

JUSTIFIABLE SAFEGUARD TO SOCIETY

(Continued From Page One)

with a promptness and thoroughness which are, with its present constitution and means of action, practically impossible.

Asks Public Investigation.

"An amendment of the existing federal statute which provides for the mediation, conciliation and arbitration of such controversies as the present by adding to it a provision that, in case the methods of accommodation now provided for should fail, a full public investigation of the merits of every such dispute shall be instituted and completed before a strike or lockout may lawfully be attempted.

"The lodgment in the hands of the executive of the power, in case of military necessity, to take control of such portions of such rolling stock of the railways of the country as may be required for military use and to operate them for military purposes, with authority to draft into the military service of the United States such train crews and administrative officials as the circumstances may require for their safe and efficient use."

Urges Compulsory Investigation.

The renewed recommendation for compulsory investigation of labor disputes on railways before strikes or lockouts are allowed, which has aroused the opposition of the railroad brotherhoods, and of the American Federation of Labor, was defended in the president's message. He declared he would hesitate to recommend a law which would force individual workmen to continue in an employment which they desired to leave, but that no such principle was involved in the suggestion that the operation of the railways of the country should not be stopped by the concentrated action of bodies of men until a public investigation for the benefit of the public has been instituted.

"It is based upon the very different principle," he continued, "that the concentrated action of powerful bodies of men shall not be permitted to stop the industrial processes of the nation, at any rate before the nation shall have had an opportunity to acquaint itself with the merits of the case between employer and employee, time to form its opinion upon an impartial statement of the merits, and opportunity to consider all practicable means of conciliation or arbitration. I can see nothing in that proposition but the justifiable safeguarding by society of the necessary processes of its very life. There is nothing arbitrary or unjust in it unless it be arbitrarily and unjustly done. It can and should be done with a full and scrupulous regard for the interests and liberties of all concerned, as well as for the permanent interests of society itself."

President's Address.

"Gentlemen of the Congress: In fulfilling at this time the duty laid upon me by the constitution of communicating to you from time to time information of the state of the union and recommending to your consideration such legislative measures as may be judged necessary and expedient I shall continue the practice, which I hope has been acceptable to you, of leaving to the reports of the several heads of the executive departments the elaboration of the detailed needs of the public service and confine myself to those matters of more general public policy with which it seems necessary and feasible to deal at the present session of the congress.

"I realize the limitations of time under which you will necessarily act at this session and shall make my suggestions as few as possible; but there were some things left undone at the last session which there will now be time to complete and which it seems necessary in the interest of the public to do at once.

"In the first place, it seems to me imperatively necessary that the earliest possible consideration and action should be accorded the remaining measures of the program of settlement and regulation which I had occasion to recommend to you at the close of your last session in view of the public dangers disclosed by the unaccommodated difficulties which then existed, and which still un-

happily continue to exist, between the railroads of the country and their locomotive engineers, conductors and trainmen.

President's Recommendations.

"I then recommend: "First, immediate provision for the enlargement and administrative reorganization of the interstate commerce commission along the lines embodied in the bill recently passed by the house of representatives and now awaiting action by the senate; in order that the commission may be enabled to deal with the many great and various duties now devolving upon it with a promptness and thoroughness which are, with its present constitution and means of action, practically impossible.

"Second, the establishment of an eight-hour day as the legal basis alike of work and of wages in the employment of all railway employees who are actually engaged in the work of operating trains in interstate transportation.

"Third, the authorization of the appointment by the president of a small body of men to observe the actual results in experience of the adoption of the eight-hour day in railway transportation alike for the men and for the railroads.

Increased Freight Rates.

"Fourth, explicit approval by the congress of the consideration by the interstate commerce commission of an increase of freight rates to meet such additional expenditures by the railroads as may have been rendered necessary by the adoption of the eight-hour day and which have not been offset by administrative readjustments and economies, should the facts disclosed justify the increase.

"Fifth, an amendment of the existing federal statute which provides for the mediation, conciliation, and arbitration of such controversies as the present by adding to it a provision that, in case the methods of accommodation now provided for should fail, a full public investigation of the merits of every such dispute shall be instituted and completed before a strike or lockout may lawfully be attempted.

"And, sixth, the lodgment in the hands of the executive of the power, in case of military necessity, to take control of such portions of such rolling stock of the railways of the country as may be required for military purposes, with authority to draft into the military service of the United States such train crews and administrative officials as the circumstances require for their safe and efficient use.

Two Acted Upon.

"The second and third of these recommendations the congress immediately acted on; it established the eight-hour day as the legal basis of work and wages in train service and it authorized the appointment of a

commission to observe and report upon the practical results, deeming these the measures most immediately needed; but it postponed action upon the other suggestions until an opportunity should be offered for a more deliberate consideration of them. The fourth recommendation I do not deem it necessary to renew. The power of the interstate commerce commission to grant an increase of rates on the ground referred to is indisputably clear and a recommendation by the congress with regard to such a matter might seem to draw in question the scope of the commission's authority or its inclination to do justice when there is no reason to doubt either.

"The other suggestions—the increase in the interstate commerce commission's membership and in its facilities for performing its manifold duties, the provision for full public investigation and assessment of industrial disputes, and the grant to the executive of the power to control and operate the railways when necessary in time of war or other like public necessity,—I now very earnestly re-

Legislation Is Necessary.

"The necessity for such legislation is manifest and pressing. Those who have entrusted us with the responsibility and duty of serving and safeguarding them in such matters would find it hard, I believe, to excuse a failure to act upon these grave matters or any unnecessary postponement of action upon them.

