

DAILY PEOPLE

VOL. 8, NO. 266.

NEW YORK, SUNDAY, MARCH 22, 1908.

TWO CENTS.

EDITORIAL

DOGBERRY ON THE “EVENING POST.”

By DANIEL DE LEON

THE New York *Evening Post* is wroth at Mr. Gompers's demand for a law that shall prevent the Sherman Anti-Trust law from being perverted into a weapon of persecution against the Working Class. Such a move, the *Evening Post* declares, is “class legislation.”

The Anti-Trust law, the *Evening Post* argues, was clearly meant against boycotts also, consequently the application to boycotts is not a perversion of the law. In support of its contention the *Evening Post* reasons as follows: In the decision in the Northern Securities case, the Supreme Court said that the Anti-Trust Act “declares to be illegal every contract, combination, or conspiracy in whatever form, of whatever nature, and whoever may be the parties to it, which directly or necessarily operates in restraint of trade or commerce among the several States.” This declaration the *Evening Post* pronounces an absolute proof that the boycott operates “in restraint of trade or commerce among the several States,” because it injures the firm's business.

That the boycott is not meant for a sweet-scented bouquet to the firm against which the boycott is ordered goes without saying. But neither would a fire started on the firm's premises; nor a dynamite bomb blown up on its grounds; nor a midnight irruption undertaken with jimmies and dark lanterns; nor the surreptitious carting away of the firm's goods by any one member of the firm;—none of these acts would be meant for sweet-scented bouquets. Nevertheless, none of these performances falls under the Anti-Trust Act. They all fall within the Criminal Code—the first would be “arson,” the second a felonious attempt to kill, the third “burglary,” the fourth “embezzlement” or “theft,” but acts “in restraint of trade or commerce among the several States”?—never! If the boycott is a crime, something in the nature of arson, murder, burglary or embezzlement, why do not the Courts deal

with it as such? Perhaps the spectre of the employers' blacklist acts as a deterrent; perhaps the absurdity of such a notion is a still stronger deterrent.

Dogberry is in charge of the law department of the *Evening Post*. To call Prince John a villain, Dogberry pronounced "flat perjury"; to receive money for accusing the Lady Hero wrongfully, Dogberry pronounced "flat burglary." The *Evening Post's* Dogberry pronounces the refusal of workers to patronize a firm that refuses to patronize them an act "in restraint of trade or commerce among the several States."

Transcribed and edited by Robert Bills for the official Web site of the Socialist Labor Party of America.
Uploaded January 2010

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