

# Wilson's Administration a Record of Efficiency

Work of the President's Cabinet a Recital of Beneficent Acts for the Service of the People of the Whole Country

## THE POLICY AND ACCOMPLISHMENTS OF THE DEPARTMENT OF JUSTICE DURING THE WILSON ADMINISTRATION

Since the widening of the functions of the attorney general into an independent department of the government, which occurred about forty years ago, each incumbent has given to his tenure more or less of his individual characteristics, so that the department of justice, charged with the general supervision of the administration of the federal laws is, during each administration, in a measure, the reflection of the attorney general as the head of the institution. Two attorneys general, differing measurably in attainments, disposition and characteristics, have represented the present administration. Nevertheless the impression left by both during the last three and one-half years is one of uniform and steady enforcement of the laws, free from interference or control by those occupying positions of power. The policy during these years has been one of quiet and effective enforcement of the law under all circumstances. Government cases have been publicly tried before petty juries in practically all instances where grand juries or other inquisitorial bodies have made proper presentation to that end. When this policy became generally known it discouraged the disposition to resort to importunities and supplications, correspondence and interviews seeking to present special reasons why particular prosecutions should be abated.

### INCOME TAX UPHELD

The present administration has succeeded in upholding the constitutionality of the beneficent income tax and similar recent legislation calculated to impose the burdens of federal taxation on those who receive the most protection and are best able to bear these burdens, and to make them fall more lightly on the less fortunate classes.

In like manner, there has been a strict enforcement of the statutes intended to protect the public from schemes and devices designed to overreach the people and fleece them through improper use of the mails.

Decided strides have been made in establishing the right of the federal government to protect the electorate and to punish concerted efforts at fraud in elections where federal officers are being voted for.

The department has actively engaged in an earnest effort to prevent favoritism in the imposition of criminal sentences; and the power of the war department to keep the navigable waters of the country open against all obstructions has been steadily upheld and sustained.

Much attention has been devoted to the naturalization and immigration laws, and interpretations have been secured which will permit entrance into this country of capable and healthy foreigners, permitting all those who are worthy to secure the rights of American citizenship, and excluding those who are uninformed with respect to our constitution and system of government.

There has been an earnest effort to enforce the Mann act, or White Slave law, according to its true intent, and in so doing to inform the general public with regard to those abuses wherein there have been illegal attempts to impersonate officers of the government and impose upon the timid and unfortunate.

### NEUTRALITY LAWS ENFORCED

During the last two years, the neutrality laws and their enforcement have taken a prominent place which, fortunately, it has not been heretofore necessary to accord them for more than one hundred years, and in this period of stress and strain the department of justice has addressed itself to the task in hand with firmness and discrimination. During the period mentioned, eighty-five offenders out of eighty-six have been convicted of violating these laws; some for conspiracy; others for here recruiting the armies of other nations; some for forging passports; others for organizing military expeditions against friendly nations; several for smuggling arms and munitions; others for con-

spiring to destroy vessels and cargoes in our ports and on the high seas; and others for committing various illegal acts of similar character. One of these convicted offenders was sentenced to the penitentiary for life, and shorter penitentiary terms, jail sentences, and fines were imposed upon or assessed against others. Of these eighty-five, all males, seventy-five of them were foreigners or naturalized American citizens representing six nations. It is regrettable to note that the remaining ten were natural born Americans. In addition to this very large number successfully prosecuted, there are now pending indictments against a large number of others charging similar offenses.

### NATION'S RIGHTS PRESERVED

The energy and persistence displayed by this department during the present administration in its efforts to enforce the law and preserve the property rights of the United States have been well rewarded by what has been actually accomplished, and what is in prospect of accomplishment, in litigations concerning the public domain, the public reservations, the water powers, the allotted and tribal lands of the Indians, and the oil fields reserved by the government for naval supply. To catalogue these achievements would extend this article beyond the limits which can be accorded by this publication, and the greatness and importance of these accomplishments is not to be measured by the number of cases or the instances of success, but rather by that steady maintenance of the rights of the people and their wards—the Indians—against trespassers and the holders of pretended titles fraudulently or otherwise unlawfully acquired, and by establishing through the courts salutary principles protective of the public interest and preserving for the people the vast benefits which flow to them from the public domain and the many natural belongings which attach to the same in their favor. In this same connection, it is to be observed that this administration has fortunately secured such an interpretation of the reclamation act as will permit the completion of some of the largest projects to irrigate hundreds of thousands of acres of arid land for the benefit of settlers, which projects were seriously imperiled through alleged inability to carry projected canals and spillways across Indian reservations or tribal lands.

