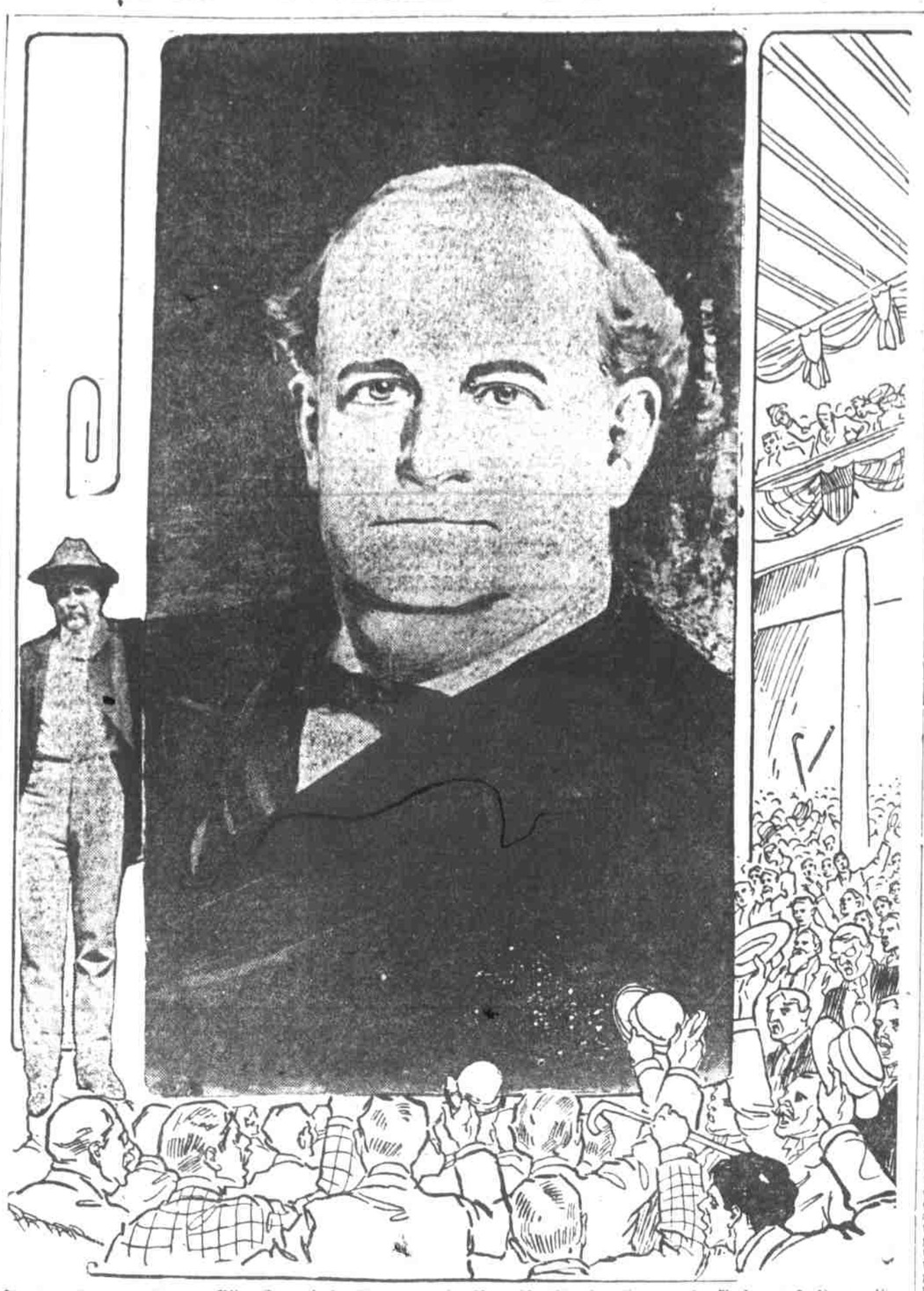
REPUBLICAN PARTY HAS FAILED TO ENFORCE ANTI-TRUST LAW

William Jennings Bryan Declares Most of Monopolies Have Gone On and On With No Restriction Although Law Is Plain



William Jennings Bryan, Who Scored the Trusts at the Kern Notification Ceremonies Today at Indianapolis

Indianapolis, Ind., Aug. [illegible]. The following is Mr. Bryan's speech in full:

Nowhere does the Republican party show its real indifference to the trust form more than in its treatment of the trust question. Here is the Republican platform:

"The Republican party passed the Sherman anti-trust law over Democratic opposition and enforced it after Democratic dereliction. It has been a wholesome instrument for good in the hands of a wise and fearless administration. But experience has shown that its effectiveness can be strengthened and its real objects better attained by certain amendments as will give to the federal government greater supervision and control over, and greater publicity as to, the management of those interstate commerce corporations which have the power and opportunity to effect monopolies. That is all. No pointing out of remedies; no outlining of a plan for more effective legislation—simply a general statement that promises nothing in particular. And Mr. Taft's speech of acceptance is even weaker than the platform. He gives no evidence of having studied the question or of comprehending the iniquities of a monopoly. You look in vain in his notification speech for any sign of indignation at what the trusts have been doing or for evidence of zeal in their prosecution. He has for several years been the intimate official companion of the president but he has caught none of the fire which the president manifested in his message of last January.

