

President's Message and Madison Square Speech

Many republicans who bitterly criticized Mr. Bryan's speech at Madison Square Garden are now enthusiastic in their praise for Mr. Roosevelt's message. As they could find no good in the Madison Square speech, so they can find no ill in the message. For the benefit of these The Commoner hereafter reproduces paragraphs from the message and the Madison Square speech. Republicans particularly are invited to compare these paragraphs:

ENFORCING CRIMINAL CLAUSE

(From Mr. Roosevelt's Message.)

The importance of enacting into law the particular bill in question is further increased by the fact that the government has now definitely begun a policy of resorting to the criminal law in those trust and interstate commerce cases where such a course offers reasonable chance of success.

At first, as was proper, every effort was made to enforce these laws by civil proceedings, but it has become increasingly evident that the action of the government in finally deciding, in certain cases, to undertake criminal proceedings was justifiable; and though there have been some conspicuous failures in these cases, we have had many successes, which have undoubtedly had a deterrent effect upon evil doers, whether the penalty inflicted was in the shape of fine or imprisonment—and penalties of both kinds have already been inflicted by the courts. Of course, where the judge can see his way to inflict the penalty of imprisonment the deterrent effect of the punishment on other offenders is increased; but sufficiently heavy fines accomplish much.

(From the Madison Square Speech.)

While men may differ as to the relative importance of issues, and while the next congress will largely shape the lines upon which the next presidential campaign will be fought, I THINK IT IS SAFE TO SAY THAT AT PRESENT THE PARAMOUNT ISSUE IN THE MINDS OF A LARGE MAJORITY OF THE PEOPLE, IS THE TRUST ISSUE.

I congratulate President Roosevelt upon the steps which he has taken to enforce the anti-trust law and my gratification is not lessened by the fact that he has followed the democratic rather than the republican platform in every advance he has made. It has been a great embarrassment to him that the platform upon which he was elected was filled with praises of the republican party's record rather than with promises of reform; even the enthusiastic support given him by the democrats has enabled the champions of the trusts to taunt him with following democratic leadership. He has probably gone as far as he could go without incurring the hostility of the leaders of his own party. The trouble is that the republican party is not in a position to apply effective and thorough-going reforms, because it has built up through special legislation the very abuses which need to be eradicated.

Before any intelligent action can be taken against the trusts we must have a definition of a trust. Because no corporation has an absolute and complete monopoly of any important product, the apologists for the trusts sometimes insist that there are in reality no trusts. Others insist that it is impossible to legislate against such trusts that may exist without doing injury to legitimate business. For the purposes of this discussion it is sufficient to draw the line at the point where competition ceases to be effective and to designate as a trust any corporation which controls so much of the product of any article that it can fix the terms and conditions of sale.

Legislation which prevents monopoly not only does not injure legitimate business, but actually protects legitimate business from injury. We are indebted to the younger Rockefeller for an illustration which makes this distinction clear. In defending the trust system he is quoted as saying that as the American beauty rose can not be brought to perfection without pinching off ninety-nine buds, so that the one hundredth bud can receive the full strength of the bush, so great industrial organizations are impossible without the elimination of the smaller ones. It is a cruel illustration but it presents a perfectly accurate picture of trust methods. The democratic party champions the cause of the ninety-nine enterprises which are menaced; they must not be sacrificed that one great combination may flourish and when the subject is understood we shall receive the cordial support of hundreds of thousands of business men who have themselves felt the op-

pression of the trusts or who, having observed the effect of the trusts upon others, realize that their safety lies, not in futile attempts at the restraint of trusts, but in legislation which will make a private monopoly impossible.

There must be no mistaking of the issue and no confusing of the line of battle. The trust, as an institution, will have few open defenders. The policy of the trust defenders will be to insist upon "reasonable regulation" and then they will rely upon their power to corrupt legislatures and to intimidate executives to prevent the application of any remedies which will interfere with the trusts. Our motto must be: "A private monopoly is indefensible and intolerable," and our plan of attack must contemplate the total and complete overthrow of the monopoly principle in industry. We need not quarrel over remedies. We must show ourselves willing to support any remedy and every remedy which promises substantial advantage to the people in their warfare against monopoly. Something is to be expected from the enforcement of the criminal clause of the Sherman anti-trust law, but this law must be enforced not against a few trusts as at present, but against all trusts, and the aim must be to imprison the guilty, not merely to recover a fine. What is a fine of a thousand dollars or even ten thousand dollars to a trust which makes a hundred thousand dollars while the trial is in progress?

If the criminal clause is not going to be enforced it ought to be repealed. If imprisonment is too severe a punishment for the eminently respectable gentlemen who rob eighty millions of people of hundreds of millions of dollars annually, the language of the statutes ought to be changed, for nothing is more calculated to breed anarchy than the failure to enforce the law against rich criminals while it is rigidly enforced against petty offenders. But it is not sufficient to enforce existing laws. If ten corporations conspiring together in restraint of trade are threatened with punishment, all they have to do now is to dissolve their separate corporations and turn their property over to a new corporation. The new corporation can proceed to do the same thing that the separate corporations attempted, and yet not violate the law. We need, therefore, new legislation and the republican party not only fails to enact such legislation, but fails even to promise it. The democratic party must be prepared to propose legislation which will be sufficient.

