

THE STORY OF FRANCES PERKINS

Her Fight Against Selfishness, Prejudice and Vested Interests

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THE afternoon blue of a chill March sky shot into flame. The dignity of Washington Square shuddered before shrieking sirens and gibbering gongs as engines and hose-carts rushed to a neighboring street, Washington Place, where New Yorkers of the Square vaguely realized sweat-shops had crept.

Spending the tea hour in one of the quiet and distinguished old drawing-rooms overlooking the Square was the young woman who, largely through events growing out of the incidence, was to become chairman of the New York State Industrial Board. Frances Perkins was telling her friends of her winter's work at the 1910-11 session of the legislature on behalf of the fifty-four hour bill for working women.

When the alarm sounded she hurried into the street to find the fire already a conflagration, for it was what firemen call a "flash fire,"—that is, the disaster had happened in less than three minutes. Starting in a shirt-waist factory occupying the eighth, ninth and tenth floors of a loft building, the fire was beyond the effective reach of water from street-level mains.

Since the shirt-waist makers were working overtime, the other floors of the building had been vacated

earlier, a circumstance to which those who escaped, no doubt, owed their lives. One hundred and forty-six of them suffocated, burned or already wrapped in flame, jumped to a death which seemed easier than burning.

Chances of escape had been cut to a hair's breadth by the time the workers were aware of their danger. The fire-escape, quickly cluttered with falling iron shutters, grew too hot for use in the early minutes of the fire—besides it led to a walled-in court which soon became a furnace.

The elevator operator fled at the first alarm and his car, run by a volunteer, carried out refugees until the bodies of women who had jumped into the shaft and to the top of the car made running it impossible. A proprietor and some employees escaped from the tenth floor by way of the roof. Many of those on the eighth succeeded in getting out. It was on the ninth floor that firemen found the bodies of fifty-eight girls piled in a little anteroom against the door of exit—which was locked.

On the sidewalks there were other piles of lifeless bodies—those who had jumped. One fell with such force as to break through the heavy sidewalk glass and carry the fire from the victim's burning clothes into the

basement. A girl hung from a window sill and dropped only when the flames reached out to clasp her hands.

The story of Rosey Safran, one of the workers who escaped, was published in the *New York Independent*. Rosey said that virtually none of the girls jumped until her clothing was actually burning. Their mouths and eyes full of smoke, many were saying their prayers. Some had covered their eyes with rags that they might not see their comrades leap to death, for no fire nets can be made to withstand the impact of bodies falling from such a height.

But if the lives of 146 girls were sacrificed at seventy-five dollars each, as was later asserted in a conservative periodical, they were lost in a great cause, for the moral awakening of the community was commensurate with the wrong.

The New York Committee on Public Safety was formed at a citizens' indignation meeting at the Metropolitan Opera House, and got a bill creating the Factory Investigating Commission through the legislature before the close of the session.

And a friendly fate had placed as an eye-witness of the great tragedy a social idealist who already had learned to make practical politics serve her cause.

Frances Perkins is that fine product of the twentieth century, a gentlewoman with the common touch. Sophistication has not robbed her of zest, nor extended academic training of the common-sense essential to the solution of practical problems.

Underlying her quiet poise is a rich reserve of decision and action. Her high seriousness in the cause of

industrial maladjustments is tempered by an alert sense of humor, deeply sparkling in extraordinarily sympathetic eyes; and the judicial formality of her decorum is lost in the acuteness of her observations.

In her the New England conscience has shed its puritanical habiliments and put on a business suit of ethics; its fanaticisms are refined to a modern practical perseverance in bringing to the *n*th degree the productive potentialities of labor; its conservatism appears in her regard for the profits she realizes industry must make, if there be any industry to regulate; its propriety appears in her person.

During the vogue of long narrow skirts, hers were short enough to permit clambering through every part of a building and all its fire exits. To-day when every woman under sixty wears skirts just below the knee, hers are of a decorous length suited to the judicial dignity of her office. A becoming tricorn hat seems to be a part of her—winter and summer—never in nor out of style, always chic and carrying a Bostonian air of well-groomed modesty.

When Miss Perkins was confronted with the approaching fullness of the fair, fat forties, instead of resorting to inadequate food or any other hysterical subversion of nature, she no doubt noted on her desk pad, "Sedentary habits require balance; golf impossible—" at any rate she joined a gymnasium class.

She has a rich maternal enjoyment of her young daughter, meeting fully every obligation of motherhood. With the Woman's Party she has little in common beyond the use of her maiden name, for although

she enjoys as much as do the most capable of her sex, in their present so-called equality, she sees the position of her less fortunate sisters ameliorated chiefly through differential legislation.

She has neither shocked nor uplifted the world into acceptance of her code, she has simply been ready and waiting for every advantage that might be taken and never has allowed an advantage once gained to slip back.

