

ANNUAL MESSAGE OF PRESIDENT TAFT TO THE CONGRESS

Recommendations for Legislation on Matters Much Discussed and of Real Importance in Connection With the Prosperity of the People

PRESIDENT TAFT'S annual message to the congress was read in both houses at noon today. It was very short in comparison with recent documents of a similar nature, containing fewer than 14,000 words. In it is found brief but pointed reference to all matters of public importance, with direct recommendations or significant suggestion for legislative action. The message, condensed in part, is as follows:

The relations of the United States with all foreign governments have continued upon the normal basis of amity and good understanding and are very generally satisfactory.

The president wishes briefly on the reference to the fisheries case between the United States and Great Britain to the Hague tribunal, to the work of the International Fisheries commission; the adjustment of international boundaries and other disputes between the United States and Canada, further protection for the seal fisheries; the international conference at The Hague; the international conference on maritime law, and on uniform bills of exchange; the invitation of Belgium to participate in the exposition at Brussels, for which he urges acceptance and an appropriation; the adjustment of affairs in the Congo and the commission to Liberia, the report of the latter to be submitted to the secretary of state.

Concerning patents; the invitation of Norway to participate in a conference to determine the status of the Spitzbergen islands, and the result of the revolution in Turkey.

Relations with South America.
One of the happiest events in recent Pan-American diplomacy was the Pacific, independent settlement by the governments of Bolivia and Peru of a boundary difference between them, which for some weeks threatened to cause war and even to entangle the United States in a European embitterment affecting the public less directly concerned. From various quarters, directly or indirectly concerned, the intermediation of the United States was sought to assist in a solution of the controversy. Desiring at all times to abstain from any undue mingling in the affairs of sister republics and having faith in the ability of the governments of Peru and Bolivia to settle their differences in a manner satisfactory to themselves, which, viewed with magnanimity, would assume all embitterment, this government steadily abstained from being drawn into the controversy, and was much gratified to find its confidence justified by events.

On the 9th of July next will open at Buenos Ayres the fourth Pan-American conference. This conference will have a special meaning to the hearts of all Americans, because around its date are clustered the anniversaries of the independence of so many of the American republics. It is not necessary for me to remind the congress of the political, social and commercial importance of this conference. You are asked to make liberal appropriations for our participation. If this be granted, it is my purpose to appoint a distinguished and representative delegation, qualified fittingly to represent this country and to deal with the problems of inter-continental interest which will there be discussed.

The Argentine republic will also hold from May to November, 1910, at Buenos Ayres, a great international agricultural exposition, in which the United States has been invited to participate. Considering the rapid growth of the trade of the United States with the Argentine republic and the cordial relations existing between the two nations, together with the fact that it provides an opportunity to show deference to a sister republic on the occasion of the celebration of its national independence, the proper departments of this government are taking steps to apprise the interests concerned of the opportunity afforded by this exposition, in which appropriate participation by this country is so desirable. The department of state is affording assistance in the form of an official representative, also receiving consideration.

Protection for American Citizens.
Today, more than ever before, American capital is seeking investment in foreign countries, and American products are more and more generally seeking foreign markets. As a consequence in all countries there are American citizens and American interests to be protected, on occasion, by their government. These interests consist of men, of capital, of commodities, of bridges, people and governments closer together and so forth, bonds of peace and mutual dependence, as they must also naturally sometimes make passing points of friction. The resultant situation inevitably imposes upon this government vast responsibilities. This administration, through the department of state and the foreign service, is lending all proper support to legitimate and beneficial American enterprises in foreign countries, the degree of such support being measured by the national advantages to be derived. A man himself, or a company, or an otherwise divested himself of the right, nor can this government escape the obligation, of its protection to its personnel and property rights when these are unjustly infringed in a foreign country. To avoid needless vexatious litigation in considering whether American enterprises should be encouraged or supported in a particular country, the government should give full weight not only to the national, as opposed to the individual benefits to accrue, but also the fact whether or not the government of the country in question is in its administration and in its relations faithful to the principles of moderation, equity and justice upon which alone depend international credit, in diplomacy as well as in finance.

