

ALBION W. TOURGÉE.

MAYVILLE, N. Y.

JUNE 2

1893.

Hon. Gerrit Nelson

Dear Sir: I greatly regret that the death of my wife's mother which occurred today, necessarily forbids my attendance upon the Anti-Slavery Congress next Monday and Tuesday. I could not reach Chicago before Tuesday, starting after the obsequies, and that would not be worth while.

I have but one suggestion to make that would be of any value to the Congress and it is by no means certain that
(over)

would be thought worthy of serious consideration.

I would like, however, to suggest whether it would not be well to appoint a committee of thoughtful earnest men of good legal attainments, to consider and formulate legislative enactments which, if adopted, would in their judgment be effective for the following purposes:

- 1 - To restrict both ~~existing~~ ^{existing} ~~and future~~ corporate bodies the powers of which are wholly dependent on ~~private~~ charter, from combination with any other corporation ^{and} from holding stock in another.

MAYVILLE, N. Y.,

1893.

- 2- Restricting the uses to which a deed in trust may be applied. Being a legal means of combination it is subject to legislative restriction.
- 3- From the restriction of stock and staple gambling.

I do not mean by this mere prohibitory or denunciatory statutes which are so difficult to enforce because of the practical impossibility of securing evidence, but indirect restraints, such as taxation, and restrictions on the sales of shares, and of staples not for the purposes of commerce. (over)

Statutes intended to remedy such evils, very often, perhaps I may say, generally, fail of the desired effect through lack of care and skill in their preparation.

It seems to me, also, that the formulation of a series of well-prepared enactments of this sort, distributed to the various legislatures with a comprehensive statement of the object and effect of each, would be one of the most potent methods of clarifying and directing public thought upon this subject, and would also

ALBION W. TOURGÉE.

J-

MAYVILLE, N. Y.,

1893.

137P
16/

afford opportunity to detect in advance, the defects of legislation which is often defeated by haste in its preparation.

A good committee working quietly and steadily at such a designated task, it seems to me ought to do much to secure the most desirable results.

You know I do not believe at all in political patent medicines, nor do I think it wise to destroy a political and economic machine it has taken thousands of years to build, because some
over

part of it creates on heats.

Neither do I think that all existing systems of taxation should be thrown aside in order to test a new device which may or may not prove better. Mere legal prohibition is rarely effective to prevent acts which both the parties immediately concerned in are willing to commit. The man who sells or buys, for the purposes of a "trust" is equally a voluntary transgressor. Like the sale of liquors, adultery and some other crimes, there is no injured party — that is no party who feels himself aggrieved. — Such crimes it is nearly impossible to restrict, much less eradicate by mere

statutory denunciation of the act and proscription of a penalty. If "trusts" and "gambling" in the name of "business" are to be prevented or greatly lessened in evil consequences by legislative enactment, it must be by indirect legislation which either cumber the mechanism of such transactions or makes them difficult and unprofitable. Such legislation ought to be carefully drawn out, explained
over

8

and weighed upon the various legislatures.

If I were present at the Congress, I do not know that I could say anything more that would be of practical advantage and it has no time except for practical suggestion.

Hoping that good results may flow from this Conference

I remain

Yours Oth. Serock
~~Oliver D. Sawyer~~