

lantern methods. It will be impossible for a democratic candidate to go through a national campaign representing both sides of the controversy between plutocracy and democracy. It is folly to attempt to straddle the issue. If the men who claim that Governor Harmon is a progressive really want a progressive, they ought to take up somebody else. If they do not want a progressive, they ought to make their literature fit their wishes.

#### ATTENTION, MR. PRESIDENT

President Taft's attention is directed to an editorial that appeared in the Chicago Daily News of October 31, 1911. This editorial is entitled "Reforming Illegal Combinations," and is as follows:

"Of course we must have combinations," said President Taft in his speech at the First regiment armory on Friday evening, "but they need not be in unlawful restraint of trade." That they may be in restraint of trade and still be inoffensive under the law is indicated by the president's words as well as by the decisions of the United States supreme court in the Standard Oil and Tobacco trust cases. The line of reasonable restraint divides the lawless from the lawful trusts. Where is this line? Mr. Taft thinks its precise position is as clear as day. "No business man," he says, "can tell me it is a question for a jury. A jury would settle it in two minutes."

"Perhaps so. Leading corporation lawyers of the country, however, assert that they do not know where to draw the line—that under existing conditions nobody knows where to draw the line. If Mr. Taft and his attorney-general know where to draw it they ought speedily to establish a school of instruction for repentant and long faced corporation managers who are pleading for the information that will enable them to make their business legal, provided it is now illegal. When the steel trust was struck by Jersey lightning in the shape of the Trenton suit it was engaged in trying, by terminating an important ore lease and otherwise, to make its operations square with the law.

"The men who formed the steel trust probably would not suffer financially or otherwise by its destruction. If they have performed the wicked acts laid at their doors by the government they ought to be subjected to criminal prosecution. The government prefers to prosecute the stockholders of the steel trust. Out of that prosecution may come heavy losses from uncertainty and stagnation of business, but they will not be the losses of trust barons. For while the public loses by confusion in the channels of trade the country's financial dictators gain through their vast and far reaching brokerage systems.

"The government should spread the light of lawful trust management and should punish by criminal prosecution the men who as corporation magnates have broken the anti-trust law, or who decline to cease breaking it when their lawlessness is made clear to them. If they are held responsible as individuals the trust evil presently will be cured as if by magic."

The News gives one sentence that ought to be burned into the understanding of all men charged with the enforcement of law: "If the trust magnates are held responsible as individuals the trust evil presently will be cured as if by magic."

#### RECALL IN ARIZONA

A Tucson, Ariz., dispatch, carried by the Associated Press, says: "When the legislature convenes in Phoenix in February, it will be asked to adopt the Swiss system of recall and let the Oregon system which was voted out of the constitution December 12, an ultimatum of President Taft, go by the board. The essential difference between the Swiss system and the Oregon plan is that under the former the only thing voted on in a recall election is the recall of the officials and in the event of his elimination the governor appoints his successor. A. A. Worsley, a state senator, will propose the new recall system. He is now at work on the measure and will defend it on the ground that under the organization system an official under fire is handicapped by a double fight, a struggle not only to retain his position and refute charges against him, but a struggle also against an opposing candidate. Worsley's bill will provide that after the recall is resubmitted to the people for the incorporation in the constitution, the Oregon and Swiss plans shall be placed on the ballot so voters may choose between them.

## HARMON'S RECORD

### THE SHORT HOUR DAY

Apparently two grades of campaign literature are being issued by the men who are conducting the Harmon literary bureau. One pamphlet, of over 100 pages contains, among other things, a list of bills which it introduces with this declaration: "During a five months' session, the democratic general assembly, in 1911, established a new record for platform redemptions in Ohio by enacting into laws all but one of the measures promised by the Ohio democracy. The exception was a law of minor importance." This gives the credit where it belongs, to the democrats of the assembly, and is an accurate list of the bills passed by it.

In another pamphlet, which must be intended for circulation outside of Ohio, the same list of bills—in fact, the same type is utilized—is given as "bills that were enacted into law by the democratic general assembly, and were indorsed and approved by Governor Harmon." This is not an accurate statement. As was shown in last week's Commoner the most important piece of progressive legislation which Ohio has enacted in years, a law giving the most complete control, supervision and regulation of public utilities ever enacted by any state, was allowed to become a law by Governor Harmon by lapse of time and failure to sign. He dodged.

Another law which this pamphlet includes in those that its avers were indorsed and approved by the governor, is thus described: "Shorter day for employed women. A bill limiting the working hours of women employed to 54 hours a week, with not more than ten hours in any one day." The record shows that GOVERNOR HARMON DID NOT SIGN THIS BILL, and that it became a law purely by reason of the fact that he did not sign or return it to the house in which it originated within the time provided by the constitution. Under the Ohio constitution, if a governor does not approve or veto a bill duly passed and presented to him within the period of ten days, it becomes a law anyway. This provision makes it possible for a governor who desires to sidestep to do so.