Application of Monroe Doctrine.
The Pan-American policy of this government has long been fixed in its principles and remains unchanged. With the changed circumstances of the United States and of the republics to the south of us, most of which have great natural resources, stable government and progressive ideals, the apprehension which gave rise to the Monroe doctrine may be said to have nearly disappeared, and neither the doctrine as it exists nor any other doctrine of American policy should be permitted to operate for the purpose of irrepressible government, the escape of just obligations, or the invidious allegation of obstructive ambitions on the part of the United States.

Beside the fundamental services of our Pan-American policy there have grown up a realization of political interests, community of interests and ideals, and a flourishing commerce. All these bonds will

be greatly strengthened as time goes on and increased facilities, such as the great bank soon to be established in Latin America, supply the means for building up the colossal intercontinental commerce of this future.

My meeting with President Diaz and the greeting exchanged on both American and Mexican soil served, I hope, to signalize the close and cordial relations which so well bind together this republic and the great republic immediately to the south, between which there is so vast a network of material interests.

I am happy to say that all but one of the cases which for so long vexed our relations with Venezuela have been settled within the last few months and that, under the enlightened regime now directing the government of Venezuela, provision has been made for arbitration of the remaining case before The Hague tribunal.

Claims of American Citizens.
On July 26, 1909, the government of Panama agreed, after considerable negotiation, to indemnify the relatives of the American officers and sailors who were brutally treated, one of them having, indeed, been killed by the Panamanian police this year.

This government was obliged to intervene diplomatically to bring about arbitration or settlement of the claim of the Emery company against Nicaragua, which it had long before been agreed should be arbitrated. The settlement of this troublesome case was reached by the signature of a protocol on September 18, 1909.

Many years ago diplomatic intervention became necessary to the protection of the interests in the American claim of Alsop & Co. against the government of Chile. The government of Chile has frequently admitted obligation in the case and had promised this government to settle it. There had been two abortive attempts to do so through arbitral commission, which failed through lack of jurisdiction. Now, happily as a result of the recent diplomatic negotiations, the government of the United States and of Chile, actuated by the sincere desire to free from any strain those cordial and friendly relations upon which both sets of shores have agreed by a protocol, to submit the controversy to the arbitration by His Britannic Majesty, Edward VII.

Case of Zelaya.
Since the Washington convention of 1907 were communicated to the government of the United States as a consulting and advising party, this government has been almost continuously called upon, one or another, and in turn by all of the five Central American republics, to exert itself for the maintenance of the conventions. Nearly every complaint has been against the Zelaya government of Nicaragua, which has kept Central America in commercial isolation. The response made to the representations of Central American republics, as due from the United States in its capacity of a consulting party, has been conservative and have avoided, so far as possible, the use of force, although it is very apparent that the considerations of geographic proximity of the Central Zone and of the very substantial American interests in Central America give to the United States a special position in some of these republics and the Caribbean sea.

I need not rehearse here the patient efforts of this government to promote peace and welfare among these republics, efforts which are fully appreciated by the majority of them who are loyal to their true interests. It would be no less unnecessary to rehearse here the sad tale of unseemly barbarities and oppression alleged to have been committed by the Zelaya government. Recently two Americans were put to death by order of President Zelaya himself. They were reported to have been regularly commissioned officers in the organized forces of the republic, which had continued many weeks and was proceeding in an orderly fashion in control of about half of the republic, and as such, according to the modern enlightened practice of civilized nations, they would be entitled to be dealt with as prisoners of war.

At the date when this message is printed this government is proceeding with deliberate circumspection to determine the exact truth in relation to these reports and upon the course in the premises most consistent with its dignity, its duty to American interests and its moral obligations to Central America and to civilization.

