should have as reported the language that was used by at least one of the speakers at that banquet on that evening. It was reported on March 30 in the Times-Herald of Washington, D. C., by John O'Donnell in his column entitled "Capital Stuff," and he said:

The significant point is that such potent Roosevelt advisers as Supreme Court Justice Felix Frankfurter and the paid personnel of the official propaganda agencies applauded lustily such declarations as—

Then comes in quotation this statement:

The American Senate must be taught the facts of life . . . The important thing is to put an end (the criticism of the Roosevelt administration) by whatever means may be necessary. Be as ruthless as the enemy. Get him on his income tax or the Mann act—Hang him, shoot him, lock him up in a concentration camp."

Let me say a further word. I should like to join with the Senator from Missouri and others in the insistence that we not let this matter drop here. I am sure that

The Congress of the U. S. has the power to speed—or to prevent—our victory in this war of survival.

"Votes in Congress can be cast for—or against—that victory. For or against Hitler, Hirohito and Mussolini.

"It does not matter what Congressmen who vote to retard the war effort think they are patriotic. In times like these, the vote of a dupe is as deadly as the vote of a knave. The vote of the man who thinks that we can exist in the same world as Hitler is as deadly as if he actually favored Hitler."

Then they say they are asking for money with which to go out and carry on a campaign. I am not up for election, so it does not affect me; but they are asking money with which to go out and carry on a campaign regardless of whether the candidate is a Democrat or a Republican, if he does not agree with this outfit which has raised this money, and the members of which of course are the same as the members of the Fight for Freedom group and other groups which were raising money prior to our entry into the war, doing everything they could in advocating that we get into the war regardless of whether or not the people of the country wanted to get into it.

resented Beekman and wrote the affidavit that Beekman said he had not read, was not read to him and he does not recall having sworn to it.

In regard to the New York newspapers I think in fairness it ought to be said that so far as I know, the Post is the only New York newspaper that carried this particular story.

Mr. Wheeler—Walter Winchell, as has been said however, who wears a Navy uniform, did make a statement over the radio saying that the name of the man who was connected with it began with the twenty-third letter of the alphabet. He did not know that there are four of us whose names begin with that letter. But here is a man who is just as contemptible in my judgment and yet he is required to wear a naval uniform and as a matter of fact he is a commander in the Navy and yet he does not dare to show up in public in Washington because of the libel suits already pending against him.

Mr. Barkley—I was speaking of newspapers and not radio commentators because I do not listen to all of them.

I wish also to state for the Record that the agents of the FBI who made this investigation were Mr. H. A. Newby and Mr. N. O. Hawkins and there was a third whose name I think was Spengler. Mr. Newby came here yesterday with the Attorney General when he called upon me and gave me these papers.

I thank the Senator from Wyoming for his courtesy in yielding to me, in order that I might make this statement and there is nothing further now that I wish to say about it.

Mr. Nye—Mr. President, will the Senator from Wyoming yield to me?

Mr. O'Mahoney—I yield to the Senator from North Dakota.

Senator Clark demanded that the following principals be called:

1. "The old busy who run the New York Post." This referred to Mrs. Dorothy Sch Backer, daughter of the late Mortimer Schiff, an international banker, and wife of Geo. Backer, former publisher of the Post, whom she recently succeeded in that capacity.

2. Judge Samuel Leibowitz, judge of the Kings county court in which Gustave Herman Beekman was convicted of operating the "house of degradation" signer of an affidavit, which later repudiated, naming Sen. Walsh as a patron of the plot. Clark accused the judge of perjury in inducing Beekman to involve Sen. Walsh. Leibowitz attained considerable notoriety a decade ago as counsel for the Communist defendants in the Scottsboro

Wants Columnists Called

3. Morris L. Ernst, counsel the New York Post, for the American Newspaper Guild, for Columnists Drew Pearson and V. Winchell, and various radical organizations. Clark charged that he sat on the bench with the Post, and later brought the charge against Senator Walsh to the White House, where he sought successfully to persuade President Roosevelt to assist in the effort.

4. Lieut. Comdr. Walter Winchell, Broadway gossip columnist and radio commentator, inserted in a broadcast the notorious Beekman case which involve one of four non-interventionist Senators with names beginning with the twenty-third letter of the alphabet.

5. Leonard Lyons, gossip columnist for the New York Post, first reported that a Senator would be involved in the Beekman case.

6. One Strelzin, attorney for Beekman, who admitted to the Federal Bureau of Investigation that he wrote the statement which Beekman signed upon reading, upon being penalized by Judge Leibowitz.

PM Named Walsh

Although Senator Barkley it was a credit to the new of America that none of them tried the story published in the New York Post, Senator Walsh pointed out that there was a caption. He reminded the that Marshall Field's PM of New York stated that the New Post had named Senator Walsh the mysterious Senator mentioned in its earlier story. Beekman case.

"They did not dare to do a story but they did carry newspaper the statement of the mysterious Senator X was a story from Massachusetts," Wheeler said.

Senator Clark said the conspiracy against Senator Walsh called a recent dinner of the Seas Writers Club in Washington at which Supreme Court Justice Felix Frankfurter, Archibald Leish, chief of the Office of Information and Education, and other Administration officials applauded the statement by Edmund Taylor, ploy of the Office of Information and Education former non-interventionist be charged with subversive ties, violating the Mann income tax law or anything sary to "get them."

Secret Society Exists

Senator Gerald P. Nye of North Dakota, told the that an investigation would reveal "the existence in the city of a secret society" which had been engaged for the last 20 years in an undertaking to get information as would be smearing of individual members of the Senate.

"I have in my possession information that goes directly to the existence of such a society, but before we are done with this thing, I hope the Senate will provide for study of the motives lying back of this experience which has befallen a very respected member of this body.

