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PRESIDENT SENDS SPECIAL MESSAGE TO CONGRESS

HOUSE WAS TOO BUSY TO RECEIVE IT YESTERDAY AND SENATE CONTINUED ITS READING UNTIL TODAY—CHIEF EXECUTIVE AGAIN URGES CONGRESS TO ENACT CERTAIN LAWS WHICH HE HAS SEVERAL TIMES RECOMMENDED

Washington, April 28.—The keystone house rules to meet the legislative filibuster reacted and shut out the message of President Roosevelt had prepared to have read in that body yesterday. It was found impossible to untangle the snarl of motions to get the house out of committee of the whole and back into the same committee, and also to recess and finally to cover the point of no quorum long enough to have the president's message received, much less read. His secretary, Latta, who waited for an hour in the corridor, was turned away with the message under his arm and made his way to the senate.

The senate stopped discussion of the naval bill long enough to receive the message, but the reading of it began so late that it was continued until today.

President's 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 employer's liability law has been enacted, which, it is true, comes short of what ought to have been done but which does represent a great advance. Apparently there is good ground to hope that there will be further legislation providing for recompensing all employees 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 investigations into tariff conditions by the appropriate committee of the House of Representatives and by gov-

ernment experts in the executive service as well as the full information necessary for intelligently revising the tariff at the hands of the congress elected next fall, and finally, that financial legislation will be enacted providing for the 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 so as to be able to recommend legislation which will put our financial system on an efficient and permanent basis. 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 system of the railroads. Failure to provide means which will enable the commission to examine the books of the railroads would amount to an attack on the law at its most vital point and would benefit no one, for it would 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 some of the measures I have recommended: The measure to do away with the use 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 interstate business as to the power of injunction and punishment for contempt. In contempt cases, save where immediate action is imperative, trial should be before another judge. As regards injunctions some such legislation as that I have previously recommended should be enacted. They are those who fail to realize the extreme bitterness caused among large bodies of worthy citizens by a commission that has been repeatedly made of the power of the injunction in labor disputes. Those in whose judgment we have most right to trust are of the opinion that while most 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 I 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 duty of a court, a legislature, or an executive to resist and defy a gust of popular passion; and most certainly a public servant, whatever may be the consequences to himself, should yield to what he thinks wrong. But in a question which is emphatically one of public policy which the public demand is sure to be adopted in the end and a persistent refusal to grant to large portion of our people what is right is only too apparent in the end to result in causing much irritation that when the right is obtained, it is obtained in a movement so ill-considered and violent as to be accompanied by much that is wrong. The process of injunction in labor troubles, 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 the duty of the court in behalf of the Nation that it is in the highest degree to be regretted that it is liable to reckless use; for this reckless use tends to make honest men desire to so hamper its execution as to destroy its usefulness.

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 worked some good because it is better than anarchy, or absence of complete 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 state from giving rise to give expression to those who now want to abolish the anti-trust law outright, or to amend it, simply condemning "unreasonable" combinations.

Power should unquestionably be lodged somewhere in the executive branch of government, to prevent combinations which will further the public interest, but it must always be remembered that as regards the great wealthy combinations through which most of the interstate business of the country is done, the burden of proof should be on those who show that they have a right to exist. No judicial tribunal has the knowledge of the experience to determine in the first place whether a given combination is advisable or necessary in the interest of the public. Somebody, whether a commission or a bureau under the Department of Commerce and Labor, should be given this

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(Continued on Page Seven.)