

ble"—and where in addition the Law could not punish—or, to use the legal phrase, "there was no adequate remedy at law."

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Thus several hundred years ago the law was settled that an Injunction must not issue except where the law cannot inflict punishment, or, as the lawyers put it, "an injunction will not issue to prevent a crime."

This has been the law for several hundred years, and is as well settled as any principle in the law. And the reason is plain. What object can there be in issuing an injunction in cases of threatened crime? Why is not the legal punishment for the crime sufficient?

There are three motives: (1) The injunction deprives the accused of the right to be confronted by the witnesses against him, and thus makes it easier to convict him on false testimony. (2) It deprives him of the right to trial by jury, the great foundation stone of liberty. (3) It prevents his doing the act even if he has a right to do it—it adjudges that the act is wrongful, without ever giving the accused a right to be heard. But it is not just to deprive an accused of the right to be confronted by the witnesses against him. It is not safe to deprive the accused of the right of trial by jury. It is not right to punish a person for doing that which he has a right to do.

Therefore, it became settled law, that injunctions would not issue when there was an adequate remedy at law; would not issue to prevent that which the law can punish; would not issue to prevent a crime—or to prevent rioting, for instance, which is a crime.

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There is no principle of law more firmly established or of longer standing. It has stood, unquestioned in England for several hundred years, and in this country from the foundation of the country until within the last few years.

In the last few years, in the labor strike cases, a few of our courts have undertaken to overthrow this established law of centuries, and to substitute the autocratic power of the Chancellor for the orderly procedure of the Law.

If the acts of the strikers, against which an injunction is sought, are wrong they are crimes, and can be punished as such at Common Law, and an Injunction should not issue. If they are not wrong, of course an Injunction should not issue to prevent strikers from doing what is right. Such wrongs as strikers commit are wrongs of violence, and therefore are crimes, and under the law of

this land should be dealt with by indictment and trial by jury, not by the Chancellor.

The attempt to overthrow our blood-bought liberties, and to substitute the arbitrary word of the Chancellor (representing the King's absolute power) for the orderly court proceeding of indictment and trial by jury, is dangerous, and should be firmly checked by legislation forbidding injunctions in all such cases.

Such legislation is demanded both to preserve the dignity of the law against arbitrary interference, and the liberty of the people against arbitrary power.

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Legal distinctions are fine.

Injunctions will issue to prevent acts which may be done in a way that is not criminal, and may be done in a way that is criminal, provided the essence of the act is not criminal, and the harm can be done without committing a crime.

But such a situation does not arise in labor disputes, where, if the striker does anything wrong he commits a crime, and the crime is of the essence of the act.

This by way of warning.

WILLIAM G. WRIGHT.

NEWS NARRATIVE

To use the reference figures of this Department for obtaining continuous news narratives:

Observe the reference figures in any article; turn back to the page they indicate and find there the next preceding article on the same subject; observe the reference figures in that article, and turn back as before; continue until you come to the earliest article on the subject; then retrace your course through the indicated pages, reading each article in chronological order, and you will have a continuous news narrative of the subject from its historical beginnings to date.

Week ending Tuesday, July 14, 1908.

The Democratic Convention.

After the speech of Mr. Bell as temporary chairman of the national Democratic convention at Denver on the 7th (p. 345), the convention received the announcements from the various States of their selections for appointments on standing committees, and a memorial resolution on the late President Cleveland was adopted. In connection with the naming of members of committees, a contest arose over the Pennsylvania appointments. Two sets of appointments had been submitted from the State delegation, one representing the Guffey (p. 346) faction and the other the Kerr faction, and upon a viva voce vote of the convention the matter was referred to the committee on credentials. Five women had seats in the convention. They were Mrs. Mary C. C. Bradford of Denver and Mrs. Henry J. Hayward of Salt Lake

City as delegates; and Mrs. Harriet G. Hood of Thermopolis, Wyo., Mrs. Charles K. Cook of Brighton, Colo., and Mrs. Sarah L. Ventres of Salt Lake City as alternates.