Mr. Wheeler—Mr. President, when the Senator from Kentucky, our leader, was speaking he said he knew of no newspaper in the city of New York or throughout the country that mentioned this article. I think it is true that no other newspaper carried the story, but I should like to call attention to the fact that Marshall Field's PM., in the City of New York, did say that the Senator mentioned in this story, known as Senator X, was Senator Walsh. They did not dare to carry the story but they did carry in their newspaper that the mysterious Senator X was the Senator from Massachusetts (Mr. Walsh).

Senator "Linked"

"Based upon that affidavit the New York Post on Friday, May 1, headline that occupied the whole front page which "Link Senator to Spy."

"Then it has some pictures of the signature of Herman Beekman. "On the third page of the New York Post headline is as follows: "Senator Linked to Which Lured Service M "The article proceed

Senators Ask 'Smear' Of Walsh Be Probed

FBI Clears Massachusetts Lawmaker Of Charges Made in New York Post

Transcript of Senate proceedings on Page 8

By CHESLY MANLY *F-45/2/11/42*

What was described as a diabolical conspiracy to besmirch Senator David I. Walsh (D.), of Massachusetts, chairman of the Naval Affairs Committee and a leading pre-war non-interventionist, was exposed and denounced on the floor of the Senate yesterday as one of the most despicable attempts at character assassination that could be conceived.

where near it, or ever having engaged in any activity which could have justified any honest man in making the assertion that he was ever there."

Thorough Exoneration

Majority Leader Alben W. Barkley, of Kentucky, announced that the Department of Justice had made a complete investigation of charges published by the New York Post involving a so-called "house of degradation" in Brooklyn, which was represented as a center of Nazi espionage and of loathsome offenses against nature. The newspaper charged that Senator Walsh frequented the Brooklyn resort.

Majority Leader Barkley disclaimed any knowledge of the motives behind the plot to smear Senator Walsh. Noninterventionist leaders charged, however, that it was part of a far-reaching and almost incredibly fiendish movement to destroy the character and influence not only of Senator Walsh and other pre-war noninterventionists in Congress, but of all others who opposed our entrance into the war prior to the attack on Pearl Harbor.

Demand Senate Probe

Senator Barkley said he had received from the Justice Department official reports and documents "which amply and overwhelmingly justify the complete and thorough exoneration of the Senator from Massachusetts from any suspicion of ever having been to the place referred to or any-

Senator Bennett Champ Clark (D.), of Missouri, and Senator Burton K. Wheeler (D.), of Montana, demanded a Senate investigation of all aspects of the conspiracy in order that the guilty persons might be hauled before

(Turn to Page 9, Col. 3)

Senators Ask Probe of 'Smear' Against Walsh

Lawmaker Cleared By FBI of Charges Made in N. Y. Post

(Continued from First Page)

the bar of the Senate for punishment. Senator Barkley said he would consider the proposal but did not wish to give a categorical answer immediately.

Senator Clark demanded that the following principals be called:

1. "The old hussy who runs the New York Post." This referred to Mrs. Dorothy Schiff Backer, daughter of the late Mortimer Schiff, an international banker, and wife of George Backer, former publisher of the Post, whom she recently succeeded in that capacity.

2. Judge Samuel Leibowitz, judge of the Kings county court in which Gustave Herman Beekman was convicted of operating the "house of degradation" and signer of an affidavit, which he later repudiated, naming Senator Walsh as a patron of the place. Clark accused the judge of subornation of perjury in inducing Beekman to involve Senator Walsh. Leibowitz attained considerable notoriety a decade ago as counsel for the Communist defendants in the Scottsboro case.

Wants Columnists Called

3. Morris L. Ernst, counsel for the New York Post, for the American Newspaper Guild, for Columnists Drew Pearson and Walter Winchell, and various radical organizations. Clark charged Ernst sat on the bench with the judge and later brought the charges against Senator Walsh to the White House, where he sought unsuccessfully to persuade President Roosevelt to assist in the smear effort.

4. Lieut. Comdr. Walter Winchell, Broadway gossip columnist and radio commentator, who asserted in a broadcast that the notorious Beekman case would involve one of four non-interventionist Senators with names beginning with the twenty-third letter of the

house. The article contains the charge that a member of the U. S. Senate had been frequently seen in this place talking to an alien who was suspected of being a spy in behalf of the Nazis, while the article indicated that the conversation which was supposed to have taken place between the Senator and this German was not audible. No one could testify to what was said or on what subject anything was said.

"The article contained a silhouette of the Senator involved in the charge, a white silhouette, blank as a tombstone, which in all probability might in the imagination fit any one of a dozen or more members of this body."

Barkley said the publication was brought to his attention by Attorney General Francis Biddle, whose attention had been called to it because of intimations made to Federal agents in New York that there might be a violation of the espionage act.

"Diabolical Lie"

Barkley said he discussed the matter with Senator Charles L. McNary, of Oregon, Republican leader of the Senate, and they agreed that the Department of Justice should investigate the charges informally, without any official request by the Senate.

"Day or two later," Barkley continued, "Senator Walsh who had not been named in the article, called me over the telephone and said he wished to see me. He had been told by the New York Post that on that day they were going to publish his name as the member of the Senate involved in this charge."

"Senator Walsh came out to my house and we had a long conference about the matter. He told me then what appeared later in the paper, that he had told the representative of the New York Post, when he was called up and advised that they were going to name him, that the whole story was a diabolical lie, and that if they published it that would be what they were publishing. That afternoon they came out in a story and in an editorial naming Senator Walsh, of Massachusetts, as the member of the Senate involved in the charge."

Advised No Action

Barkley said he advised Senator Walsh that unless the charges should be published in other newspapers, it would be better to take no action pending the completion of the Justice Department's investigation.

