

The President's Latest Message to Congress

On April 27 the president sent to congress the following message:

"To the Senate and House of Representatives: In my message to congress of March 25, 1908, I outlined certain measures which I believe the majority of our countrymen desire to have enacted into law at this time. These measures do not represent by any means all that I would like to see done if I thought it possible, but they do represent what I believe can now be done if an earnest effort toward this end is made.

"Since I wrote this message an employers' liability law has been enacted which, it is true, comes short of what ought to have been done, but which does represent a real advance. Apparently there is good ground to hope that there will be further legislation providing for recompensing all employes who suffer injury while engaged in the public service; that there will be a child labor law enacted for the District of Columbia; that the water ways commission will be continued with sufficient financial support to increase the effectiveness of its preparatory work; that steps will be taken to provide for such investigation into tariff conditions, by the appropriate committee of the house of representatives and by government experts in the executive service, as will secure the full information necessary for immediate action in revising the tariff at the hands of the congress elected next fall; and finally, that financial legislation will be enacted providing for temporary measures for meeting any trouble that may arise in the next year or two, and for a commission of experts who shall thoroughly investigate the whole matter, both here and in the great commercial countries abroad, so as to be able to recommend legislation which will put our financial system on an efficient and permanent basis.

URGES POSTAL BANKS

"It is much to be wished that one feature of the financial legislation of this session should be the establishment of postal savings banks. Ample appropriation should be made to enable the interstate commerce commission to carry out the very important feature of the Hepburn law which gives to the commission supervision and control over the accounting systems of the railways. Failure to provide means which will enable the commission to examine the books of the railways would amount to an attack on the law at its most vital point and would benefit as nothing else could benefit those railways which are corruptly or incompetently managed. Forest reserves should be established throughout the Appalachian mountain region wherever it can be shown that they will have a direct and real connection with the conservation and improvement of navigable rivers.

"There seems, however, much doubt about two of the measures I have recommended, the measure to do away with abuse of the power of injunction and the measure or group of measures to strengthen and render both more efficient and more wise the control by the national government over the great corporations doing an interstate business.

SAYS LABOR IS BITTER

"First, as to the power of injunction and of punishment for contempt. In contempt cases, save where immediate action is imperative, the trial should be before another judge. As regards injunctions, some such legislation as that I have previously recommended should be enacted.

"They are blind who fail to realize the extreme bitterness caused among large bodies of worthy citizens by the use that has been repeatedly made of the power of injunction in labor disputes. Those in whose judgment we have most right to trust are of the opinion that, while much of the complaint against the use of the injunction is unwarranted, yet that it is unquestionably true that in a number of cases this power has been used to the grave injury of the rights of laboring men. I ask that it be limited in some such way as that I have already pointed out in my previous messages for the very reason that I do not wish to see an embittered effort made to destroy it.

"It is unwise stubbornly to refuse to provide against a repetition of the abuses which have caused the present unrest. In a democracy like ours it is idle to expect permanently to thwart the determination of the great body of our citizens. It may be and often is the highest duty of a court, a legislature or an

executive to resist and defy a gust of popular passion, and most certainly no public servant, whatever may be the consequences to himself, should yield to what he thinks wrong.

SEES DANGER IN DELAY

"But in a question which is emphatically one of public policy, the policy which the public demands is sure in the end to be adopted; and a persistent refusal to grant to a large portion of our people what is right is only too apt in the end to result in causing such irritation that when the right is obtained it is obtained in the course of a movement so ill considered and violent as to be accompanied by much that is wrong. The process of injunction in labor disputes, as well as where state laws are involved, should be used sparingly, and only when there is the clearest necessity for it; but it is one so necessary to the efficient performance of duty by the court on behalf of the nation that it is in the highest degree to be regretted that it should be liable to reckless use; for this reckless use tends to make honest men desire so to hamper its execution as to destroy its usefulness.

"Every far-sighted patriot should protest first of all against the growth in this country of that evil thing which is called 'class consciousness.' The demagogue, the sinister or foolish socialist visionary who strives to arouse this feeling of class consciousness in our working people does a foul and evil thing; for he is no true American, he is no self-respecting citizen of this republic, he forfeits his right to stand with manly self-reliance on a footing of entire equality with all other citizens, who bows to envy and greed, who erects the doctrine of class hatred into a shibboleth, who substitutes loyalty to men of a particular status, whether rich or poor, for loyalty to those eternal and immutable principles of righteousness which bid us treat each man on his worth as a man without regard to his wealth or his poverty.

