

about the enforcement of the criminal law against the big offenders.

What the president says on the subject of government by injunction will not be satisfactory to the laboring men or to those who respect the right of trial by jury, for instead of recommending a law which will assure the right of trial by jury wherever the alleged contempt is committed outside of the court room, he simply warns judges that "it will be well nigh impossible to prevent its abolition"—abolition of the right of injunction—"if the process is habitually abused." It is to be regretted that the president did not speak out on this subject as he has on several others and object to the use of the writ as a means of coercing the laboring men into the acceptance of any terms offered by the corporations.

On another question, namely—the right of the people to criticize a judge, the president takes his stand upon democratic ground, or if upon ground not exclusively democratic, upon ground which the democrats occupied in 1896 when their criticisms of the supreme court were challenged. The president points out that a judge, like any other public official, is subject to criticism, and he quotes an English chancellor, Lord Parker, and Judge Taft in support of the right to criticize. There is one part of Judge Taft's opinion which the president quotes with approval which has some bearing upon the question of life tenure. Judge Taft says: "In the case of judges having a life tenure, indeed, their very independence makes the right freely to comment upon their decisions of greater importance, because it is the only practical and available instrument in the hands of a free people to keep such judges alive to the reasonable demands of those they serve." The president seems to endorse this suggestion made by Secretary Taft, which raises the question as to the propriety of appointing judges for life. While Judge Taft does not specifically object to the life tenure, he indirectly calls attention to the very objection which is urged by those who believe in the election of all judges for a limited time. He points out that the right to criticize is even more necessary in regard to life judges than in regard to those appointed or elected for a definite term.

Those who remember the abuse heaped upon the democrats ten years ago for presuming to criticize supreme judges will find great consolation in the position taken by the president and Secretary Taft. It is a pity that the president did not call attention to Judge Taft's decision when he was on the stump in 1896, but probably he had not seen it then or if he had was not so impressed then as he has become since with the frailty of judges.

The president's position on the child labor question is good, as is also his position on the eight hour day, although he makes a very questionable explanation as to the eight hour day when he speaks of the work at Panama. Many will argue that a limitation upon the hours of labor is as important within the tropics as in the temperate zone. But in speaking of the labor question he cannot forbear to strike a few blows at those who he describes as agitators, demagogues, etc. He seems very much afraid of "violent class hatred against all men of wealth," "hysterical excitement, inflaming the brutal passions of mankind." He feels called upon to warn the country against the "sinister demagogues and foolish visionaries, purveyors, sensational slanderers, etc." Well, the public will overlook the fact that he employs language quite as abusive and extreme as anyone else if he will only continue to borrow planks from the democratic party and urge them upon the country. But he may find it difficult to persuade his "cool-headed" and sane republican associates to apply the necessary remedies. So far there has been no plunder of the rich in this country, but a great deal of plunder of the poor, and the principal merit that the president possesses is that while he uses a great deal of language to castigate those who point out the encroachments of organized wealth, he is contributing a little toward remedial legislation in spite of the fact that he has to work with the very men he denounces and has his plans thwarted by the ones for whom he apologizes.

He is right again in what he says about the employer's liability. Why should all the risks of employment be thrown upon the employe when he has no right to select his collaborators?

On the subject of arbitration the president has taken a very commendable position, although it is not a new position. One of the most popular acts of his administration was the settlement of the coal strike, and everyone who desires peace and good will between employers and employes must admit that such peace and good will are only possible under a system of compulsory in-

vestigation of differences. The editor of The Commoner has prominently pointed out that a compulsory investigation at the request of either party by an impartial tribunal would settle almost every dispute. The Commoner urged the creation of such a board at the time of the anthracite coal strike, and it is a gratification to find a president ready to espouse and carry on this reform. He deserves the support of congress, and if he succeeds in the creation of this board, he will be responsible for a great reform to which he can look back with increased gratification as the years go by.

The president recommends the withdrawal of the coal lands from entry and sale. This is a gigantic step toward government ownership, but it is justified not only by the fact that these lands are much more valuable than farming lands but by the fact that the coal lands are being monopolized and the public held up. The men who have spent so much time denouncing government ownership of railroads will now have a chance to give that subject a little rest and turn their guns upon the proposition that the government should permanently own the coal lands.

The packing houses come in for some attention, and the president renews his recommendation in regard to putting the date on the label and charging cost of inspection to packers. He is right on both of these propositions.

It is interesting to note that the president adopts the argument which democrats use against the abuses that have grown up under individualism. He points out, as democrats have, that socialism has grown because the rights of the individual have been encroached upon. If the friends of individualism are wise, they will listen to the warning and proceed to protect individual opportunity by such legislation as will prevent the overthrow of individual effort by corporate combination. In ordinary industry competition can be restricted. In the matter of railroads there are so many elements of monopoly that mere regulation, however desirable, is not likely to prove sufficient, and the president's recommendation that railroads be allowed to pool is an exceedingly dangerous one under present conditions. It is conceivable that the regulation of railroads might be made so strict and effective that pooling agreements made with the consent of the interstate commerce commission might be rendered harmless, but the supervision will have to be more strict than it is now before such agreements can be safely permitted.