Full Transcript of Senate's Discussion on 'Smear' of Walsh

Lawmakers Ask That All Connected With Charges Be Summoned in Probe

(Continued from Page 8)

breath this newspaper is shouting about democracy and fighting for it all over the world, and yet it is doing more to tear down democracy in the U. S. and to bring the Senate of the U. S. into contempt and to stir up racial and religious hatreds in this country, more than any individual or group of individuals could possibly do otherwise. If a newspaper is entitled to be stopped because of its spreading of disunity, certainly the New York Post, which was aided to be financed by the Federal Reserve Bank, should come under the ban of the Government of the U. S.; and I agree with the Senator from Missouri that this matter should not stop here. Some persons may say, "Well, it involves only one Senator." No, that is not correct; let me say that in my judgment this is a diabolical attempt on the part of certain individuals in the city of New York to smear every Member of the Senate of the U. S. who has disagreed with them on matters of foreign policy. I have no apologies to make for the position I took before we got into this war; but I know that there is not a Member of the Senate, and I do not think there is a Member of the House of Representatives, who does not want to do everything he possibly can and humanly can do to aid in the winning of this war in the shortest possible time. Yet a number of persons constantly attack Members of the Senate who disagreed with them prior to Pearl Harbor, and then they say they want to bring about unity in this country!

ment which appeared in the New York Herald Tribune. The headline reads as follows:

"Will you help stop votes for Hitler?" The advertisement is signed by a committee, and it asks for money:

"Join us today! Citizens for victory, national headquarters, 8 West 40th Street, New York, N. Y."

Then they say:

"Let's face the facts."

"The Congress of the U. S. has the power to speed—or to prevent—our victory in this war of survival."

"Votes in Congress can be cast for—or against—that victory. For or against Hitler, Hirohito and Mussolini."

"It does not matter what Congressmen who vote to retard the war effort think they are patriotic. In times like these, the vote of a knave is as deadly as the vote of a knave. The vote of the man who thinks that we can exist in the same world as Hitler is as deadly as if he actually favored Hitler."

Then they say they are asking for money with which to go out and carry on a campaign. I am not up for election, so it does not affect me; but they are asking money with which to go out and carry on a campaign regardless of whether the candidate is a Democrat or a Republican, if he does not agree with this outfit which has raised this money, and the members of which of course are the same as the members of the Fight for Freedom group and other groups which were raising money prior to our entry into the war, doing everything they could in advocating that we get into the war regardless of whether or not the people of the country wanted to get into it.

Unity in this country? Unity in this country under those circumstances?

I hold in my hands an advertisement

Senator Wheeler Urges Prosecution of All Involved in 'Smear Conspiracy'

I say that in my judgment it is not only an attack upon Senator Walsh but if the members of the Senate had permitted those responsible to get away with a smear

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Senator Walsh

Says He Signed Promise of Leniency

that he was supposed to be present in his capacity as attorney, probably to determine whether the statements should be published. I do not know what happened but that is the information I have.

Mr. Clark of Missouri—Mr. President, may I ask the Senator another question?

Mr. Barkley—I yield.

Mr. Clark of Missouri—I have no personal knowledge of the subject, and the Senator from Kentucky may not have any; but inasmuch as we are discussing Mr. Ernst, I have been informed by a very reputable newspaperman, whose information is usually correct, that Mr. Ernst brought the story to Washington and went to the White House with it, in an attempt to interest the highest authority in Washington in an effort to smear the Senator from Massachusetts. To the credit of the President and his advisers, Mr. Ernst's suggestions were entirely rejected. I do not know whether that is true or not, but I have been so informed by reputable newspapermen who are usually accurate, that that is true.

Mr. Clark—I can not affirm or deny that, because I do not know. I do not know whether Mr. Ernst brought the charge down here or not, or who brought it. I have never been told, and therefore I would not hazard a guess as to that.

Mr. Clark of Missouri—That was the basis of my suggestion. I should like to have Mr. Ernst come to the bar of the Senate and respond to questions about the how deeply he is involved in the act, and conspiracy.

Had Confidence Pre-War Attitude

Kentucky in helping Justice make her own cause right in the present instance.

More power to the Senator from Kentucky, and we join with him in the solid phalanx to vindicate the good name of Dave Walsh and the State of Massachusetts and the Senate of the United States.

Mr. Barkley—I thank the Senator for his remarks. I should like to state, if I have not already done so, that in all these statements

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Barkley said the publication was brought to his attention by Attorney General Francis Biddle, whose attention had been called to it because of intimations made to Federal agents in New York that there might be a violation of the espionage act.

"The article contained a silhouette of the Senator involved in the charge, a white silhouette, blank as a tombstone, which in all probability might in the imagination fit any one of a dozen or more members of this body."

Barkley said he discussed the matter with Senator Charles L. McNary, of Oregon, Republican leader of the Senate, and they agreed that the Department of Justice should investigate the charges informally, without any official request by the Senate.

"Day or two later," Barkley continued, "Senator Walsh who had not been named in the article, called me over the telephone and said he wished to see me. He had been told by the New York Post that on that day they were going to publish his name as the member of the Senate involved in this charge."

"Senator Walsh came out to my house and we had a long conference about the matter. He told me then what appeared later in the paper, that he had told the representative of the New York Post, when he was called up and advised that they were going to name him, that the whole story was a diabolical lie, and that if they published it that would be what they were publishing. That afternoon they came out in a story and in an editorial naming Senator Walsh, of Massachusetts, as the member of the Senate involved in the charge."

Advised No Action

Barkley said he advised Senator Walsh that unless the charges should be published in other newspapers, it would be better to take no action pending the completion of the Justice Department's investigation.

Senator. whose information is usually correct, that Mr. Ernst brought the story to Washington and went to the White House with it, in an attempt to interest the highest authority in Washington in an effort to smear the Senator from Massachusetts. To the credit of the President and his advisers, Mr. Ernst's suggestions were entirely rejected. I do not know whether that is true or not, but I have been so informed by reputable newspapermen who are usually accurate, that that is true.