Work of a Bureau.
The international bureau of American Republics has carried on an important and increasing work during the last year. In the exercise of its peculiar functions as an international agency, maintained by all the American republics for the development of Pan-American commerce and the promotion of the well-being of the people, it has accomplished a great practical good which could be done in no other way by any individual department or bureau of one government, and is therefore deserving of your liberal support. The fact that it is about to enter a new building, erected through the munificence of an American citizen, and the cordial cooperation of all the American nations, where both its efficiency of administration and expense of maintenance will naturally be much augmented, further entitles it to special consideration.

In the far east this government preserves unchanged its policy of supporting the principle of equality, of opportunity, and scrupulous respect for the integrity of the Chinese Empire, to which policy are pledged the interested powers of both east and west.

Relations with China.
By the treaty of 1903 China has undertaken the abolition of opium with a moderate and proportionate raising of the customs tariff along with currency reform. These reforms being of manifest advantage to foreign commerce as well as to the interests of China, this government is endeavoring to facilitate these measures and the successful consummation of the treaty provisions. When it appeared that Chinese opium revenues were to be hypothecated to foreign bankers in connection with a great railway project, it was obvious that the governments whose nationals held this loan would have a certain direct interest in the question of the carrying out by China of the reforms in question. Because this railway loan represented a practical and real application of the open door policy through cooperation with China, by interested powers, as well as because of its relations to the reforms referred to above, the administration deemed American participation to be of great national interest. Happily, when it was as a matter of broad policy urgent

Points Made by the President

Participation in the Pan-American Congress at Buenos Ayres is desirable and should be supported by congress. Americans should also take part in the exposition to be held at Buenos Ayres next summer.

American citizens are to be protected in person and property in any foreign country. The Monroe doctrine has not been abandoned; the development of Central and South American countries has largely removed the necessity for its assertion, and it will not be invoked to enable any government to escape its obligation or prevent a constant source of irritation and strife, and is to be dealt with as such.

Relations with China and Japan are most pleasant. Stricter control of the opium traffic is urged. Legislation looking to the reorganization of the Department of State is immediately necessary. Relations with foreign governments require this. The improved conditions in the consular service are due to executive orders, the principles of which should be embodied into law.

The appointment of experts to assist officials of the state department in gathering data on the tariff is expected to accomplish much good. Right economy is necessary to avoid the recurrence of a deficit. Estimates have been cut far enough below current appropriations to avoid a deficit, but congress is urged that further cuts mean curtailment of efficiency in administration.

Reorganization of administrative departments of the government is necessary, that greater efficiency may be secured. A law should be passed which will require a reclassification of the civil service. A civil service pension list is recommended. Investigation of customs house frauds and prosecution of the guilty is under way and an inquiry by congress is deprecated, because it might result in giving immunity to some of the guilty persons.

No one is seeking a tariff war in which the spirit of retaliation will be roused, and in the exercise of the discretionary power vested in him by law the president hopes to avoid any such war. Three years will be required for the tariff board to

complete its work, and an appropriation for its support is requested. An elimination bill, which shall operate to retire army officers who have proven inefficient is asked. A new fort at the mouth of the Chesapeake bay ought to be added to the coast defense program. This naval base and station in the Philippines is to be abandoned in favor of one at Pearl Harbor, near Honolulu. Forty-five millions are out from the army appropriations of the last congress and \$20,000,000 from the naval. The reorganization of the personnel of the navy and the bureaus of the Navy department is urged.

More expedition in the administration of justice, both in civil and criminal cases, is required. Laws reforming procedure in the federal courts should be enacted and these should serve as a guide for state courts. A law should be passed limiting the issuance of injunctions and prohibiting the issuance of a restraining order unless notice has been given, except in certain extreme cases. In event an order is issued without notice it should not be for longer than seven days, and can only be renewed after giving notice and a hearing is had thereon. A special message will be sent dealing with the Sherman anti-trust law.