GOVERNMENT BY INJUNCTION

(From Mr. Roosevelt's Message.)

Of course, a judge strong enough to be fit for his office will enjoin any resort to violence or intimidation, especially by conspiracy, no matter what his opinions may be of the rights of the original quarrel. There must be no hesitation in dealing with disorder.

But there must likewise be no such abuse of the injunctive power as is implied in forbidding laboring men to strive for their own betterment in peaceful and lawful ways; nor must the injunction be used merely to aid some big corporation in carrying out schemes for its own aggrandizement.

(From the Madison Square Speech.)

No reference to the labor question is complete that does not include some mention of what is known as government by injunction. As the main purpose of the writ is to evade trial by jury, it is really an attack upon the jury system and ought to arouse a unanimous protest. However, as the writ is usually invoked in case of a strike the importance of the subject would be very much reduced by the adoption of a system of arbitration, because arbitration would very much reduce, even if it did not entirely remove, the probability of a strike.

EIGHT HOUR LAW

(From Mr. Roosevelt's Message.)

I call your attention to the need of passing the bill limiting the number of hours of employment of railroad employes. The measure is a moderate one and I can conceive of no serious objection to it. Indeed, so far as it is in our power, it should be our aim steadily to reduce the number of hours of labor with as a goal the general introduction of an eight hour day.

(From the Madison Square Speech.)

The struggle to secure an eight hour day is an international struggle and it is sure to be settled in favor of the workingman's contention. The benefits of the labor saving machine have not

been distributed with equity. The producer has enormously multiplied his capacity, but so far the owner of the machine has received too much of the increase and the laborer too little. Those who oppose the eight hour day do it, I am convinced, more because of ignorance of conditions than because of lack of sympathy with those who toil. The removal of work from the house to the factory has separated the husband from his wife and the father from his children, while the growth of our cities has put an increasing distance between the home and the workshop. Then, too, more is demanded of the laboring man now than formerly. He is a citizen as well as a laborer, and must have time for the study of public questions if he is to be an intelligent sovereign. To drive him from his bed to his task and from his task to his bed is to deprive the family of his companionship, society of his service and politics of his influence.

ARBITRATION IN LABOR DISPUTES

(From Mr. Roosevelt's Message.)

The commission appointed by the president October 16, 1902, at the request of both the anthracite coal operators and miners, to inquire into, consider, and pass upon the questions in controversy in connection with the strike in the anthracite regions of Pennsylvania and the causes out of which the controversy arose, in their report, findings, and award expressed the belief "that the state and federal governments should provide the machinery for what may be called the compulsory investigation of controversies between employers and employes, when they arise." This expression of belief is deserving of the favorable consideration of the congress and the enactment of its provisions into law. A bill has already been introduced to this end.

In this age of great corporate and labor combinations, neither employers nor employes should be left completely at the mercy of the stronger party to a dispute, regardless of the righteousness of their respective claims. The proposed measure would be in the line of securing recognition of the fact that in many strikes the public has itself an interest which can not wisely be disregarded; an interest not merely of general convenience, for the question of a just and proper public policy must also be considered. In all legislation of this kind it is well to advance cautiously, testing each step by the actual results; the step proposed can surely be safely taken, for the decisions of the commission would not bind the parties in legal fashion, and yet would give a chance for public opinion to crystallize and thus to exert its full force for the right.

(From the Madison Square Speech.)

I have referred to the investigation of international controversies under a system which does not bind the parties to accept the findings of the court of inquiry. This plan can be used in disputes between labor and capital; in fact, it was proposed as a means of settling such disputes before it was applied to international controversies. It is as important that we shall have peace at home as that we shall live peaceably with neighboring nations, and peace is only possible when it rests upon justice. In advocating arbitration of differences between large corporate employers and their employes, I believe we are defending the highest interests of the three parties to these disputes, viz: the employers, the employes and the public. The employe can not be turned over to the employer to be dealt with as the employer may please.

The question sometimes asked, "Can I not conduct my business to suit myself?" is a plausible one, but when a man in conducting his business attempts to arbitrarily fix the conditions under which hundreds of employes are to live and to determine the future of thousands of human beings, I answer without hesitation that he has no right to conduct his own business in such a way as to deprive his employes of the right to life, liberty and the pursuit of happiness. To support this position, I need only refer to the laws regulating the safety of mines, the factory laws fixing the age at which children can be employed, and usury laws establishing the rate of interest. The effort of the employer to settle differences without arbitration has done much to embitter him against those who work for him and to estrange them from him—a condition deplorable from every standpoint.

But if it is unwise to make the employer the sole custodian of the rights and interests of the employes, it is equally unwise to give the employes uncontrolled authority over the rights and