### FEDERAL ACTS STRENGTHENED

There are no federal laws which so vitally and directly affect the public health and welfare as the Food & Drug act, and the Meat Inspection act, which, during the last three years have been greatly strengthened and vitalized by favorable court decisions, so that the many serious questions which had arisen tending to hamper the effectiveness of these laws have been removed and the path cleared of obstacles which were claimed to be more or less unsurmountable. These questions were presented to the supreme court in several important cases and the government was uniformly successful in securing favorable interpretations.

The Safety Appliance acts and the Hours of Service act were framed for the protection of the traveling public and the railroad employees, providing for the use of safety appliances and limiting the hours of railroad service. Various violations of these laws have been vigorously prosecuted and a broad construction of their remedial provisions secured in cases which have been presented to the supreme court during the last three years. In these cases, the acts in question were held to apply to trains engaged in switching and interyard movements, and also to interurban electric trains, so that the protection to both the traveling public and to the employees has been widened and favorably defined.

### PREVENTION OF MONOPOLY

The preservation of free channels of competition in trade and the prevention of monopoly are essential to the public welfare. This principle long recognized by congress was strengthened by the enactments of the present administration, following which a vigorous and en-

ergetic enforcement of the law has been secured by the present efficient administration of the department of justice. There are now pending in the federal courts thirty-eight proceedings under these acts, while investigations already instituted will result in other proceedings if the wrongs to the public set forth in the complaints are found to exist. No good purpose would be subserved by listing the existing cases, the more important thought being that substantial progress has been made along fundamental lines. The essential weakness in the enforcement of these anti-trust acts during previous administrations was the failure to insist upon a real dissolution of the monopolies and combinations which the courts adjudged unlawful. In the principal case in the Roosevelt administration—the Northern Securities case; in the principal cases in the Taft administration—the Standard Oil case, the Tobacco case, and the Powder case, the parts into which the unlawful monopoly was divided were left by the decree of the court under the dominion of the same set of persons who had previously controlled. Such dissolutions merely changed the form of the monopoly, since, of course, competition in any real sense can not exist between corporations which are in turn controlled by the same persons or the same money. The law was thus practically nullified by reason of the defective manner of its enforcement. To illustrate: the various companies into which the Standard Oil Company was divided were permitted to remain under the common control of the former majority stockholders of the Standard Oil Company of New Jersey, the defendant in the suit, thereby permitting a situation wherein the very persons who formed the dissolved combination continued to dominate the new companies and thereby continued to dominate the trade. The futility of these proceedings became justly subject to strong popular complaint. In the first place they completely failed to open the way for the restoration of competitive conditions in the particular trades affected. In the second place they weakened popular confidence in the antitrust laws by leading many to believe that they afforded inadequate remedy for the evil of monopoly, when, as a matter of fact, the trouble rested not in the law, but in the manner of its enforcement. The present administration has changed this and in every case has strongly insisted that the several parts into which the unlawful combination or monopoly was divided should themselves pass separate and distinct ownerships, and that they in no instance be left under the control of the same set of men who theretofore dominated the offending monopoly. By this means a real way for the restoration of competitive conditions has been reached and insured. While endeavoring to correct the underlying error which characterized the enforcement of the law during other administrations, this one, at the same time, has been watchful and solicitous to avoid the institution of prosecutions for which there was no sure and adequate ground. The policy of the present attorney general and his immediate predecessor in office has been to examine carefully into every complaint presented and where it developed that business men have entered into transactions believing in good faith that they were lawful, it has been deemed wisest and best not to immediately apply the extreme penalties against them if they show a disposition to bring themselves and their transactions into conformity with the law. If, however, after notice that they are transcending the limitations of the law, a disposition to continue in wrongdoing has been evinced, the administration has shown no hesitancy in proceeding with prosecutions where the rights of the public were imperiled.

### SUBSTANTIAL ACHIEVEMENTS

While the achievements of this department are possibly less spectacular than those of some of the others through which a great government must move and act for the public weal, they are, none-the-less important and substantial, for the decrees of courts and constituted tribunals are lasting, and the enforcement of the law and the administration of justice without fear or