The deficit in postoffice revenue, due to the handling of second-class matter at a low rate, can be partly overcome by charging a higher rate on magazines and miscellaneous periodicals. A law establishing postal savings banks should be enacted, without waiting for the report of the monetary commission. A subsidy bill, to cover lines along the Atlantic seaboard and from the west coast, should be passed. Conservation of natural resources should be given immediate and proper attention. White slave traffic should be suppressed by stringent laws. A bureau of public health should be established. The semi-centennial of negro freedom in 1913 should be given fitting recognition. Authority to appoint a commission to report on the desirability of holding an exposition to show the progress of the negro is requested.

The agencies of the government which can contribute anything to its efficient handling. As a consequence of section 2 of the tariff act of August 5, 1909, it became the duty of the secretary of state to conduct a diplomatic business plan to place him in a position to advise me as to whether or not a particular country unduly discriminates against the United States in the sense of the statute referred to. The great scope and complexity of this work, as well as the obligation to lend all proper aid to our expanding commerce, is met by the expansion of the bureau of trade relations as set forth in the estimates for the Department of State.

Expenditures and Revenue.
Perhaps the most important question presented to this administration is that of economy in expenditures and sufficiency of revenue. The deficit of the last fiscal year, and the estimated deficit of the current year, prompted congress to throw a greater responsibility on the executive and the secretary of the treasury than had heretofore been declared by statute. This declaration imposed upon the secretary of the treasury the duty of submitting all estimates of the executive department bureaus, and offices, of the expenditures necessary in the ensuing fiscal year, and of making an estimate of the revenues of the government for the same period; and if a probable deficit is thus shown, it is made the duty of the secretary of the treasury to propose the method by which such deficit can be met.

The report of the secretary shows that the ordinary expenditures for the current fiscal year ending June 30, 1910, will exceed the estimated receipts by \$24,755,620. If to this deficit is added the sum to be disbursed for the Panama canal, amounting to \$5,000,000, and \$1,000,000 to be paid on the public debt, the deficit of ordinary receipts and expenditures will be increased to a total deficit of \$32,755,620. This deficit the secretary proposes to meet by the proceeds of bonds issued to pay the cost of constructing the Panama canal. I approve this proposal.

The policy of paying for the construction of the Panama canal out of current funds, by bond issues, was adopted in the open act of 1904, and there seems to be no good reason for departing from the principle by which a part, at least, of the burden of the cost of the canal shall fall upon our posterity who are to enjoy it; and there is all the more reason for this view because the actual cost to date of the canal, which is now half done and which will be completed January 1, 1914, shows that the cost of engineering and construction will be \$207,750,000, instead of \$150,000,000, as originally estimated. In addition to engineering and construction, the other expenses, including sanitation and government, and the amount paid for the properties, the franchise and the privilege of building the canal, increase the cost by \$135,000,000, to a total of \$342,750,000. The instruction is due to a substantial improvement by widening the canal 100 feet in the Culebra cut and by increasing the dimensions of the locks, to the underrate of the quantity of the work to be done under the original plan, and to an underrate of the cost of labor and materials, both of which have greatly advanced in price since the original estimate was made.

Heading Off the Deficit.
In order to avoid a deficit for the ensuing fiscal year, I directed the heads of departments in the preparation of their estimates to make them as low as possible consistent with imperative governmental necessities. The result has been, as I am advised by the secretary of the treasury, that the estimates of the expenses of the government for the fiscal year ending June 30, 1911—that is, for the next fiscal year—are less by \$53,925,000 than the total of appropriations for the current fiscal year, and less by \$64,000,000 than the estimates for that year. So far as the secretary of the treasury is able to form a judgment as to future income, and compare it with the expenditure for the next fiscal year ending June 30, 1911, including the payments on account of the Panama canal and the public debt, there will be no deficit in the year ending June 30, 1911, but a small surplus of \$13,900,000.