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The first test vote of the convention occurred on the 8th, when the report of the committee on credentials upon the Guffey question in the Pennsylvania delegation came up for action. The majority report proposed unseating several Guffey delegates, thereby giving the majority to Kerr, and the vote was taken on a minority report in favor of Guffey's men. It resulted in 387 for the minority report and 615 against it, and James Kerr was consequently recognized as national committeeman from Pennsylvania. Among the delegations voting for Guffey were Illinois, under the unit rule and the control of Roger C. Sullivan; Minnesota, under unit rule and the control of the forces that were promoting Governor Johnson's nomination for President; New Jersey, under the control of ex-Senator Smith, and New York, under the control of Tammany Hall. Prior to this action, and soon after the opening of the convention, while it awaited committee reports, various speakers addressed it on calls from the floor. The first of them was Thomas P. Gore, the blind Senator from Oklahoma, whose reference to the Constitutional contest in Oklahoma in which Mr. Taft and Mr. Bryan participated on opposite sides, brought on the most exciting episode of the convention. As he exclaimed, "By a vote of thousands upon thousands we rejected the advice of Taft and accepted the advice of Bryan," the convention rose to its feet and gave an ovation to Bryan which lasted without abatement an hour and twenty minutes.

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Henry D. Clayton of Alabama was elected permanent chairman of the convention upon its assembling on the 9th, and after his speech an adjournment until night was taken. Upon re-assembling after this recess the convention learned that the resolutions committee would not be ready to report before midnight, and after listening to Martin W. Littleton of New York and Raymond Robins of Illinois, it suspended the rules and received nominations for Presidential candidate.

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The platform, adopted unanimously by the convention soon after midnight of the 9th-10th, begins with a reaffirmation of belief in and pledge of loyalty to the principles of the Democratic party, and then proceeds with this preamble:

Preamble of Platform.—We rejoice at the increasing signs of an awakening throughout the country. The various investigations have traced graft and political corruption to the representatives of predatory wealth, and laid bare the unscrupulous methods by

which they have debauched elections and preyed upon a defenseless public through the subservient officials whom they have raised to place and power. The conscience of the nation is now aroused to free the government from the grip of those who have made it a business asset of the favor-seeking corporations; it must become again a people's government, and be administered in all its departments according to the Jeffersonian maxim of "equal rights to all and special privileges to none." "Shall the people rule?" is the overshadowing issue which manifests itself in all the questions now under discussion.

After a presentation of figures relative to increase of office holders and extravagance of administration, and after a denunciation of the domination of the Speaker in Congress under Republican regimes, this declaration is made:

Control of Congress by Speaker.—We demand that the House of Representatives shall again become a deliberative body, controlled by a majority of the people's representatives and not by the Speaker, and we pledge ourselves to adopt such rules and regulations to govern the House of Representatives as will enable a majority of its members to direct its deliberations and control legislation.

The manner of Mr. Taft's nomination by the Republicans is thus criticised:

Dynastic Nomination of Taft.—We condemn, as a violation of the spirit of our institutions, the action of the present Chief Executive in using the patronage of his high office to secure the nomination of one of his cabinet officers. A forced succession in the Presidency is scarcely less repugnant to public sentiment than is life tenure in that office. No good intention on the part of the Executive and no virtue in the one selected can justify the establishment of a dynasty. The right of the people to freely select their officials is inalienable and cannot be delegated.

On the subject of campaign contributions the plank of the platform is as follows:

Campaign Contributions.—We demand Federal legislation forever terminating the partnership which has existed between corporations of the country and the Republican party under the expressed or implied agreement that in return for the contribution of great sums of money wherewith to purchase elections they should be allowed to continue substantially unmolested in their efforts to encroach upon the rights of the people. Any reasonable doubt as to the existence of this relation has been forever dispelled by the sworn testimony of witnesses examined in the insurance investigation in New York, and the open admission unchallenged by the Republican national committee of a single individual, that he himself at the personal request of the Republican candidate for the Presidency raised over a quarter of a million dollars to be used in a single State during the closing hours of the last campaign. In order that this practice shall be stopped for all time, we demand the passage of a statute punishing with imprisonment any officer of a corporation who shall either contribute on behalf of, or consent to the contribution by, a corporation of any money or thing of value to be used in furthering the election of a

President or Vice President of the United States or of any member of the Congress thereof. We denounce the action of the Republican party, having complete control of the Federal government, for its failure to pass the bill introduced in the last Congress to compel the publication of the names of contributors and the amounts contributed toward campaign funds, and point to the evidence of their insincerity when they sought by an absolutely irrelevant and impossible amendment to defeat the passage of the bill. As a further evidence of their intention to conduct their campaign in the coming contest with vast sums of money wrested from favor-seeking corporations, we call attention to the fact that the recent Republican national convention at Chicago refused when the plank was presented to it to declare against such practices. We pledge the Democratic party to the enactment of a law preventing any corporation contributing to a campaign fund and any individual from contributing an amount above a reasonable maximum and providing for the publication before election of all such contributions above a reasonable minimum.