On pages 488 and 489 of the book containing the laws passed by the last Ohio legislature will be found this law. It is signed by the speaker of the house and the president of the senate, and to it is appended a statement by John W. Devanney, veto clerk, that the bill was presented to the governor on June 3, 1911, and as he did not sign it or return it to the house wherein it originated within ten days after being so presented, it was filed in the office of the secretary of state, and became a law notwithstanding the lack of the governor's signature.

This bill is nowhere mentioned in any of the governor's messages or speeches. But he is given credit by his pamphleteers for its being enacted.

A mere reading of the title of the bill does not give any indication of its importance, as viewed by women workers and their employers. So important a reform is this and so far-reaching in its effects is it, however, that a similar measure by the Illinois legislature was fought in the courts at great expense for several years, and the litigation was not ended until the federal supreme court at Washington upheld the law. This bill provides among other things:

That every person or corporation employing women in factories, workshops, business offices, telephone or telegraph offices, restaurant, bakery, millinery or dressmaking establishment, mercantile or other establishments, shall provide seats for them while not necessarily employed in their active duties. Employers are also required to furnish lunchrooms wherever practicable; ample time must be allowed for meals; sanitary toilet rooms must be furnished, and other steps taken to preserve the health of the women employes. The law limits the hours of labor to fifty-four in a week and ten hours in a day. Suitable fines and penalties are appended.

C. Q. D.

#### "NAMING" A CASE

President Taft asks his critics to name a case covered by the anti-trust law as formerly construed which would not be covered by a recent construction placed upon it. The president, of course, knows that no one can tell what this

court will do in any particular case after it has reversed the former decision on the trust question. He also knows that it would be impossible to find out by trial before the next presidential election. If one can judge anything, therefore, from the arguments employed in the Standard Oil and Tobacco cases it is safe to say that the court as now constituted would acquit the corporations found guilty in the few trials where the question of reasonableness was involved. The Merger case, for instance, would surely be reversed by the present court, and that would be a tremendous advantage to the financiers who are seeking to control the industries of the country, and a tremendous disadvantage to the public.

President Taft in one of his speeches says "that the court is trying to reach the law as it should be." Does the president mean by that that it is the business of the courts to change the law? Is it not the duty of the court to decide what the law is rather than what it should be? Is it not the business of congress to decide what should be in the way of law?

#### SHALL DEPOSITORS BE PROTECTED?

Shall depositors be protected? The democratic national platform of 1912 demanded greater security for depositors. What is the democratic congress going to do about it?

The establishment of the postal savings bank is a confession that depositors are insecure, but that law does not go far enough. Will the democratic party take the side of the depositors or will it allow the bankers to frighten it away from its duty? If the democrats in the house do not like the guaranty laws of Oklahoma, Nebraska, Kansas and Texas it must be remembered that the supreme court has declared them legally sound—let them devise some better plan. Security is the thing desired—if that is secured the bankers can be left free to propose a system satisfactory to them, but they should no longer be permitted to invite depositors and then leave depositors to run all the risks. This plank, like other planks of the democratic platform, ought to be carried out.

#### GOOD FOR SULZER

Representative William Sulzer of New York is receiving many well merited compliments not only for his good work in pushing the fight for the abrogation of the Russian treaty but also for the graceful way in which he yielded his own honors and urged the house to accept the senate resolution rather than his own so that the president's hands might be upheld by the legislative end of the government in dealing with Russia.

Mr. Sulzer has ever been a brave and faithful public servant, reflecting credit upon the democratic party.

#### OPPORTUNITY!

The following poem by Judge Walter Malone, one of the great poets of the south, ought to be pasted up in every young man's room. There is inspiration in it.

#### OPPORTUNITY

They do me wrong who say I come no more.  
When once I knock and fail to find you in;  
For every day I stand without your door,  
And bid you work, and rise to fight and win.

Wail not for precious chances passed away,  
Weep not for golden ages on the wane!  
Each night I burn the records of the day—  
At sunrise every soul is born again!

Laugh like a boy at splendors that have fled  
To vanished joys be blind and deaf and dumb;  
My judgments seal the dead past with its dead,  
But never bind a moment yet to come.

Though deep in mire, wring not your hands and weep;  
I lend my arm to all who say "I can"  
No shame-faced outcast ever sank so deep  
But he might rise and be again a man!

Dost thou behold thy lost youth all aghast?  
Dost reel from righteous retribution's blow?  
Then turn from blotted archives of the past,  
And find the future's pages white as snow.

Art thou a mourner? Rouse thee from thy spell;  
Art thou a sinner? Sins may be forgiven:  
Each morning gives thee wings to flee from hell,  
Each night a star to guide thy feet to heaven.