Mr. Barkley—I can not affirm or deny that, because I do not know. I do not know whether Mr. Ernst brought the charge down here or not, or who brought it. I have never been told, and therefore I would not hazard a guess as to that.

Mr. Clark, of Missouri—That was the basis of my suggestion. I should like to have Mr. Ernst come to the bar of the Senate and respond to questions about how deeply he is involved in the Post, and conspiracy.

Walsh Had Confidence His Pre-War Attitude

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More power to the Senator from Kentucky, and we join with him in the solid phalanx to vindicate the good name of Dave Walsh and the State of Massachusetts and the Senate of the United States.

Mr. Barkley—I thank the Senator for his remarks. I should state, if I have not already done so, that in all these statements made by these various persons to the Federal Bureau of Investigation and the special agents sent up there, all of them made the statement, as will be shown, that they made these statements freely, without coercion, or without influence or pressure brought to bear upon them to make such statements.

I think that should be stated.

Mr. Wheeler—Mr. President, will the Senator yield?

Mr. Barkley—I yield.

Mr. Wheeler—I understand that even after the Federal Bureau of Investigation made the investigation—and I was told this yesterday—the New York Post then published a statement to the effect that this same man had retracted the statement which he had formerly made to the FBI, and had said he was forced to make it by the FBI—showing, in my judgment, the viciousness of the New York Post in attempting to continue to smear the Senator even after the FBI made an impartial investigation. I am also informed that when the man Beekman or Beckman or whatever his name may be first made the affidavit, it was made at approximately 12 o'clock at night; and I also desire to call the Senate's attention to the fact that the New York Post boasts of the fact—I hold in my hand a copy of the New York Post, which says:

It Predicted Senator Would Before Case Was Tried

I will give him the maximum of two years."

If this man does not make a statement telling what Judge Leibowitz and the New York Post wants, he will be given 20 years.

Some members of the Senate have been prosecuting attorneys just as I have been. How many of the members of the Senate who have prosecuted cases would believe under oath a man who was running a house of degradation, the very scum of the earth? How many would take his word, and would smear a member of the U. S. Senate, a man who has been elected by the people of the great State of Massachusetts at least five different times, if my recollection serves me correctly, and who has been Governor of the State and lieutenant governor of the State.

Yet this newspaper, the New York Post, publishes the statement of such a man all over the country.

If often falls in course of common life

That right sometimes is overborne by wrong.

The avarice or force of guilt or strife

That weakens her and makes its party strong.

But justice, though her doom she do prolong.

Yet at the last will make her own cause right.

Some persons talk about stopping some newspapers in the name of unity; and yet, I say to my friends, the members of the Senate, that this newspaper and some other newspapers are doing more to stir up disunity in the United States of America and they are doing more to break down the confidence of the people in their Government of the United States than anything else that can possibly happen could do. In one

(Turn to Page 9, Col. 1)

the New York Post, which was aided to be financed by the Federal Reserve Bank, should come under the ban of the Government of the U. S.; and I agree with the Senator from Missouri that this matter should not stop here. Some persons may say, "Well, it involves only one Senator." No, that is not correct; let me say that in my judgment this is a diabolical attempt on the part of certain individuals in the city of New York to smear every Member of the Senate of the U. S. who has disagreed with them on matters of foreign policy. I have no apologies to make for the position I took before we got into this war; but I know that there is not a Member of the Senate, and I do not think there is a Member of the House of Representatives, who does not want to do everything he possibly can and humanly can do to aid in the winning of this war in the shortest possible time. Yet a number of persons constantly attack Members of the Senate who disagreed with them prior to Pearl Harbor, and then they say they want to bring about unity in this country!

Unity in this country? Unity in this country under those circumstances?

I hold in my hands an advertise-

Senator Wheeler Urges Prosecution of All Involved in 'Smear Conspiracy'

I say that in my judgment it is not only an attack upon Senator Walsh but if the members of the Senate had permitted those responsible to get away with a smear upon Senator Walsh it would have only been a question of time before they would have tried to smear and frame every other member of the Senate who had the courage to stand up in the Senate and vote his convictions.

So it is not a question of a personal matter as to one Senator; it is a question of whether or not we are going to vindicate the members of the Senate and whether or not we are going to let people on the outside hold members of the Senate up to ridicule and intimate that they are traitors to their Government and that they are guilty of the lowest kind of degradation that could be imagined by the human mind.

I agree that bringing the owner of this newspaper to the bar of this Senate is far too easy on him. We should not let him off with that.

If it were a Federal judge who made that statement I should say that he ought to be impeached. I should say that any Federal judge who made such a statement under the conditions that this did ought to be impeached by the Congress of the U. S. I doubt that there are any men in this body who would not vote for such impeachment.

I say that all those who are involved in this conspiracy, for it is a conspiracy, ought to be prosecuted, and the lawyers, whoever they may be in connection with it, if the story of this man is true that his lawyer got him to make it, ought to be disbarred.

Mr. Barkley—Mr. President, I wish to state that the lawyer referred to whose name I could not recall a moment ago was one Mr. Strelzlin. He is the man who represented Beekman and wrote the affidavit that Beekman said he had not read, was not read to him and he does not recall having sworn to it.

In regard to the New York newspapers I think in fairness it ought to be said that so far as I know, the Post is the only New York newspaper that carried this particular story.

Mr. Wheeler—Walter Winchell, as has been said however, who wears a Navy uniform, did make a statement over the radio saying that the name of the man who was connected with it began with the twenty-third letter of the alphabet. He did not know that there are four of us whose names begin with that letter. But here is a man who is just as contemptible in my judgment and yet he is required to wear a naval uniform and as a matter of fact he is a commander in the Navy and yet he does not dare to show up in public in Washington because of the libel suits already pending against him.

