

who read what I say to you. The labor question is more a moral than an intellectual one.

Tolstoy, the great Russian philosopher, in defining the doctrine of "bread labor," gives as one of the reasons in support of it, that personal contact with manual labor—not a recollection of former toil, but continued acquaintance with it—is necessary to keep one in sympathy with those who work with their hands. He contends—and is it not true?—that lack of sympathy, one with another, is at the root of most of the problems of society and government.

The world is growing toward brotherhood, and our nation is leading the way. There is more altruism in this country than anywhere else in the world, and more today than there ever has been before. There is more recognition of the kinship that exists between us, more thought about the questions which concern a common humanity than at any preceding time. The labor organization is a part of this great movement of the masses toward closer fellowship. It has worked wonders in the past and its work is only commenced.

The labor organization helps those outside of it as well as its members because the increased wages and improved conditions are shared by non-union men as well as by union men.

Do not understand me to say that a labor organization is perfect; "the king can do no wrong" can no more be spoken of a group than of individuals. The labor organization is composed of men; its affairs are controlled by human beings, and human beings are not perfect. All that man touches is stained with man's imperfections, and his frailty can be traced through all his works. But, fortunately for the laboring man, the judgment pronounced against his mistakes must be tempered by the fact that those with whom the laboring man comes into contact are also likely to err. When the employe deals with the employer, he is dealing with one of like passions with himself. Each is likely to be insistent upon what he believes to be right, and the opinion of each, as to what is right, is likely to be colored by selfish interests and affected by incomplete information as to the facts. If the employe has sometimes resorted to violence to enforce his wishes, the employer has sometimes employed his position to secure an unfair share of the joint product. It is the province of the law to place limitations upon both, and the security of our government is found in the fact that both employer and employe, in their calmer moments, will join in the enactment of laws which will restrain them in moments of temptation. Some assume that labor is lawless and that to settle the labor question permanently we need only enforce the law rigorously. I yield to none in insistence upon obedience to the law. Law is necessary in human society, and its enforcement is essential to peace and order, but we must remedy abuses by law if we would insure respect for, and obedience to, law.

The important lesson to be learned by the citizen in a government like ours is that the ballot is both shield and sword—it protects him from injury and enforces his rights.

Consideration of that is needed for a better understanding of labor questions. We have rights that may be called natural rights; they are inherent; we have them because we are human beings. The government did not bestow them upon us—the government cannot rightfully withdraw them from us. We all come into the world without our volition; the environment of youth largely determines the course of our lives, and this environment is not of our choosing. We live under the same moral obligations, and are responsible to the same Supreme Being. We have our needs that must be supplied; we require food, clothing, shelter, companionship. We have our domestic ties, and the tenderness of these ties is not measured by wealth or position in society. Man has used petty distinctions to separate society into different classes, but these distinctions are insignificant when compared with the great similarities that unite us in a common destiny and impel us toward a common end.

On this day it is well to emphasize the fact that we are linked together by bonds which we could not break if we would and should not weaken if we could. It ought to be easy to learn this lesson in the United States, for here, more than anywhere else, people feel their interdependence. We have no law of primogeniture to separate the oldest son from his brothers and sisters; and we have no law of entail to prevent the alienation of an estate. There is no aristocracy resting upon birth or kingly favor; and if the people perform their civic duties, there will be no plutocracy ruling in the name of the dollar. Here the road to advancement is a public highway, and it is within our power to keep it open to all alike. Here, too, the government is within the control of the people, and no department of the service is out of the reach of the voter or beyond the influence of public opinion. Under our constitution, some branches of the government are more responsive than others to the public will, but our government can be controlled by the people, from the organic law which we call the constitution to the statute and the court's decree.

A long step toward the elevation of labor to its proper position in the nation's deliberations is to be found in the establishment of a Department of Labor, with a cabinet officer at its head. The wage-earners deserve this recognition, and the executive is entitled to the

assistance which such an official could render him. I regard the inauguration of this reform as the opening of a new era in which those who toil will have a voice in the deliberations of the President's council chamber.

