

# President Kirby's Address

As we have gathered here for the Sixteenth Annual Convention of our Association, it becomes my duty and privilege, as your executive officer, to summarize our activities during the past year and to indicate what we have accomplished, as well as what we are striving to accomplish, in furtherance of the principles to which we are dedicated.

Lest we forget, permit me to remind you that the members of our association are welded together neither for direct gain, emolument or power, but primarily for the effectuation of a few definite principles of industrial liberty. If we lose sight of these clear objectives, we at once become recalcitrant to our trust and disloyal to the ideals for which we stand.

First of all, I wish to express my hearty thanks and appreciation for the loyal support and assistance which has been freely tendered me by my associates at the New York and Washington offices, by the directors and by many of the members of the association. I have asked for nothing which has not been granted in that spirit of loyalty and co-operation which has done much to lighten the burdens of my office and smooth the road, which in a great organization like this is bound to have many rough places.

Harmony throughout the organization has been all that should be asked for and more than might be expected. This I have used my best endeavors to promote, and I can say with pleasure I am content with the result. I have tried faithfully to fill the office, with which you have honored me, as ably and as loyally as my predecessors. That I have fallen short in many respects no one knows better than myself, but I have given the association the best there is in me and shall strive as diligently to be of as much assistance to my successor as I endeavored to be to both Mr. Parry and Mr. Van Cleave. And, like them, I shall feel a new lease of life when I am relieved of the cares and responsibilities of the office.

At this point let me mention the fact that our membership has shown a marked increase during the year, which, I believe, records the largest yearly increase in many years. The fact that the association is steadily growing in numerical strength emphasizes the importance of its work and a growing confidence among the manufacturers of the country in its stability and usefulness in the field of its endeavors.

Yet those of us who are in closer touch with the affairs of the association, and who comprehend more fully its value and imperative necessity to the business interests of the country often feel a sense of embarrassment that a greater number of manufacturers do not realize what the organization means to them and signify their appreciation of its benefits by applying for membership and by thus contributing their influence in extending its prestige and usefulness, besides helping the "willing horse to pull the load."

**Organization and Co-operation.**  
Organization has developed in keeping with the march of progress in all branches of the world's activities.

From the time of the discovery of the power of steam and the harnessing of it for propelling of vessels and railroad trains down to the era of the telephone, the wireless telegraph and aerial navigation, and, indeed, from the beginning of creation, organization has been the prime factor in the growth and progress of the world, for without it there could be no development worthy of the name.

Hence, we are living in an age of organization; an age when but little can be accomplished except through organization; an age when organization alone can preserve your industrial freedom and mine; and the sooner all business men learn the lesson that the preservation of their industrial and commercial rights is dependent upon organization the sooner will those rights, which are now hanging in the balance, be assured to them.

I here repeat what I have said on several occasions that the best investment any business concern can make is to add to its fixed or overhead expense the cost of permanent membership in not only one, but in as many organizations, whose purpose is in defense of those rights, as it may be eligible to join; that the business interests of the country may present a solid front against their organized enemy.

And it is now fitting that I

should speak of the importance of close co-operation between such organizations or associations in order that their efficiency may be increased, duplication of work reduced as much as possible and their power and influence extended.

To these ends, and as setting forth the relations between the National Association of Manufacturers, the American Anti-Boycott Association and the National Council for Industrial Defense, these Associations have recently issued a joint statement over the signatures of their respective officers from which I quote the following:

While these three organizations are financially independent of each other, they work in perfect harmony and accord for the preservation of industrial liberty. Unitedly and uncompromisingly these Associations stand for the continued development and industrial progress of the nation, possible only through the perpetuation of laws which operate with equal force for and against all citizens irrespective of classes.

Therefore, your obligation toward this highly important work cannot be wholly discharged by giving support to one and withholding it from the others.

In addition to this group of closely allied organizations, there are two other National organizations of which I wish especially to speak. They are the National Metal Trades Association and the National Founders' Association, both of which are purely defensive organizations; their purpose being organized resistance to unjust demands of labor unions, and, in their field of activity, occupying as they do the position of "minute men" upon the firing line, they form a potent and necessary link in the chain with which we must harness and hold in check the dominant tendencies of unionism.

The problems with which these organizations in their respective capacities must deal are often complex and exasperating almost beyond the limit of human endurance.

Their several functions, briefly stated, are, first, to create a sound public sentiment against lawless unionism; second, to apply the law and through the courts establish the illegality of the methods commonly employed by labor unions to enforce their demands; third, the prevention of changes in existing laws or the enactment of new laws tending to legalize such methods, and, fourth, to resist open attacks upon and to maintain the moral and legal right to carry on business without subjection to mob rule and violence.