"Not only does the interstate commerce commission now find it practically impossible, with its present membership and organization, to perform its great functions promptly and thoroughly but it is not unlikely that it may presently be found advisable to add to its duties still others equally heavy and exacting. It must first be perfected as an administrative instrument.

"The country cannot and should not consent to remain any longer exposed to profound industrial disturbances for lack of additional means of arbitration and conciliation which the congress can easily and promptly supply. And all will agree that there must be no doubt as to the power of the executive to make immediate and uninterrupted use of the railroads for the concentration of military forces of the nation wherever they are needed and whenever they are needed.

Program of Efficiency.

"This is a program of regulation, prevention, and administrative efficiency which argues its own case in the mere statement of it. With regard to one of its items, the increase in the efficiency of the interstate commerce commission, the house of representatives has already acted; its action needs only the concurrence of the senate.

"I would hesitate to recommend,

and I dare say the congress would hesitate to act upon the suggestion should I make it, that any man in any occupation should be obliged by law to continue in an employment which he desired to leave. To pass a law which forbade or prevented the individual workman to leave his work before receiving the approval of society in doing so would be to adopt a new principle into our jurisprudence which I take it for granted we are not prepared to introduce. But the proposal that the operation of the railways of the country shall not be stopped or interrupted by the concerted action of organized bodies of men until a public investigation shall have been instituted which shall make the whole question at issue plain for the judgment of the opinion of the nation is not to propose any such principle. It is based upon the very different principle that the concerted action of powerful bodies of men shall not be permitted to stop the industrial processes of the nation, at any rate before the nation shall have had an opportunity to acquaint itself with the merits of the case as between employee and employer, time to form its opinion upon an impartial statement of the merits, and opportunity to consider all practicable means of conciliation or arbitration. I can see nothing in that proposition but the justifiable safeguarding by society of the necessary processes of its very life. There is nothing arbitrary or unjust in it unless it be arbitrarily and unjustly done. It can and should be done with a full and scrupulous regard for the interests and liberties of all concerned as well as for the permanent interests of society itself.

Bills Before Senate.

"Three matters of capital interest await the action of the senate which already have been acted upon by the house of representatives: the bill which seeks to extend greater freedom of combination to those engaged in promoting the foreign commerce of the country than is now thought by some to be legal under the terms of the laws against monopoly; the bill amending the present organized law of Porto Rico; and the bill proposing a more thorough and systematic regulation of the expenditures of money in elections, commonly called the corrupt practices act. I need not labor my advice that these measures be enacted into law. Their urgency lies in the manifest circumstances which render their adoption at this time not only opportune but necessary. Even delay would seriously jeopard the interest of the country and of the government.

Corrupt Practices Act.

"Immediate passage of the bill to regulate the expenditure of money in elections may seem to be less necessary than the immediate enactment of the other measures to which I refer; because at least two years will elapse before another election in

which federal officers are to be filled; but it would greatly relieve the public mind if this important matter was dealt with while the circumstances and the danger to the public morals of the present method of obtaining and spending campaign funds stand clear under recent observation and the method of expenditure can be frankly studied in the light of present experience; and a delay would have the further very serious disadvantage of postponing action until another election was at hand and some special object connected with it might be thought to be in the mind of those who urged it. Action can be taken now with facts for guidance and without suspicion of partisan purpose.

"I shall not argue at length the desirability of giving a freer hand in the matter of combined and concerted effort to those who shall undertake the essential enterprise of building up our export trade. That enterprise will presently, will immediately assume, has indeed already assumed, a magnitude unprecedented in our experience. We have not the necessary instrumentalities for its prosecution; it is deemed to be doubtful whether they could be created upon an adequate scale under our present laws. We should clear away

all legal obstacles and create a basis of undoubted law for it which will give freedom without permitting unregulated license. The thing must be done now, because the opportunity is here and may escape us if we hesitate or delay.

"The argument for the proposed amendments of the organic law of Porto Rico is brief and conclusive. The present laws governing the island and regulating the rights and privileges of its people are not just. We have created expectations of extended privilege which we have not satisfied. There is uneasiness among the people of the island and even a suspicious doubt with regard to our intentions concerning them which the adoption of the pending measure would happily remove. We do not doubt what we wish to do in any essential particular. We ought to do it at once.

Industrial Education.

"At the last session of the congress a bill was passed by the senate which provides for the promotion of vocational and industrial education which is of vital importance to the whole country because it concerns a matter, too long neglected, upon which the thorough industrial preparation of the country for the critical years of economic development immediately

ahead of us in a very large measure depends. May I not urge its early and favorable consideration by the house of representatives and its early enactment into law? It contains plans which affect all interests and all parts of the country and I am sure that there is no legislation now pending before the congress whose passage the country awaits with more thoughtful approval or greater impatience to see a great and admirable thing set in the way of being done.

"There are other matters already advanced to the stage of conference between the two houses of which it is not necessary that I should speak. Some practicable basis of agreement concerning them will no doubt be found and action taken upon them.

"Inasmuch as this is, gentlemen, probably the last occasion I shall have to address the Sixty-fourth congress, I hope that you will permit me to say with what genuine pleasure and satisfaction I have co-operated with you in the many measures of constructive policy with which you have enriched the legislative annals of the country. It has been a privilege to labor in such company. I take the liberty of congratulating you upon the completion of a record of rare serviceableness and distinction."

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