Mr. Barkley—I was speaking of newspapers and not radio commentators because I do not listen to all of them.

I wish also to state for the Record that the agents of the FBI who made this investigation were Mr. H. A. Newby and Mr. N. O. Hawkins and there was a third whose name I think was Spangler. Mr. Newby came here yesterday with the Attorney General when he called upon me and gave me these papers.

I thank the Senator from Wyoming for his courtesy in yielding to me, in order that I might make this statement and there is nothing further now that I wish to say about it.

Mr. Nye—Mr. President, will the Senator from Wyoming yield to me?

Mr. O'Mahoney—I yield to the Senator from North Dakota.

Nye Quotes From John O'Donnell's 'Capitol Stuff' in the Times-Herald

Mr. Nye—Mr. President, at the time the Senator from Missouri was on the floor I sought to interrupt to the end that there might be a clarification of certain language that had been resorted to at a dinner of the so-called overseas writers here in Washington. For the purpose of the Record I am sure we should have as reported the language that was used by at least one of the speakers at that banquet on that evening. It was reported on March 30 in the Times-Herald of Washington, D. C., by John O'Donnell in his column entitled "Capitol Stuff," and he said:

The significant point is that such potent Roosevelt advisers as Supreme Court Justice Felix Frankfurter and the paid personnel of the official propaganda agencies applauded lustily such declarations as—

Then comes in quotation this statement:

The American Senate must be taught the facts of life . . . The important thing is to put an end (the criticism of the Roosevelt administration) by whatever means may be necessary. Be as ruthless as the enemy. Get him on his income tax or the Mann act—Hang him, shoot him, lock him up in a concentration camp."

Let me say a further word. I should like to join with the Senator from Missouri and others in the insistence that we not let this matter drop here. I am sure that responsible inquiry by the Senate will reveal the existence in this

our victory in this war of survival.

"Votes in Congress can be cast for—or against—that victory. For or against Hitler, Hirohito and Mussolini.

"It does not matter what Congressmen who vote to retard the war effort think they are patriotic. In times like these, the vote of a dupe is as deadly as the vote of a knave. The vote of the man who thinks that we can exist in the same world as Hitler is as deadly as if he actually favored Hitler."

Then they say they are asking for money with which to go out and carry on a campaign. I am not up for election, so it does not affect me; but they are asking money with which to go out and carry on a campaign regardless of whether the candidate is a Democrat or a Republican, if he does not agree with them. If he does not agree with this outfit which has raised this money, and the members of which of course are the same as the members of the Fight for Freedom group and other groups which were raising money prior to our entry into the war, doing everything they could in advocating that we get into the war regardless of whether or not the people of the country wanted to get into it.

Wants Columnists Called

3. Morris L. Ernst, counsel for the New York Post, for the American Newspaper Guild, for Columnists Drew Pearson and Walter Winchell, and various radical organizations. Clark charged Ernst sat on the bench with the Judge and later brought the charges against Senator Walsh to the White House, where he sought unsuccessfully to persuade President Roosevelt to assist in the smear effort.

4. Lieut. Comdr. Walter Winchell, Broadway gossip columnist and radio commentator, who asserted in a broadcast that the notorious Beekman case would involve one of four non-interventionist Senators with names beginning with the twenty-third letter of the alphabet.

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PM Named Walsh

Although Senator Barkley said it was a credit to the newspapers of America that none of them carried the story published by the New York Post, Senator Wheeler pointed out that there was an exception. He reminded the Senate that Marshall Field's PM in New York stated that the New York Post had named Senator Walsh as the mysterious Senator X mentioned in its earlier stories on the Beekman case.

"They did not dare to carry the story but they did carry in their newspaper the statement that the mysterious Senator X was the Senator from Massachusetts," Wheeler said.

Senator Clark said the conspiracy against Senator Walsh recalled a recent dinner of the Overseas Writers Club in Washington, at which Supreme Court Justice Felix Frankfurter, Archibald MacLeish, chief of the Office of Facts and Figures, and other Administration officials applauded a statement by Edmund Taylor, an employe of the Office of the Coordinator of Information, that former non-interventionists should be charged with subversive activities, violating the Mann Act, the income tax law or anything necessary to "get them."

Secret Society Exists

Senator Gerald P. Nye (R.), of North Dakota, told the Senate that an investigation would reveal "the existence in this country of a secret society that has been engaged for the last two years in an undertaking to gather such information as would permit the smearing of individual members of the Senate. I have in my possession information that goes directly to the existence of such a society and I hope, not now, for this is not the time to be doing it I know, but before we are done with this thing, I hope the Senate will provide for study of the motives lying back of this experience which has befallen a very respected member of this body.

Mr. Wheeler—Mr. President, when the Senator from Kentucky, our leader, was speaking he said he knew of no newspaper in the city of New York or throughout the country that mentioned this article. I think it is true that no other newspaper carried the story, but I should like to call attention to the fact that Marshall Field's PM, in the City of New York, did say that the Senator mentioned in this story, known as Senator X, was Senator Walsh. They did not dare to carry the story but they did carry in their newspaper that the mysterious Senator X was the Senator from Massachusetts (Mr. Walsh).

the following principals be called:

1. "The old hussy who runs the New York Post." This referred to Mrs. Dorothy Schiff Backer, daughter of the late Mortimer Schiff, an international banker, and wife of George Backer, former publisher of the Post, whom she recently succeeded in that capacity.

2. Judge Samuel Leibowitz, judge of the Kings county court in which Gustave Herman Beekman was convicted of operating the "house of degradation" and signer of an affidavit, which he later repudiated, naming Senator Walsh as a patron of the place. Clark accused the judge of subornation of perjury in inducing Beekman to involve Senator Walsh. Leibowitz attained considerable notoriety a decade ago as counsel for the Communist defendants in the Scottsboro case.