Surely it has been fully demonstrated that these organizations are as essential to the preservation of our lawful business life as is the payment of taxes, or of wages, or a place in which to do business, and the time is at hand when all business men should recognize this fact and no longer have to be coaxed into supporting not one only, but all of them, and when the men who give freely of their time, their energies and their money in carrying on the work of such organizations should not have to plead for assistance from those who are among its beneficiaries.

**Workmen's Compensation.**  
Passing now to some of the more important activities of the Association, I shall speak first of the work of your Committee on Industrial Indemnity Insurance, which has been so aggressive that it has become of recognized national importance.

Of all the subjects in which the Association has interested itself since its formation in 1895, not one has shown such favorable results as have the labors of this Committee, in its investigations into the subject of Workmen's Compensation and its twin subject, the Prevention of Industrial Accidents; nor has the work of any of its committees been so enthusiastically appreciated and so enthusiastically received by not only the manufacturers of the country, but by legislators and the public as well.

I would be remiss to a deep sense of personal and official duty if I failed to acknowledge our obligation to Messrs. Schwedman and Emery for the vast amount of statistical data which they have gathered relating to these all-important subjects since, and before, our last Convention, and for the energetic, comprehensive and liberal manner in which they have disseminated it among legislative and other bodies.

At a meeting of our directors, in July, 1909, a brief resolution was adopted broadly expressing our interest in remedial reform in this field, and the appointment of a committee on Industrial Indemnity Insurance followed.

At our last convention the committee submitted to us its tentative report, and at a meeting of the Board of Directors, immediately after the adjournment of the convention, the following resolution was unanimously adopted:

Resolved, That in view of the action of the convention in relation to Industrial Indemnity Insurance and the Prevention of Accidents in manufacturing operations, we recommend to the Executive Committee that one or more representatives of this Association be sent to European countries to investigate the laws and the practical workings of the various systems now in use in those countries relating to Industrial Indemnity Insurance and the Prevention of Accidents with a view of furnishing complete and accurate information on this important subject, and that the funds for this purpose be raised by voluntary contributions by reason of the already great demands upon the funds of the Association for defraying the expenses of the current activities of our Association, to which it is now committed.

In pursuance of the foregoing, Mr. Schwedman, the chairman of the committee, and Mr. Emery, its general counsel, left for Europe, July 14, 1910, and the following November they returned, bringing with them a complete record of the experiences of the leading nations of Europe with these problems for the past 25 or 30 years; this, after a careful culling and pruning by the whole committee and final approval by the committee and its Advisory Board jointly, has been published, in book form, as the report of the committee and which is in keeping with the scope and character of the work accomplished.

Thus, through the auspices of the National Association of Manufacturers, there has been given to the world, illustrated by many beautifully colored charts and diagrams, a volume of great value in the economic solution of a problem in which every man, woman and child is interested—a volume which will form an epoch in industrial literature, and which should be in every library in this country, whether public or private.

Later during our sessions you will be permitted to enjoy a supplemental report, in the form of an illustrated lecture, by Mr. Schwedman, which I am sure will prove exceedingly interesting and instructive.

## Employers' Liability.

The question of liability of employers, for injury to workmen has become, in this country, one of extreme agitation and serious importance, so much so that the general tendency of legislation is toward radical extremes in placing upon employers, responsibility which, under our Federal and State Constitutions, does not belong to them, and which should not be imposed under the common law, nor under any sense of justice or equity.

In the enactment of such legislation the bull's-eye at which it appears to be aimed is the large and financially strong employer, while no thought seems to be given to the small and financially weak employer who is constantly struggling to make ends meet and keep out of the hands of a receiver, and whom a judgment for \$12,500, to which under the present Ohio law the death by injury of an employe in the course of his employment would subject him, would force out of business existence. And yet from 70 to 80 per cent. of the employers of the state of Ohio would face that very condition, whether at fault or not, in the event of the death by injury during employment of one of their employes.

That some system of compensation for injuries received during employment whereby the economic waste and tedious delay of the present system will be eliminated and compensation for injuries promptly paid to the injured or their dependents, instead of 60 to 70 per cent. going to lawyers and for court costs, is, I think, generally conceded, but just what that system shall be as applied to our conditions and laws cannot rightly be determined except by a careful study of the whole question and a complete knowledge of the many units of cause and effect which necessarily enter into the problem; this knowledge can be attained only by applied study, impartial investigation and a gradual process of intelligent reform.