RICH FOSTER DISCONTENT

"But evil though the influence of these demagogues and visionaries is, it is no worse in its consequences than the influence exercised by the man of great wealth or the man of power and position in the industrial world, who by his lack of sympathy with, and lack of understanding of, still more by any exhibition of uncompromising hostility to, the millions of our working people, tends to unite them against their fellow Americans who are better off in this world's goods. It is a bad thing to teach our working people that men of means, that men who have the largest proportion of the substantial comforts of life, are necessarily greedy, grasping and cold-hearted, and that they unjustly demand and appropriate more than their share of the substance of the many.

"Stern condemnation should be visited upon demagogue and visionary who teach this untruth, and even sterner upon those capitalists who are in truth grasping and greedy and brutally disregarding of the rights of others, and who by their actions teach the dreadful lesson far more effectively than any mere preacher of unrest. A 'class grievance' left too long without remedy breeds 'class consciousness' and therefore class resentment.

WOULD CHECK SOCIALISM

"The strengthening of the anti-trust law is demanded upon both moral and economic grounds. Our purpose in strengthening it is to secure more effective control by the national government over the business use of the vast masses of individual, and especially of corporate, wealth, which at the present time monopolize most of the interstate business of the country; and we believe the control can best be exercised by preventing the growth of abuses, rather than merely by trying to destroy them when they have already grown.

"In the highest sense of the word this movement for thorough control of the business use of this great wealth is conservative. We are trying to steer a safe middle course, which alone can save us from a plutocratic class government on the one hand, or a socialistic class government on the other, either of which would be fraught with disaster to our free institutions, state and national. We are trying to avoid alike the evils which would flow from government ownership of the public utilities by which interstate commerce is chiefly carried on, and the evils which flow from the riot and chaos of unrestricted individualism.

"There is grave danger to our free institutions in the corrupting influence exercised by great wealth suddenly concentrated in the hands of the few. We should in sane manner try to remedy this danger, in spite of the sullen opposition of these few very powerful men, and with the full purpose to protect them in all their rights at the very time that we require them to deal rightfully with others.

REMEDIES INADEQUATE

"When with steam and electricity modern business conditions went through the astounding revolution which in this country began over half a century ago, there was at first much hesitation as to what particular governmental agency should be used to grapple with the new conditions. At almost the same time, about twenty years since, the effort was made to control combinations by regulating them through the interstate commerce commission, and to abolish them by means of the anti-trust act; the two remedies therefore being in part mutually incompatible.

"The interstate commerce law has produced admirable results, especially since it was strengthened by the Hepburn law two years ago. The anti-trust law, though it worked some good, because anything is better than anarchy and complete absence of regulation, nevertheless has proved in many respects not merely inadequate but mischievous. Twenty years ago the misuse of corporate power had produced almost every conceivable form of abuse and had worked the gravest injury to business morality and the public conscience. For a long time federal regulation of interstate commerce had been purely negative, the national judiciary merely acting in isolated cases to restrain the states from exercising a power which it was clearly unconstitutional as well as unwise for them to exercise, but which nevertheless the national government itself failed to exercise. Thus the corporations monopolizing commerce made the law for themselves, state power and common law being inadequate to accomplish any effective regulation, and the national power not yet having been put forth.

FAIL TO APPRECIATE EVILS

"The result was mischievous in the extreme, and only short-sighted and utter failure to appreciate the grossness of the evils to which the lack of regulation gave rise, can excuse the well-meaning persons who now desire to abolish the anti-trust law outright, or to amend it by simply condemning 'unreasonable' combinations.

"Power should unquestionably be lodged somewhere in the executive branch of the government to permit combinations which will further the public interest; but it must always be remembered that, as regards the great and wealthy combinations through which most of the interstate business of today is done, the burden of proof should be on them, to show that they have a right to exist.

"No judicial tribunal has the knowledge or the experience to determine in the first place whether a given combination is advisable or necessary in the interest of the public. Some body, whether a commission or a bureau under the department of commerce and labor, should be given this power. My personal belief is that ultimately we shall have to adopt a national incorporation law, though I am well aware that this may be impossible at present. Over the actions of the executive body in which the power is placed the courts should possess merely a power of review analogous to that obtaining in connection with the work of the interstate commerce commission at present.

NOT A LEAP IN THE DARK

"To confer this power would not be a leap in the dark; it would merely be to carry still further the theory of effective governmental control of corporations which was responsible for the creation of the interstate commerce commission, and for the enlargement of its powers, and for the creation of the bureau of corporations. The interstate commerce legislation has worked admirably. It has benefited the public; it has benefited honestly managed and wisely conducted railroads; and in spite of the fact that the business of the country has enormously increased, the value of this federal legislation has been shown by the way in which it has enabled the federal government to correct the most pronounced of the great and varied abuses

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