The platform opposes all suggestions for enlarging the powers of the Federal government by judicial construction; declares that "there is no twilight zone between the nation and the State in which exploiting interests can take refuge," and demands that both State and Federal governments must act within their respective spheres. On tariff questions it welcomes "the belated promise of tariff reform now offered by the Republican party in tardy recognition of the righteousness of the Democratic position," and, declaring that "the people cannot safely intrust the execution of this important work to a party which is so deeply obligated to the highly protected interests as is the Republican party," proceeds:

Tariff Questions.—We favor immediate revision of the tariff by the reduction of import duties. Articles entering into competition with trust-controlled products should be placed upon the free list, and material reductions should be made in the tariff upon the necessaries of life, especially upon articles competing with such American manufactures as are sold abroad more cheaply than at home; and gradual reductions should be made in such other schedules as may be necessary to restore the tariff to a revenue basis. Existing duties have given to the manufacturers of paper a shelter behind which they have organized combinations to raise the price of pulp and of paper, thus imposing a tax upon the spread of knowledge. We demand the immediate repeal of the tariff on pulp print paper, lumber, timber and logs, and that these articles be placed upon the free list.

The specific recommendations as to trusts are as follows:

Trusts.—First, a law preventing a duplication of directors among competing corporations; second, a license system which will, without 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 manufacturing or

trading 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; and third, a law compelling such licensed corporation to sell to all purchasers in all parts of the country on the same terms, after making due allowance for cost of transportation.

In the same connection comes the plank on railroad questions:

Railroad Questions.—We assert the right of Congress to exercise complete control over interstate commerce and the right of each State to exercise like control over commerce within its borders. We demand such enlargement of the powers of the Interstate Commerce Commission as may be necessary to compel railroads to perform their duties as common carriers and prevent discrimination and extortion. We favor the efficient supervision and rate regulation of railroads engaged in interstate commerce, and to this end we recommend the valuation of railroads by the Interstate Commerce Commission, such valuation to take into consideration the physical value of the property, the original cost, cost of production and all elements of value that will render the valuation made fair and just. We favor such legislation as will prohibit the railroads from engaging in business which brings them into competition with their shippers, also legislation which will assure such reduction in transportation rates as conditions will permit, care being taken to avoid reductions that would compel a reduction of wages, prevent adequate service, or do injustice to legitimate investments. We heartily approve the laws prohibiting the pass and the rebate, and we favor any further necessary legislation to restrain, control and prevent such abuses. We favor such legislation as will increase the power of the Interstate Commerce Commission, giving to it the initiative with reference to rates and transportation charges put into effect by the railroad companies, and permitting the Interstate Commerce Commission on its own initiative to declare a rate illegal and as being more than should be charged for such service. That the present law relating thereto is inadequate by reason of the fact that the Interstate Commerce Commission is without power to fix or investigate a rate until complaint has been made to it by the shipper. We further declare that all agreements of traffic or other associations of railway agents affecting interstate rates, service or classification shall be unlawful unless filed with and approved by the Interstate Commerce Commission. We favor the enactment of a law giving to the Interstate Commerce Commission the power to inspect proposed railroad tariff rates or schedules before they shall take effect, and, if they be found to be unreasonable, to initiate an adjustment thereof.