An Aroused People.

It is the press now of an aroused people, and in the heat of a campaign, the Republican party contents itself with a colorless platform on this subject, what can we expect in the way of activity when the excitement of the campaign are passed. If, when Mr. Taft is appealing to the Roosevelt Republicans, his discussion of the subject is so lifeless and his manner so apologetic and apathetic what reason have we to expect either vigor in the enforcement of the law or earnestness in the search for additional remedies.

In his speech accepted about a year ago supporting his candidacy Mr. Taft suggested that the present law be amended so as to prohibit "any agreement in restraint of trade." Such an amendment would be advised by the amendment to the law against it, plainly limiting the law to cases in which more than two hurdlers shared the profits of the trade or took more than a half dozen. I his only one of the many suggestions that would make it possible for people who would make profits were begging without adding to the power of the trust to prevent more profits it would destroy the states of the power to protect their own people.

Now let me contrast the Democratic platform with the Republican platform. Nowhere is the indifference to the matter of choice more manifest.

A [illegible] and [illegible] the vigorous enforcement of the criminal law against guilty trust magnates and officials, but demands the amendment of such additional legislation as may be necessary to make it impossible for a private monopoly to exist in the United States. Among the additional remedies we specify the following: A law preventing a [illegible] corporations among competing corporations; a license system which, while not abridging the right of each state to create corporations, or its right to regulate as it will foreign corporations doing business within its limits, make it necessary for a corporation engaged in interstate commerce to take out a federal license before it shall be permitted to control as much as 25 per cent of the product in which it deals, the license to protect the public from watered stock and to prohibit the control by such corporation of more than 50 per cent of the total amount of any product consumed in the United States."

Care With Platform.

It will be noticed, in the first place, that care was taken by those who drew the platform to provide that there should be no abridgement of the right of a state to create corporations or of its right to regulate as it will foreign corporations doing business within its limits. This plan, therefore, does not in the least infringe upon the right of the states to protect their own people. It simply provides for the exercise by congress of the power vested in it to regulate interstate commerce. As long as a corporation confines itself to the state in which it is created, congress can not interfere with it, but when the corporation engages in interstate commerce, congress is the only power that can regulate its interstate business.

In proposing the exercise of congressional power the Democratic platform is not creating a new doctrine. It declares that the Supreme Court of the United States has already declared that congress has the power to prevent the shipment of goods from one state to another when such shipment is a part of a conspiracy against trade and commerce, and the only question is as to the means to be employed to prevent such shipment. The license system presents an easy way of regulating such corporations as need federal regulation. The law can prohibit the doing of a thing and impose a penalty for the violation of the law, but experience has shown that it is very difficult to gather up evidence from all sections of the United States and prosecute a great corporation—so difficult is it that, although the Sherman anti-trust law has been in force for 18 years, no trust magnate has been sent to the penitentiary for violating the law, although in a few cases the court has found corporations guilty of a violation of the law. In the enforcement of a penalty, the government must seek the defendant, by the use of the license system the corporation is compelled to seek the government.

Defining Trust.

A trust can best be defined as a corporation which controls so large a proportion of the total quantity of any article used in this country as to be able to regulate the price and terms of sale, and as the proportion controlled determines the power of the trust for harm, it has seemed best to use proportionate control as the basis of this plan, and 25 per cent has been fixed arbitrarily as the proportion at which the line should be drawn. A corporation which controls less than 25 per cent of the product in which it deals may in extraordinary cases exert a perceptible influence in controlling the price of the product and the terms of sale, but as a rule a corporation must control more than that percentage of the total product before it can exert a hurtful influence on trade. Under this plan the small corporations are left entirely free and unhampered. This is not a discrimination against the larger corporation, but a recognition of the fact that rules are necessary in the case of corporations controlling a large percentage of the product which are unnecessary in the case of smaller corporations. Although not 1 per cent of the corporations engaged in interstate commerce would be required to take out a license under this plan, possibly not 5 per cent, and not what a portion the remaining 95 per cent would feel the [illegible] of the law, because of the [illegible] of the [illegible].

Prevent Growth.

The license [illegible] would not [illegible] the growth of the [illegible] [illegible] [illegible]