The president's discussion of the trust question can hardly be satisfactory to those who have carefully studied the subject. He is so anxious not to disturb what he would call good combinations of capital that he shrinks from the legislation necessary to prevent those admitted to be bad, although he comes nearer than in any previous document to admitting that a private monopoly is bad. He incidentally suggests a national license law as a possible method. This national license law is the democratic plan suggested in the Kansas City platform of 1900 and afterwards recommended by Mr. Garfield, the head of the bureau of corporations. He presents a real and effective remedy, but the president only mentions it as one of the things to be considered and does not dwell upon it. He does not deal with the trust question with the earnestness that the conditions require, but he does so much better than most of the republican leaders that the public may well feel grateful for the encouragement which he gives to the anti-trust movement. The president gives a half-hearted endorsement of the asset currency plan, although he does not specifically ask for a law providing for it. He also gives what is equivalent to an endorsement of the ship subsidy program, and suggests that if the public is not ready to enter upon the wholesale subsidy, it ought to give some encouragement to the establishment of fast mail lines to the South American ports. It is evident that he is not hostile to a general subsidy plan, and it is also certain that the South American subsidy is to be only an entering wedge.

He calls attention to the Japanese question raised by the discrimination against Japanese citizens in San Francisco. He pays a deserved tribute to the progress of the Japanese nation and asks for legislation which will enable congress to protect the treaty rights of foreigners. That there should be such legislation can not be generally disputed, but a great deal depends upon the character of the legislation. If any bills are presented in response to this suggestion, they must be carefully scrutinized to be sure that they do not deny to the various states the right to protect themselves and their people in matters purely local. It is not fair to throw upon any

locality a special burden to be borne for the benefit of the rest of the country. The Commoner will discuss these measures when they are presented in congress.

He recommends free trade with the Philippines, which is a just proposition, although it ought to be accompanied by a promise of ultimate independence so that the opponents of colonialism will not be driven from the support of the proposition by the fear that it is intended to link the islands more closely to the United States. His recommendation of citizenship for the Porto Ricans is also on the right line, for we can not have two kinds of people under the American flag. The constitution should follow the flag, and those who owe allegiance to our country should enjoy the blessings of citizenship.

The two most important suggestions in the message concerns the taxation and preparation for war. On the subject of taxation the president comes out in the advocacy of an inheritance tax and an income tax. The inheritance tax is intended to prevent swollen fortunes from descending to future generations, and his recommendation upon this subject is not likely to excite so much opposition as the proposition to establish a graded income tax. He is right in both cases, but in recommending a graded income tax he not only endorses the democratic doctrine of an income tax, but he goes farther than the democratic party went in the law of 1894. The Wilson law contained an income tax, not a graded one but a flat tax upon all who had incomes above the four thousand dollar exemption. It will be gratifying to democrats to have a republican president endorse the income tax principle which was so violently assailed by the republican party at that time. The Chicago convention of 1896 endorsed the income tax, but the language was distorted by political opponents into a threat to pack the court in favor of a reversal of the income tax decision. The language could not honestly be so construed, but it served the purpose of political opponents and enabled them to turn the fight away from the principle involved. Since that time the advocates of an income tax have insisted upon an amendment to the constitution specifically authorizing the tax. The president, while recommending a constitutional amendment as a last resort, expresses the hope that the principles laid down in the income tax decision may be avoided by a new law drawn upon different lines. The democrats—and they constitute a large majority of the party—who believe in an equitable distribution of the burdens of government will appreciate the support which the president has given to the income tax idea; they will encourage him and support him with all their strength. If he does not succeed in bringing his party up to the position which he has taken, he may at least educate a large number of republicans to the point where they will assist the democrats to secure a constitutional amendment authorizing an income tax. Upon no other question have the utterances of the president so clearly indicated that his sympathies are on the side of the masses, for the opposition to the income tax is a purely selfish opposition—not only selfish but blindly selfish. Every intelligent student of political economy knows that our present federal taxes place the burden upon consumption, and taxes upon consumption are in effect income graded taxes with the heaviest rate upon the smallest incomes. The inheritance tax and the income tax will help to equalize the burdens of government, and they must appeal to those whose sense of justice is not blunted by adverse pecuniary interest. On with the fight for an income tax! Success to the president in his attack against unjust taxation! Democrats would be better pleased if he had linked a recommendation of tariff reform with his income tax proposition, but they can find consolation in the fact that an income tax once established will make tariff reform easier. If the president's message had come out before Thanksgiving day, democrats might have included the income tax recommendation among the things for which they could be thankful.

But while there ought to be general rejoicing at the president's effort to improve our systems of taxation, there will be general disappointment at the warlike tone of his message where he discusses the army and the navy. He speaks of the navy as the surest guarantor of peace which this country possesses. Shame upon the chief executive that he should place an instrument of brute force above the nation's sense of justice as a guarantor of peace. The best guarantor of peace is our nation's purpose to deal justly with other nations. The second is our isolated position. It will be an unfortunate day when this nation has