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"Diabolical Lie"

Barkley said he discussed the matter with Senator Charles L. McNary, of Oregon, Republican leader of the Senate, and they agreed that the Department of Justice should investigate the charges informally, without any official request by the Senate.

"Day or two later," Barkley continued, "Senator Walsh who had not been named in the article, called me over the telephone and said he wished to see me. He had been told by the New York Post that on that day they were going to publish his name as the member of the Senate involved in this charge.

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Advised No Action

Barkley said he advised Senator Walsh that unless the charges should be published in other newspapers, it would be better to take no action pending the completion of the Justice Department's investigation.

"Day before yesterday," Barkley said, "the Attorney General called me over the telephone and said that their investigation had been completed and that it entirely exonerated the Senator from Massachusetts . . . yesterday afternoon Mr. Biddle and one of the special agents came to see me—and they turned over to me copies of the original documents now in the custody of the Attorney General.

"A statement of the facts in the case presents a weird and fantastic story. I do not deem it necessary to go into any details in describing the house, or the charge made, or the practices which were carried on until the defendant's conviction. This Gustav Hermann Beekman had supposedly made an affidavit, after his conviction, which was supposedly made under some sort of inducement that if he would tell the whole truth and reveal the names of those who were described as some of the top-notchers who frequented his resort, he might receive leniency by way of punishment on the conviction which had just been secured in the State Court.

Repudiates Document

"In the statement submitted to the Department of Justice by this man Beekman he states that he did not know what was in the original statement secured from him; that it was not read to him; that it was prepared by his lawyer who had defended him on the trial in the State court; that he did sign it because his lawyer advised him to sign it, but that he did not hold up his hand and swear to it, although the document itself on its face shows that it was sworn to.

"In the statements made by not only Mr. Beekman but others who were frequenters of this resort, they show that there was a man who came to this place about the time and during the time it was alleged in the original affidavit or statement, whatever it may be called, that the Senator from Massachusetts was accused of having been to this place. The Department of Justice has submitted to me a photograph of the man who actually was there, and I will submit to any Senator or to anyone else who wants to inspect the photograph, that it looks no more like the Senator from Massachusetts than I look like Halle Selassie.

Has Man's Name

"The only similarity is that they are both large men, weighing about the same, perhaps within a few years of the same age. I have four of these photographs. I have the name of the man, which I shall not reveal, because I do not think any purpose could be served by revealing his name.

"After the statements were made by Beekman, who made the original statement involving the Senator from Massachusetts, and by a man named Zuber, who also made a statement involving the Senator, and by one or two others, they were shown this photograph, and all of them stated that Senator Walsh was not the man to whom they referred. The photograph of Senator Walsh was also submitted to them, and they all stated that he was not the man they had seen in this place.

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"I have in my possession information that goes directly to the existence of such a society," he said.

Barkley informed the Senate that the New York Post carried a story on May 1 concerning the trial of Beekman, who had been convicted and was awaiting sentence by Judge Leibowitz.

"Following his conviction, before sentence was pronounced, he issued what was alleged to have been an affidavit involving a member of the United States Senate as a frequent visitor to the house which he operated," Barkley said.

Senator "Linked"

"Based upon that affidavit or alleged affidavit the New York Post on Friday, May 1, carried a headline that occupied practically the whole front page which reads: "Link Senator to Spy Nest."

"Then it has some photostatic copies of the signature of Gustave Herman Beekman.

"On the third page of this issue of the New York Post the headline is as follows: "Senator Linked to Spy Nest Which Lured Service Men."

"The article proceeds to describe the place, the name of the street, and the number of the



It's NO MILITARY SECRET..
it's Old Quaker they're talking about!

y're praising the strategy of
 AKER in laying down vast
 fine whiskey 5 years ago!
 reserves are your assur-
 quality today .. tomorrow

Senators Ask Investigation Of 'Smear' Against Walsh

FBI Clears Massachusetts Lawmaker Of Charges Made by New York Post

(Continued from Page 9)

ator Clark commended Barkley and the Department of Justice for their action in the case but Clark said the Senate should conduct its own investigation for the purpose of ascertaining "the motives behind this filthy conspiracy to smear a member of this body."

"I think the Senate should call to the bar of the Senate, in view of the report which the Senator from Kentucky has made, the old hussy who runs the New York Post," Clark said. "We should call to the bar of the Senate Walter Winchell, the radio commentator who disgraces the uniform of the Navy of the United States."

"In a radio address he undertook to smear not only the Senator from Massachusetts, but three other members of the Senate whose names happen to begin with 'W.'"

Would Call Judge

"The report of the Senator from Kentucky makes it perfectly obvious that there has been subornation of perjury, to which the trial judge himself, in view of the statement from the trial judge quoted in the New York paper, must have been a party. I think he should be summoned to the bar of the Senate to ascertain whether he was a party to subornation of perjury."

"In addition, I think that the great reformer Morris Ernst, who sat with the trial judge in the trial of the case, and who afterward brought these charges to Washington, as I understand, in an effort to smear the Senator from Massachusetts, should be brought to the bar of the Senate."

"It seems to me that the attempt to smear the Senator from Massachusetts is plainly and clearly a conspiracy, in view of the FBI report on the matter. It is a matter of which the U. S. Senate ought to take cognizance. We ought to find out where Mr. Winchell obtained his information, where the New York Post got the story, and who were the parties to the conspiracy to smear a distinguished and honorable member of this body."

Barkley interjected that he had heard the charge that Ernst sat on the bench with the judge. "I asked the Attorney General about it," he said, "and he said that that statement was incorrect; that some time during this episode, when these statements were being made, Mr. Ernst was present as attorney for the New York Post. I do not know what happened, but that is the information I have."

