

working time of their labor, while their price of by-product was steadily going down, and their own percentage of profit was steadily going down, and while the cost of raw material was steadily going up. Hours of labor in all those departments were reduced 33½ per cent—from 12 hours to 8 hours. And yet while the employers made that reduction, instead of reducing wages proportionately, the wages increased.

Take the wages in 1900. The wages of these machine tenders for 12 hours were \$2.43; in 1910 to 1911 the wages for 8 hours were \$2.71. In other words, if the hourly rate of wages be considered, you have an increase there of wages of about the equivalent of 66 per cent.

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These are some of the reasons why, in my opinion, this committee should address itself to perfecting the Sherman law, in the light of the experience of the past 21 years. We have learned much about trusts and their ways in these 21 years, and this knowledge the La Follette bill undertakes to use. There has been a lot of talk about the uncertainty of the Sherman law, and of the doubt felt as to what is reasonable and what unreasonable restraint. The difficulty in finding out what is prohibited is, even now, far less than has been suggested.

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Senator CUMMINS. Do not confine yourself to categorical answers, but give us your views upon the subject that may be contained in the question.

Mr. BRANDEIS. I thank you. I have had no belief that up to the present time a question had arisen in regard to any corporation in that narrow form in which you put it; that is, each one of the large corporations I have had to deal with have been objectionable on grounds other than size merely. I have considered and do consider that the proposition that mere bigness can not be an offense against society is false, because I believe that our society, which rests upon democracy, can not endure under such conditions. Something approaching equality is essential. You may have an organization in the community which is so powerful that in a particular branch of the trade it may dominate by mere size. Although its individual practices may be according to rules, it may be, nevertheless, a menace to the community; and I may add further that,