

Washington, D. C.

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Samuel Gompers, Esq.,

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Washington, D. C.

My dear Mr. Gompers:

I have your letter of the 7th inst, which I have delayed answering until time would permit my giving some consideration to the matters which you submit.

Just how far the statute law should go in dealing with private industrial relations is a difficult and sometimes delicate question. I have always favored laws which had for their object the substantive betterment of the workers, such as those which enforce proper sanitary conditions, safety appliances and machinery, adequate, and as far as possible automatic compensation for injuries, and so on. I have also favored, and still favor, by legislation the eight-hour day in industries such as mining, smelting and other industries where long employment is injurious to health. In addition to this, I am in favor of an eight-hour day in all the mechanical industries and in all work where the same set of muscles are continuously employed, or where the same strain and attention is continuously required about the work. But whether this eight-

hour day should be compelled by legislation, or brought about by the efforts of the employees, aided by public sentiment, is a matter about which I am in serious doubt.

The State is justified in stepping in wherever its police activities are involved, as they are involved in the cases that I have mentioned. If the State undertakes to go further and interfere in the relations of employer and employee, (while in many instances and perhaps for a time that interference might result in the betterment of conditions from the point of view of the workmen), there is grave danger that it may be utilized in other instances and in the course of time, to his positive detriment.

Whenever you concede the power to the State to interfere in such matters, you have effectually conceded it whether the results be good or evil. For example, if we once undertook by legislation to fix wages, they may be at first fixed at a high sum, but under this concession they may sometimes be fixed at a very inadequate sum.

There is much force in your suggestions. However, I do not think that the passage of such laws would result in the automatic revival of the doctrines of the common law, although, as I have indicated above, there would be grave danger that legislation itself, once the door was open, would, under some circumstances, swing back to these old conditions. My own impression is that the matter of hours of labor, except as stated above, and except in Government work, like the matter of wages can be more safely left to private arrangement in view of the fact that the numerical strength of the labor unions today constitutes a set-off for the money strength of the employer.

The subject is a very interesting one, and not free from difficulty. Some day when it is convenient, I should like to see you and have a talk more at length.

Very truly yours,

P. S. We must be careful not to overdo our legislation and take from the individual the strengthening effect which comes from the struggle to help himself.