In the present estimates the needs of the departments and of the government have been cut to the quick, so to speak, and any assumption on the part of congress, so often made in times past, that the estimates have been prepared with the expectation that they may be reduced, will

result in seriously hampering proper administration.

Reform in Administration.
It has been impossible in the preparation of estimates greatly to reduce the cost of permanent administration. This can not be done without a thorough reorganization of bureaus, offices and departments. For the purpose of securing information which may enable the executive to consider the various branches to unite in a plan for the permanent reduction of the cost of governmental administration, the Treasury department has instituted an investigation by one of the most skilled expert accountants in the United States. The result of his work in two or three bureaus, which, if extended to the entire government, must occupy two or more years, has been to show much room for improvement and opportunity for substantial reductions in the cost and increased efficiency of administration. The object of the investigation is to devise means to increase the average efficiency of each employe. Yet there is great room for improvement toward this end, not only by the reorganizations of bureaus and departments and in the avoidance of duplication, but also in the treatment of the individual employe.

Under the present system it constantly happens that two employes receive the same salary when the work of one is far more difficult and important and exacting than that of the other. Superior ability is thus retained, or even encouraged. As the classification is now entirely by salary, an employe often rises to the highest class while doing the easiest work, for which alone he may be fitted. An investigation ordered by my predecessor resulted in the recommendation that the civil service be reclassified according to the average efficiency of government employes must depend on the ability of the executive to eliminate from the government service those who are inefficient from any cause, and as the degree of efficiency in all the departments is much lessened by the retention of old employes who have outlived their energy and usefulness it is indispensable to provide a method by which their separation from the service shall be easy and inevitable. It is impossible to make such provision unless there is adopted a plan of civil service.

More than this, every reform directed toward the improvement of the average efficiency of government employes must depend on the ability of the executive to eliminate from the government service those who are inefficient from any cause, and as the degree of efficiency in all the departments is much lessened by the retention of old employes who have outlived their energy and usefulness it is indispensable to provide a method by which their separation from the service shall be easy and inevitable. It is impossible to make such provision unless there is adopted a plan of civil service.

Civil Service Pension.
I am aware that there is a strong feeling in both houses of congress, and possibly in the country, against the establishment of civil pensions, and that this has naturally grown out of the heavy burden of military pensions, which it has always been the policy of our government to assume; but I am strongly convinced that no other practical solution of the difficulties presented by the superannuation of civil servants can be found than that of a system of civil pensions.

Customs House Frauds.
I regret to refer to the fact of the discovery of extensive frauds in the collection of the customs revenue at New York city, in which a number of the subordinate employes in the weighing and other departments were directly concerned, and in which the beneficiaries were the American flagging company and others. The frauds consisted in the payment of duty on overweights of sugar. The government has recovered from the American Sugar Refining company all that is shown to have been defrauded of. The sum was received in full of the amount due, which might have been recovered by civil suit against the beneficiary of the fraud, but there was an express reservation in the contract of settlement by which the settlement should not interfere with, or prevent the criminal prosecution of everyone who was found to be subject to the same. Criminal prosecutions are now proceeding against a number of the government officers. The Treasury department and the Department of Justice are exerting every effort to discover all the wrongdoers, including the officers and employes of the flagging company who have been privy to the fraud. It would seem to me that an investigation of the frauds by congress at present, pending the probing by the Treasury department and the Department

of Justice, as proposed, might be giving immunity and otherwise prove an embarrassment in securing conviction of the guilty parties.

No Tariff War.
Two features of the new tariff act call for special reference. By virtue of the clause known as the "maximum and minimum" clause, it is the duty of the executive to consider the laws and practices of other countries with reference to the importation into those countries of the products and merchandise of the United States, and if the executive finds such laws and practices not to be unduly discriminatory against the United States, the minimum duties provided in the bill are to go into force. Unless the president makes such a finding, then the maximum duties provided in the bill, that is, an increase of 25 per cent ad valorem over the minimum duties, are to be in force.