The erection of any new and broad industrial and legal system, affecting in its operation millions of persons and the expenditure of millions of dollars, can, in the last analysis, be accomplished only by a slow growth. All concede its vast boundaries, and all of us, therefore, should concentrate upon the wisest and best solution of the elements involved. The formulation of correct operating principles to adjust this problem

is before the citizenship of our country.

The general principle of a fixed single liability in which employers and employes participate, each in their stipulated proportions, seems to be favorably received, and it appears evident that there will be evolved in this country, possibly under the taxing power of the state, a scheme which will be in harmony with our institutions, acceptable to our people and reasonably safeguarded against abuses and impositions.

But, however that may be, it is far better that we, as manufacturers and large employers of labor, interest ourselves in the matter of shaping legislation, to the end that justice may be done to all parties interested, rather than sit idly by and permit it to follow a course in which there is neither justice nor reason.

The so-called Wainwright Act, of New York, which created a form of Compulsory Compensation to employes in certain hazardous occupations, independent of any fault on the part of the employer, was recently declared unconstitutional by New York's Court of Appeals, upon the ground that the Act violated the 14th Amendment of the Federal Constitution, in that it took property from the employer without due process of law. It is more than likely that the appellate courts of our sister states, when called upon to pass on similar statutes, will follow the reasoning of the New York Court of Appeals. Hence, in my judgment, appears the wisdom of gradual and not hasty exertion towards the solution of the problem.

Our first and imperative duty is the immediate application, in our various factories and plants, of the best and most highly developed apparatus to prevent the occurrence of accidents. On this question there is no dispute as to method or legality. This we must do immediately, and we must preach this gospel of prevention persistently and insistently as the very first principle in this field of reform.

This whole subject, like that of Industrial Education, is one that all National Associations representing the employing interests of the country should work in harmony in attempting a solution of, and I strongly advocate the formation of a Joint Committee composed of committees from each of the various interested national organizations, that uniform action may be had and difference of views harmonized so that we may stand as a unit and not as scattered fragments, in our conclusions.

In my remarks upon this subject at the last convention, I strongly urged that no definite action be taken on the report of the Industrial Indemnity Insurance Committee other than that the whole matter be referred to the Board of Directors for such action as the Board might from time to time deem to be advisable.

Developments of the year that has passed have demonstrated the wisdom of such action and I now again urge that the whole matter pertaining to the report of this Committee be referred to the Board of Directors for such action as in its discretion it may from time to time deem to be wise and expedient.

## Industrial Education.

It would be proper, perhaps, for me now to refer to the work of your Committee on Industrial Education as having particular relevancy to our general welfare.

The great importance of a thorough system of industrial training as a means of building up in this country an industrial supremacy over other nations is getting to be more generally understood and the subject is more in the public mind today than ever before.

As a matter of fact the advantages of the inauguration of a general system of industrial education in this country have long been made to that end. None of these, however, appears to have proved over-successful thus far, mainly because of the lack of public interest in the efforts which have been made to carry into practical operation this much desired accession to our industrial system.

The subject is fraught with numerous difficulties which must, and doubtless will, be overcome as light is thrown upon it and the question becomes better understood.

This is one of those economic questions which can be brought into practical operation only through constant agitation and by gradual development. A practical and efficient manual training or trade school system cannot be

grown like mushrooms, in a night, but with the energy and brain matter that is being put into the

problem there will surely be a feasible working plan developed that will carry with it its rapid and permanent establishment throughout the country.

Of course, it is not to be expected that finished, practical mechanics can be produced in our public schools or in technical or manual training schools of any kind, where the element of business competition does not enter, or that boys or young men receiving instructions in such schools can be expected to enter workshops with a full complement of knowledge and skill to enable them at once to compete, in productivity, with the workers who have had experience and hard knocks in the field of competitive industry.

But, there are numerous industries such, for example, as printing, lithography, painting, pattern-making, plumbing, brick laying, drafting, telegraphy and others which can be taught in proper schools, under proper instructors, to a degree that with little experience in the practical application of such trades the highest efficiency will result.

And it is to be assumed that instruction in the use of tools and the theories of mechanical arts in our public schools, as a part of their general educational system, will plant the seeds of industry in the minds and desires of our youth and provide them with a fundamental knowledge and experience which will enable them more quickly to become practical and competent workmen along such mechanical lines as they may choose to follow, and the higher the course of such training the greater will be the advantage secured therefrom. And thus such a system can be made the foundation for permanent industrial supremacy in this country.

This Association, along with others, has for a number of years strongly advocated a system of manual and technical training as part of the general educational system of the country. But it has not, nor does not now, overlook the dangerous tendencies incident thereto; and by this I mean the danger of such a system falling under the influence and domination of the labor agitator.