Relative to banking, the platform declares for legislation requiring a guarantee fund for depositors, and for a postal savings bank, "constituted so as to keep the deposited money in the communities where it is established." The income tax, also,

is favored; and on labor questions, the issue over which the delegates were most concerned, the following plank was adopted:

Labor Questions.—The courts of justice are the bulwark of our liberties, and we yield to none in our purpose to maintain their dignity. Our party has given to the bench a long line of distinguished judges, who have added to the respect and confidence in which this department must be jealously maintained. We resent the attempt of the Republican party to raise false issues respecting the judiciary. It is an unjust reflection upon a great body of our citizens to assume that they lack respect for the courts. It is the function of the courts to interpret the laws which the people create, and if the laws appear to work economic, social or political injustice it is our duty to change them. The only basis upon which the integrity of our courts can stand is that of unswerving justice and protection of life, personal liberty and property. If judicial processes may be abused we should guard against abuse. Experience has proven the necessity of a modification of the present law relating to injunctions, and we reiterate the pledge of our national platforms of 1896 and 1904 in favor of the measure which passed the United States Senate in 1896, but which a Republican Congress has ever since refused to enact, relating to contempt in Federal courts and providing for trial by jury in cases of indirect contempt. Questions of judicial practice have arisen especially in connection with industrial disputes. We deem that parties to all judicial proceedings should be treated with rigid impartiality and that injunctions should not be issued in any case in which injunctions would not issue if no industrial dispute were involved. The expanding organization of industry makes it essential that there should be no abridgment of the right of wage-earners and producers to organize for the protection of wages and the improvement of labor conditions to the end that such labor organizations and their members should not be regarded as illegal combinations in restraint of trade. We favor the eight-hour day on all government work. We pledge the Democratic party to the enactment of a law by Congress, as far as the Federal jurisdiction extends, for a general employers' liability act covering injury to body or loss of life of employes. We pledge the Democratic party to the enactment of a law creating a Department of Labor, represented separately in the President's cabinet, which Department shall include the subject of mines and mining.

A declaration for the upbuilding of the merchant marine but "without bounties from the public treasury," and for a navy sufficient to defend the coasts of this country, and protect American citizens wherever their rights may be in jeopardy," is followed by a demand for the protection everywhere of all citizens, "whether native born or naturalized, and without distinction of race or creed." The merit system of civil service, generous pensions, a national health bureau, the extension of industrial education, popular election of United States Senators, the admission to Statehood of Arizona and New Mexico, regulation of grazing on the public lands, the improvement

of navigable water courses, Federal aid in the construction and maintenance of post roads, regulation of interstate telegraph and telephone service, conservation of our natural resources, and application of the principles of the public land laws of the United States to Hawaii, are advocated. Regarding the Philippines this is the platform declaration:

Philippines.—We condemn the experiment in imperialism as an inexcusable blunder which has involved us in an enormous expense, brought us weakness instead of strength, and laid our nation open to the charge of abandoning a fundamental doctrine of self-government. We favor an immediate declaration of the nation's purpose to recognize the independence of the Philippine Islands as soon as a stable government can be established, such independence to be guaranteed by us as we guarantee the independence of Cuba, until the neutralization of the islands can be secured by treaty with other powers. In recognizing the independence of the Philippines our government should retain such land as may be necessary for coaling stations and naval bases.

For Alaska and Porto Rico, Territorial governments are demanded; the speedy completion of the Panama Canal is favored; closer ties and pan-American friendship with the Latin-American republics are urged; and the following declaration as to Asiatic immigration is made:

Asiatic Immigration.—We favor full protection, by both national and State governments within their respective spheres, of all foreigners residing in the United States under treaty, but we are opposed to the admission of Asiatic immigrants who cannot be amalgamated with our population, or whose presence among us would raise a race issue and involve us in diplomatic controversies with Oriental powers.

In its conclusion the platform reads:

Conclusion to the Platform.—The Democratic party stands for democracy; the Republican has drawn to itself all that is aristocratic and plutocratic. The Democratic party is the champion of civil rights and opportunities to all; the Republican party is the party of privilege and private monopoly. The Democratic party listens to the voice of the whole people and gauges progress by the prosperity and advancement of the average man; the Republican party is subservient to the comparatively few who are the beneficiaries of governmental favoritism. We invite the co-operation of all, regardless of previous political affiliation or past differences, who desire to preserve a government of the people, by the people, and for the people, and who favor such an administration of the government as will insure, as far as human wisdom can, that each citizen shall draw from society a reward commensurate with his contribution to the welfare of society.