I have therefore appointed a tariff board consisting of the president and the State department is likely to lead to a tariff war. I beg to express the hope and belief that no such result need be anticipated.

The discretion granted to the executive by the terms "unduly discriminatory" is wide. In order that the maximum duty shall be charged against the imports from a country, it is necessary that he shall find on the part of that country not only discriminations in its laws or the practice under them against the trade of the United States, but that the discriminations found shall be undue; that is, without good and fair reason. I conceive that this power was reposed in the president with the hope that the maximum duties might never be applied in any case, but that the power to apply them would enable the president and the State department through friendly negotiation to secure the elimination from the laws and the practice under them of any foreign country of that which is unduly discriminatory.

No one is seeking a tariff war or a condition in which the spirit of retaliation shall be roused.

Work of Tariff Commission.
The new tariff law enables me to appoint a tariff board to assist me in connection with the Department of State in the administration of the minimum and maximum clause of the act and also to assist officers of the government in the administration of the entire law. An examination of the law and an understanding of the nature of the facts which should be considered in discharging the functions imposed upon the executive show that I have the power to direct the tariff board to make a comprehensive glossary and encyclopedia of the terms used and articles embraced in the tariff law, and to secure information as to the cost of production of such goods in this country and the cost of their production in foreign countries. I have therefore appointed a tariff board consisting of three members and have directed them to perform all the duties above described. This work will perhaps take two or three years, and I ask from congress a continuing annual appropriation equal to that already made for its prosecution. I believe that the work of this board will be of prime utility and importance whenever operations shall deem it wise again to readjust the customs duties.

Changes in the Army.
The secretary of war calls attention to a number of needed changes in the army in all of which I concur, but the point upon which I place most emphasis is the need for an elimination bill providing a method by which the merit of officers shall have some effect upon their advancement and by which the advancement of all may be accelerated by the effective elimination of a determined proportion of the least efficient. There are a number of officers who do not violate their duty in any such way as to give reason for a court-martial or dismissal, but who do not show such aptitude and skill and character for high command as to justify their retention in the active service to be promoted. Provision should be made by which they may be retired on a certain proportion of their pay, increasing with their length of service at the time of retirement. There is now a personnel law for the navy which itself needs amendment and to which I shall make further reference. Such a law is needed quite as much for the army.

Coast Defenses.
The coast defenses of the United States proper are generally all that could be desired, and some respects they are rather more elaborate than under present conditions are needed to stop an enemy fleet from entering the harbors defended. There is, however, one place where additional defense is badly needed, and that is at the mouth of Chesapeake bay, where it is proposed to make an artificial island for a port of refuge, and to station a fleet of battleships and other vessels on the whole Atlantic and gulf coasts. I have asked appropriate legislation will be adopted to secure the construction of this defense.

The military and naval joint board have unanimously agreed that it would be unwise to make the large expenditures which are being contemplated in the establishment of a new naval base and station in the Philippines islands, and have expressed their judgment, in which I fully concur, in favor of making an extensive naval base at Pearl Harbor, near Honolulu, and not in the Philippines. This does not dispense with the necessity for the construction of small appropriations required to finish the proposed defense in the Philippines now under construction on the island of Corregidor and elsewhere, or to complete a suitable repair station and coal supply station at Olongapo, where is the floating dock "Dewey." I hope that this recommendation of the joint board will be discussed as to the comparative merits of Manila bay and Olongapo as naval stations, and will lead to prompt measures for the proper equipment and defense of Pearl harbor.

Condition of the Navy.
The return of the battleship fleet from its voyage around the world, in more efficient condition than when it started, was a noteworthy event of interest alike to our citizens and the naval authorities of the world. Besides the beneficial and far-reaching effect on our personal and diplomatic relations in the countries which the fleet visited, the marked success of the ships in steaming around the world in all weather on schedule time has increased respect for our navy and has added to our national prestige.