Militant unionism is the bitterest foe industrial education has got or ever had, yet under the impetus which the proposition has attained and its apparent necessity—if for no other purpose than to meet the restrictions placed upon our supply of skilled mechanics by the labor unions—we find some of the labor leaders who are most responsible for the curtailment of our supply of skilled mechanics and who stand unqualifiedly for its continued curtailment, taking a hand in and coming to the front in the movement for industrial education. And, unfortunately, we find men who are earnestly devoting their time, energies and money to promote this important work not only willing to serve on Boards and Committees with these labor leaders, but apparently impressed with what seems to me to be an absurdly false and erroneous idea that those men, with their persistent antagonism to the vital principle of industrial education, are essential to its advancement.

To my mind a representative of the American Federation of Labor has no more business to in any manner be affiliated with men or associations who are honestly and conscientiously endeavoring to promote the welfare of this nation, whether it be in the matter of industrial education or whatnot, than has a tarantula a rightful place on the bosom of an angel.

And how anyone can possibly figure out how the movement for honest, clean, "free labor" industrial education that will really benefit the country can be promoted through the contaminating influences of men who not only stand pledged against its very purpose, but who stand committed to brutal unionism, and who have no other use for it than to unionize it to the closed shop and use it to carry out their own destructive purposes, is a problem which I freely and frankly confess is too much for me to solve.

Please do not misunderstand me; I am finding no fault with the idea of co-operating with men who represent the honest, patriotic, law-respecting laboring element—so-called—of the country, and who believe that others have equal rights with themselves. On the other hand, I believe that such men should participate in a movement for the promotion of industrial education.

But I have not the slightest patience with a policy which seeks the accomplishment of a good purpose through the aid of men who stand for a bad cause and who are avowedly the enemies of that pur-

pose; men who authoritatively represent less than five per cent. of the laboring forces of the country, and those by no means the better element, and who woefully misrepresent all the balance. I care not what the pretenses of such men may be nor how often they may escape the penalties of the law for their violation of it. I feel, however, I am safe in saying that the antagonism of this Association to the principle of the closed shop and the methods employed to establish it is too strongly entrenched in the minds of its members ever to permit of any mixing up with the labor trust in its policy with respect to industrial education.

Now, whatever may be said or whoever may take part in this problem of industrial education, it is the manufacturer who must steer it to a practical solution; without him it can amount to but little more than a delusion and a farce. It is the associations of manufacturers that have given the subject its present impetus.

But I have felt and I feel now that these various associations have been working at cross purposes in each having its own committee on this subject and not co-operating with the others.

It would seem that if any practical results are to accrue from the work of such committees they should form one general committee and submit one uniform report to their respective organizations. This I sought to bring about a year ago, but the proposition was not favorably considered by the other organizations.

In my judgment this subject should be handled by an organization formed expressly for the purpose and with which such general committee should co-operate. But no man who is not in harmony with the spirit of industrial education in its fullest and broadest sense should be permitted to have any voice in its promotion.

To attempt to promote the scheme with the assistance of men who are unqualifiedly committed to criminal closed shop unionism is equivalent to association with bums and drunkards to cure the drink habit, and no amount of twisting and turning or theorizing can alter the fact.

What is needed in order to create a practical and thorough system of industrial education is, first, to educate the public to the needs and advantages of such a system and, second, its absolute divorce from politics, and labor unionism. We have enough of the latter now, without creating schools in which to breed more of it. Your committee having this subject in hand has devoted a great deal of care and study to the report which it will present at this Convention, and whether it is or is not in harmony with the views I have expressed on the subject, I ask that you give it your thoughtful consideration.

## Permanent Tariff Commission.

With the present status of the measure for a permanent tariff commission, we, of course, are all familiar. The creation of a tariff board, with amplified powers and facilities, is a substantial realization of the principle of a commission advocated fourteen years ago by President Search, of our Association.

It is my firm conviction that a perfected tariff commission, in essential accord with the specifications we have so long and persistently advocated, will be created by an act of Congress. Indeed, opposition to a permanent tariff commission is no longer cohesive or vigorous. Continuous objection from certain sources may be expected, but as and when the people perceive the real object of a "divorce without alimony" between business and politics, the certainty of a permanent Tariff Board will be assured. Having proceeded so far on behalf of this righteous measure, it still becomes our duty persistently to seek its complete fulfillment. Essentially it is a question merely of the people being educated to the wisdom of such a function of our government, and I firmly believe that they realize the necessity of its ultimate adoption.

(Continued in Next Week's Issue)

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