"Suggestion Rejected"

"I have no personal knowledge of the subject," Clark resumed, "but I have been informed by a very reputable newspaperman, whose information is usually correct, that Mr. Ernst brought the story to Washington and went to the White House with it, in an attempt to interest the highest authority in Washington in an effort to smear the Senator from Massachusetts. To the credit of the President and his advisers, Mr. Ernst's suggestions were entirely rejected."

Barkley said he had knowledge of the report that Ernst took the charges to the White House.

Senator Wheeler said he was informed Tuesday that after the FBI had completed its investigation the New York Post charged that Beekman had been forced to repudiate his original statement involving Senator Walsh. This accusation demonstrated "viciousness" on the part of the newspaper, Senator Wheeler said.

Senator Wheeler said Judge Leibowitz was quoted by the New York Post as saying to Beekman:

"If this man does not make a statement telling what Judge Leibowitz and the New York Post wants, he will be given 20 years!" Wheeler exclaimed.

"If a Federal Judge had made that statement I should say that he ought to be impeached. I doubt that there are any men in this body who would not vote for such impeachment."

Who Would Take His Word?

"Some members of the Senate have been prosecuting attorneys, just as I have been. How many of the members of the Senate who have prosecuted cases would believe under oath a man who was running a house of degradation, the very scum of the earth? How many would take his word, and would smear a member of the U. S. Senate, a man who has been elected by the people of the great State of Massachusetts at least

fighting for it all over the world, and yet it is doing more to tear down democracy in the U. S. and to bring the Senate of the U. S. into contempt and to stir up racial and religious hatreds in this country, more than any individual or group of individuals could possibly do otherwise. If a newspaper is entitled to be stopped because of its spreading of disunity, certainly the New York Post, which was aided financially by the Federal Reserve Bank, should come under the ban of the Government of the U. S.; and I agree with the Senator from Maine that this matter should not stop here."

Whole Senate Involved

"Some persons may say, 'Well, it involves only one Senator.' No, that is not correct; let me say that in my judgment this is a diabolical attempt on the part of certain individuals in the City of New York to smear every member of the Senate of the U. S. who has disagreed with them on matters of foreign policy."

"I have no apologies to make for the position I took before we got into this war; but I know that there is not a Member of the Senate, and I do not think there is a Member of the House of Representatives who does not want to do everything he possibly can and humanly can do to aid in the winning of this war in the shortest possible time. Yet a number of persons constantly attack Members of the Senate who disagreed with them prior to Pearl Harbor, and then they say they want to bring about unity in this country!"

Reads Advertisement

Senator Wheeler read a large advertisement in the New York Herald Tribune, asking, "Will you help stop votes for Hitler?" It was signed, Citizens for Victory, National Headquarters, 8 West Fortieth St., New York, N. Y. The advertisement, as read by Senator Wheeler, said:

"Let's face the facts. The Congress of the U. S. has the power to speed—or to prevent—our victory in this war of survival."

"Votes in Congress can be cast for—or against—that victory. For or against Hitler, Hirohito and Mussolini."

"It does not matter that Congressmen who vote to retard the war effort think they are patriotic. In times like these, the vote of a dupe is as deadly as the vote of a knave. The vote of the man who thinks that we can exist in the same world as Hitler is as deadly

The advertisement then appealed for contributions to help "purge" Congress of pre-war non-interventionists, Senator Wheeler said.

Must Vindicate Senate

"The members of this outfit are the members of the Fight for Freedom group and other groups which were raising money prior to our entry into the war, doing everything they could in advocating that we get into the war regardless of whether or not the people of the country wanted to get into it," Wheeler said.

"I say that in my judgment it is not only an attack upon Senator Walsh. If the members of the Senate had permitted those responsible to get away with a smear upon Senator Walsh it would only have been a question of time before they would have tried to smear and frame every other member of the Senate who had the courage to stand up in the Senate and vote his convictions."

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Three Spy Suspects Arrested in Cuba

HAVANA, Cuba, May 20 (Reuters).—Three spy suspects charged with sending information to enemy U-boats preying on shipping in Gulf and South American waters were detained at the United States Naval Station at Calmanera, near Guantanamo, today. The men, two Germans and a Cuban, are believed to have been in radio contact with the submarines with a small transmitter over which details of shipping were sent.

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TO THE POLICYHOLDERS OF THE PRUDENTIAL INSURANCE COMPANY OF AMERICA:

Please take notice that at Chancery Chambers, State House Annex, Trenton, New Jersey, on the 1st day of July, 1942, at 10:30 o'clock in the forenoon or as soon thereafter as counsel can be heard, the Chancellor of the State of New Jersey will hear all parties in interest who may then appear upon a petition of The Prudential Insurance Company of America, now on file in the office of the Clerk in Chancery, Trenton, N. J., for approval of an agreement between said The Prudential Insurance Company of America and the holders of the whole of its remaining capital stock still outstanding in the name of any persons, except stock held by the trustees for policyholders and except stock held by the directors of said corporation, for the acquisition of such outstanding stock, aggregating 536.76 shares, at the price of \$1500.00 per share; pursuant to the provisions of Revised Statutes of the State of New Jersey, Title 17, Chapter 34, Article 8 as supplemented by Chapter 208 of the Laws of 1940 of the State of New Jersey.

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 By FRANKLIN D'OLIER, President.

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to the bar of the Senate Walter Winchell, the radio commentator who disgraces the uniform of the Navy of the United States.

"In a radio address he undertook to smear not only the Senator from Massachusetts, but three other members of the Senate whose names happen to begin with "W."

Would Call Judge

"The report of the Senator from Kentucky makes it perfectly obvious that there has been subornation of perjury, to which the trial judge himself, in view of the statement from the trial judge quoted in the New York paper, must have been a party. I think he should be summoned to the bar of the Senate to ascertain whether he was a party to subornation of perjury.