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The first nominating speech was made by I. J. Dunn, who spoke for Nebraska by courtesy of Alabama. He nominated William Jennings Bryan, at the mention of whose name there was a second

outburst of applause and cheering which lasted an hour and twelve minutes. Winfield S. Hammond of Minnesota, by courtesy of Connecticut, nominated Governor John A. Johnson, and Irving F. Handy of Delaware nominated Judge George A. Gray. Immediately after the adoption of the platform the convention began balloting for its Presidential candidate, and Bryan was nominated at 3:10 a. m. of the 10th by the following vote on the first ballot:

For Bryan	892½
For Johnson	46
For Gray	59½

The nomination was made unanimous; and on the same day, after a recess until afternoon, John Worth Kern of Indiana was nominated for Vice President by acclamation.

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Upon being advised by wire of his nomination, Mr. Bryan, at his home at Fairview, near Lincoln, at half-past three in the morning, responded to the request of the newspaper correspondents for a statement, with the following speech:

The Presidency is the highest official position in the world, and no one occupying it can afford to have his views upon public questions biased by personal ambition. Recognizing his responsibility to God and his obligations to his countrymen he should enter upon the discharge of his duties with singleness of purpose. Believing that one can best do this when he is not planning for a second term, I announce now, as I have on former occasions, that if elected I shall not be a candidate for re-election. This is as purely a nomination from the people as it can be and if elected my obligations will be to the whole people. I appreciate the honor more because it comes not from one person or from a few persons, but from the rank and file of the Democratic party, acting freely and without compulsion.

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Labor in Chicago Politics.

Plans for getting out a heavy labor vote at the direct primaries in Chicago on the 8th of August (p. 347) were made on the 12th by the presidents and secretaries of a majority of the labor unions of Cook County, representing 75,000 trade unionists. They are to act with reference to both the Democratic and the Republican parties. An address which was adopted gives the following reasons why labor unionists should vote at the primaries for the candidates endorsed by the Federation. It reads:

1. The men you send to the legislature make the laws that oppress and rob you.
2. The judges you elect interpret those laws in the interest of corporations, issue injunctions at the command of your bosses and send our men to jail for contempt of court at the dictation of corporation lawyers.
3. The city and county officials chosen by your

ballots are the cringing creatures of political machines, controlled by party bosses, and owned by trusts and corporations.

4. The labor organizations of this city have been forced to expend more than \$150,000 in the last six years to keep their members out of jail and to preserve their unions, owing to the fact that the State's Attorney's office was against us and in the hands of the enemy.

5. The new primary law gives you the power to change this, and the political action committee of the Chicago Federation of Labor, composed of your representatives, has selected the inclosed named candidates and asks that you get out and work and vote for them so that the workingman may get a square deal for himself, his family, and his organization.

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Relations with Venezuela.

A further step in what seems to be a process of severing all diplomatic relations between the United States and Venezuela (p. 325), was taken on the 9th by the Venezuelan chargé d'affaires, at Washington, Senor Veloz. Calling by appointment at the State Department, he presented formal notice that he is instructed by his government to close up the Venezuelan legation at Washington and return to Venezuela. As Senor Veloz informed the Department that the files and papers of the Venezuelan legation would be placed in the custody of the Venezuelan consul general in New York, it is inferred that the Venezuelan government will follow the precedent established by the United States in Venezuela, in refraining from interfering with trade by closing the consulates, notwithstanding the breach in diplomatic relations.

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An International Steel Trust.

The Iron and Steel Trades Journal of London announced on the 10th, the completion of an international steel trust by an agreement under which about three-fourths of the world's output of steel will be controlled. The United States is represented by the great Steel corporation, which controls the American output of 23,000,000 tons and has the mammoth capitalization of \$1,000,000,000; Belgium is represented by that country's larger plants, with an annual output of about 1,250,000 tons; Russia is represented by three great concerns with an output of about 2,000,000 tons; Germany is represented by four of the largest manufacturers of steel, producing a great part of the Empire's annual output of 11,000,000 tons. The world's annual production of steel in 1907 was in the neighborhood of 50,000,000 tons, and of this the new combine will control about 35,000,000 tons.

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Nationalism Struggles in Persia.

The Shah's troops under Rachin Khan entered Tabriz, the center of the Nationalist movement