One enlisted personnel recruited from all sections of the country is young and energetic and representative of the nation's spirit. It is, moreover, owing to its intelligence, capable of quick training into

the modern man-of-warman. Our officers are earnest and zealous in their profession, but it is a regrettable fact that the higher officers are old for the responsibilities of the modern navy, and the admirals do not arrive at flag rank young enough to obtain adequate training in their duties as flag officers. This need for reform in the navy has been ably and earnestly presented to congress by my predecessor, and I also urgently recommend the subject for consideration.

Early in the coming session a comprehensive plan for the reorganization of the officers of all corps of the navy will be presented to congress, and I hope it will meet with action suited to its urgency.

Owing to the necessity for economy in expenditures, I have directed the curtailment of recommendations for naval appropriations so that they are thirty-eight million less than the corresponding estimates of last year, and the request for new naval construction is limited to two first-class battleships and one repair vessel.

The use of a navy for military purposes, and there has been found need in the department of a military branch dealing directly with the military use of the fleet. The admiralty and the navy have felt the lack of responsible advisers to aid him in reaching conclusions and deciding important matters between co-ordinate branches of the department. To secure these results he has inaugurated a tentative plan involving certain changes in the organization of the admiralty, including the navy yards, all of which have been found by the attorney general to be in accordance with law. I have approved the execution of the plan proposed because of the greater efficiency and economy it promises.

Return in Judicial Procedure.
The deplorable delays in the administration of civil and criminal law have received the attention of committees of the American Bar association and of many state bar associations, as well as the considered thought of judges and jurists. In my judgment a change in judicial procedure, with a view to reducing its expense to private litigants in civil cases and facilitating the dispatch of business and final decision in both civil and criminal cases, constitutes the greatest need in our American institutions. I do not doubt for a moment that much of the lawless violence and cruelty exhibited in lynchings is directly due to the uncertainties and injustices growing out of the delays in trials, judgments and the execution of the laws by our courts. Of course, these remarks apply quite as well to the administration of justice in state courts as to that in federal courts, and without making invidious distinction it is perhaps not too much to say that, speaking generally, the defects are less in the federal courts than in the state courts. But they are very great in the federal courts. The expedition with which business is disposed of both on the civil and the criminal side of English courts under modern rules of procedure makes the delays in our courts seem archaic and barbarous. The promptness with which the state courts should furnish an example for the state courts. I presume it is impossible, without an amendment to the constitution, to unite under one form of action the proceedings at common law and proceedings in equity in the federal courts, but it is certainly not impossible to have the same simply and make short and direct the procedure both at law and in equity in those courts. It is not impossible to cut down the still more than it is cut down the jurisdiction of the supreme court so as to confine it almost wholly to statutory and constitutional questions. Under the present statutes the equity and admiralty procedure in the federal courts is under the control of the supreme court, but in the pressure of business to which that court is subjected it is impossible to hope that a radical and proper reform of the federal equity procedure can be effected. I therefore recommend legislation providing for the appointment by the president of a commission with authority to examine the law in equity procedure of the federal courts of first instance, the law of appeals from those courts to the courts of appeals and to the supreme court, and the costs imposed in such procedure upon the private litigants and upon the public treasury and make recommendations with a view to simplifying and expediting the procedure as far as possible and making it more conservative as may be to the litigant of little means.

Abuse of Injunctions.
The platform of the successful party in the last election contained the following: "The republican party will uphold at all times the authority of the courts, state and federal, and will ever insist that their powers to enforce their judgments and to protect the supreme court, and the costs imposed in such procedure upon the private litigants and upon the public treasury and make recommendations with a view to simplifying and expediting the procedure as far as possible and making it more conservative as may be to the litigant of little means."

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