"In addition, I think that the great reformer Morris Ernst, who sat with the trial judge in the trial of the case, and who afterward brought these charges to Washington, as I understand, in an effort to smear the Senator from Massachusetts, should be brought to the bar of the Senate.

"It seems to me that the attempt to smear the Senator from Massachusetts is plainly and clearly a conspiracy, in view of the FBI report on the matter. It is a matter of which the U. S. Senate ought to take cognizance. We ought to find out where Mr. Winchell obtained his information, where the New York Post got the story, and who were the parties to the conspiracy to smear a distinguished and honorable member of this body."

Barkley interjected that he had heard the charge that Ernst sat on the bench with the judge. "I asked the Attorney General about it," he said, "and he said that that statement was incorrect; that some time during this episode, when these statements were being made, Mr. Ernst was present as attorney for the New York Post. I do not know what happened, but that is the information I have."

"Suggestion Rejected"

"I have no personal knowledge of the subject," Clark resumed, "but I have been informed by a very reputable newspaperman, whose information is usually correct, that Mr. Ernst brought the story to Washington and went to the White House with it, in an attempt to interest the highest authority in Washington in an effort to smear the Senator from Massachusetts. To the credit of the President and his advisers, Mr. Ernst's suggestions were entirely rejected."

Barkley said he had knowledge of the report that Ernst took the charges to the White House.

Senator Wheeler said he was informed Tuesday that after the FBI had completed its investigation the New York Post charged that Beekman had been forced to repudiate his original statement involving Senator Walsh. This accusation demonstrated "viciousness" on the part of the newspaper, Senator Wheeler said.

Senator Wheeler said Judge Leibowitz was quoted by the New York Post as saying to Beekman:

"If this man does not make a statement telling what Judge Leibowitz and the New York Post wants, he will be given 20 years!" Wheeler exclaimed.

"If a Federal judge had made that statement I should say that he ought to be impeached. I doubt that there are any men in this body who would not vote for such impeachment."

Who Would Take His Word?

"Some members of the Senate have been prosecuting attorneys, just as I have been. How many of the members of the Senate who have prosecuted cases would believe under oath a man who was running a house of degradation, the very scum of the earth? How many would take his word, and would smear a member of the U. S. Senate, a man who has been elected by the people of the great State of Massachusetts at least five different times, if my recollection serves me correctly?"

"Some persons talk about stopping some newspapers in the name of unity; and yet, I say to my friends, the members of the Senate, that this newspaper and some other newspapers are doing more to stir up disunity in the U. S. of America and they are doing more to break down the confidence of the people in their Government of the U. S. than anything else that can possibly happen could do."

"In one breath this newspaper is shouting about democracy and

ator from Maine that this matter should not stop here.

Whole Senate Involved

"Some persons may say, 'Well, it involves only one Senator.' No, that is not correct; let me say that in my judgment this is a diabolical attempt on the part of certain individuals in the City of New York to smear every member of the Senate of the U. S. who has disagreed with them on matters of foreign policy.

"I have no apologies to make for the position I took before we got into this war; but I know that there is not a Member of the Senate, and I do not think there is a Member of the House of Representatives who does not want to do everything he possibly can and humanly can do to aid in the winning of this war in the shortest possible time. Yet a number of persons constantly attack Members of the Senate who disagreed with them prior to Pearl Harbor, and then they say they want to bring about unity in this country!"

Reads Advertisement

Senator Wheeler read a large advertisement in the New York Herald Tribune, asking, "Will you help stop votes for Hitler?" It was signed, Citizens for Victory, National Headquarters, 8 West Fortieth St., New York, N. Y. The advertisement, as read by Senator Wheeler, said:

"Let's face the facts. 'The Congress of the U. S. has the power to speed—or to prevent—our victory in this war of survival.

"Votes in Congress can be cast for—or against—that victory. For or against Hitler, Hirohito and Mussolini.

"It does not matter that Congressmen who vote to retard the war effort think they are patriotic. In times like these, the vote of a dupe is as deadly as the vote of a knave. The vote of the man who thinks that we can exist in the same world as Hitler is as deadly

had the courage to stand up in the Senate and vote his convictions.

"So it is not a question of a personal matter as to one Senator; it is a question of whether or not we are going to vindicate the members of the Senate and whether or not we are going to let people on the outside hold members of the Senate up to ridicule and intimate that they are traitors to their Government and that they are guilty of the lowest kind of degradation that could be imagined by the human mind."

Three Spy Suspects Arrested in Cuba

HAVANA, Cuba, May 20 (Reuter).—Three spy suspects charged with sending information to enemy U-boats preying on shipping in Gulf and South American waters were detained at the United States Naval Station at Caimanera, near Guantanamo, today. The men, two Germans and a Cuban, are believed to have been in radio contact with the submarines with a small transmitter over which details of shipping were sent.

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Please take notice that at Chancery Chambers, State House Annex, Trenton, New Jersey, on the 1st day of July, 1942, at 10:30 o'clock in the forenoon or as soon thereafter as counsel can be heard, the Chancellor of the State of New Jersey will hear all parties in interest who may then appear upon a petition of The Prudential Insurance Company of America, now on file in the office of the Clerk in Chancery, Trenton, N. J., for approval of an agreement between said The Prudential Insurance Company of America and the holders of the whole of its remaining capital stock still outstanding in the name of any persons, except stock held by the directors of said corporation, for the acquisition of such outstanding stock, aggregating 536.76 shares, at the price of \$1500.00 per share; pursuant to the provisions of Revised Statutes of the State of New Jersey, Title 17, Chapter 34, Article 8 as supplemented by Chapter 208 of the Laws of 1940 of the State of New Jersey.

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