The labor organization has been seriously handicapped by the fact that it has been—and I am not sure that it has not been done unwittingly—yoked up with the industrial combinations known as trusts. The proneness of trust defenders to use the labor organization as an excuse for combinations in restraint of trade has aroused the suspicion that they have been classed together for the purpose of shielding the combinations of capital. As the result of eighteen years of anti-trust legislation, only one man has been given a penal sentence for violating the federal law on this subject, and that man was a member of a labor organization rather than a trust magnate. The laboring man is justified in his demand that a distinction shall be drawn between the labor organization and the industrial monopoly.

The trust and the labor organization cannot be described in the same language. The trust magnates have used their power to amass swollen fortunes, while no one will say that the labor organization has as yet secured for its members more than their share of the profits arising from their work. But there are fundamental differences. The trust is a combination of dollars; the labor organization is an association of human beings. In a trust a few men attempt to control the product of others; in a labor organization, the members unite for the protection of that which is their own, namely, their own labor, which, being necessary to their existence, is a part of them. The trust deals with dead matter; the labor organization deals with life and with intellectual and moral forces. No impartial student of the subject will deny the right of the laboring man to exemption from the operation of the existing anti-trust law.

If the labor organization needs to be regulated by law, let it be regulated by a law which deals with man as man, and not by a law that was aimed to prevent the cornering of a commodity or the forestalling of the market.

I shall not speak of the eight-hour day, or of the employer's liability act, because both of the leading parties have endorsed these reforms; the only question to be considered is: which party can best be trusted to secure these reforms? I need hardly assure you that I am heartily in favor of both reforms.

There are two questions, however, intimately connected with the labor problem upon which the Democratic and Republican parties do not agree, and I not only feel at liberty to discuss these, but, under the circumstances, I have no right to ignore them. One relates to the issue of injunctions, and the other to contempt cases arising under injunctions. The republican convention did not deal candidly with the laboring man on the subject of the writ of injunction. Secretary Taft has endeavored to amend his platform in this respect and to make some promises, which are not supported by his platform, but his promises offer nothing substantial in the way of reform, and are not binding on republican senators and members. The republican Congress has already made a record on labor questions, and the Republican party cannot escape from that record.

Mr. Taft's speech may be considered as binding upon him, but the convention which selected the republican candidates endorsed the republican platform—not Mr. Taft's personal views. The republican platform, while pretending to pledge some modification of the law, contains an exception clause which reiterates the very language of the law. Whether this exception clause was inserted by accident or design, the effect is the same. It merely provides, in substance, that restraining orders shall not issue without notice except where such order can now issue without notice. The platform was a triumph for those who have been opposing the laboring man, and they have been boasting of their victory.

The democratic platform on this subject copies the language which the labor organizations submitted to the republican and democratic conventions. Mr. Taft, in his notification speech, objects to the language. He charges that the anti-injunction plank was "loosely drawn," and framed for "the especial purpose of rendering it susceptible to one interpretation by one set of men, and a diametrically opposite interpretation by another." As Mr. Taft has had long experience on the bench, and is therefore skilled in the interpretation of language, I ask him to give us, if he can, two opposite interpretations of the language. That plank demands that "all parties to all judicial proceedings shall be treated with rigid impartiality." Surely he cannot find two interpretations to the phrase "rigid impartiality."

Speaking of industrial disputes, the platform declares that "injunctions shall not be issued in any cases in which injunctions would not issue if no industrial dispute were involved." How can that language be misconstrued or misinterpreted? If words mean anything, that plank means that an industrial dispute shall not, in itself, be regarded as a sufficient cause for an injunction. If an injunction issues in an industrial dispute, it must be based upon acts which would justify an injunction if there were no industrial dispute involved. There is nothing ambiguous about it; there is nothing that