The first woman industrial board chairman grew up in Boston where three causes a day are as common as the meals of other localities. However, the golden rule of her girlhood emanated largely from the pulpit and was practised chiefly in the parlor. It was as a young teacher near Chicago that she came into contact with the pragmatic idealism of Hull House. There she came to know a new love of mankind which was shorn equally of sentimentality and bank balance beatitudes.

Stirred by Jane Addams' fine discrimination between justice and sympathy and, most of all, by her practical direction of the philanthropic motive, Frances Perkins set about to supplement the armor of righteousness with complete data and the full history of the failures and successes of other social workers.

Instead of wading into the difficulties of industry with a reckless muckrake, she spent three years in libraries and lecture-rooms studying economics. Toward the completion of her doctorate, however, she grew more and more impatient of books; more and more eager to get at grips with the actual industrial problem.

And waiting for her young impatience was a job—a history-making job both for Miss Perkins and for thousands of her sex. It was lobbying for the fifty-four hour bill for women on behalf of the Consumers' League of New York.

A woman lobbyist was a novelty; idealists were just coming to recognize that the mills of the legislative gods grind exceeding slow if they lack the oil of practical politics.

Frances Perkins made the most of the opportunity. Her attendance on two sessions of the legislature was more faithful than that of any member. She made friends among legislators whenever that was possible and when it wasn't, made friendly enemies of her opponents.

Alfred E. Smith, then an assemblyman, came to know and respect the young woman's ability, and a friendship significant for the State of New York began. For "Al" Smith's "hunches" Miss Perkins was able to supply data; while her academic training was admirably supplemented by the political skill of the coming leader.

Though the emissary of a blue-stocking group, she was able to convince "Big Tim" Sullivan that he and she could work together for their mutual advantage. The "King of the Bowery" liked her because she knew a liar—but didn't show it—and he admired the rapidity with which she got a working knowledge of Albany politics.

For under the tuition of friendly newspaper men she was an apt student of the personalities of politics and of such maneuvers as getting bills out of committee when the committee didn't want them out.

The legislators themselves, began to tip her off on tricks of parliamentary procedure.

Eventually, "the" MacManus, senator from Hell's Kitchen, introduced the fifty-four hour bill, and "Big Tim" Sullivan sponsored it.

The legislative session of March 1910-11 dragged well into the summer. It was in March that the Washington Place factory fire determined the further development of Miss Perkins' career. Not only did she do her utmost in helping secure passage by June of the bill creating the Factory Investigating Commission, but her recommendations to Abram I. Elkus, counsel of the New York Committee on Safety were accepted by him as excellent material in the building of a working program.

Meanwhile the fifty-four hour bill was worrying through another legislative session. In those days telegrams from constituents were rare. Albany law-makers who found their desks covered with them were by no means unaffected. There were organized hearings before committees. Special trains carrying earnest delegations arrived in the capital city.

Nevertheless legislation remained ice-bound. Even Miss Perkins' courage was waning toward the close of the session. The MacManus bill for a fifty-four hour week for women remained in committee. At last by wile, wit and eternal vigilance it was coaxed out and favorably voted on by the Senate. But the end was not yet. Far from it.

The MacManus bill had failed to pass the assembly and the assemblymen whose consciences or whose reelection troubled them substituted

for it the Jackson bill, originally providing for a fifty-four hour week for all women workers but amended to exempt the canning industry. The Consumers' League naturally opposed such a bill—League members wanted to eat social justice as well as wear it on their backs. The League's lobbyist had fought the canning amendment to the Jackson bill to the moment of defeat.

But in the last hours of the session when it became apparent that the MacManus bill would not pass both houses, there began pounding in Frances Perkins' ears some pertinent statistics: 350,000 women affected, and only 5000 in canneries! 350,000—5000!

She decided instantly and without chance of conference with her supporters, to push the Jackson bill, amendment or no amendment. Since the bill already had passed the assembly, the Senate would have only to forget the MacManus bill and pass its foster-brother, the Jackson, in order to secure the benefits of a fifty-four hour law for the vast majority of working women *then and there*.

With double difficulty in the available minutes left, Miss Perkins transferred the loyalty of "the" MacManus and "Big Tim" Sullivan to the bill they all had fought together. Senator Sullivan and his cousin, Senator C. D. Sullivan, had been about to take the boat home when Miss Perkins intercepted them and won their coöperation in her last stratagem. Having given their consent they asked the clerk to record their ayes out of turn so that they still might get the boat for New York.

But to Miss Perkins' consterna-

tion, when the cat was out of sight the mice began to play. Two promised ayes which paid dutiful allegiance to the crown when the Bowery ruler was bodily present, now changed to noes. In this last crisis Miss Perkins prevailed on her friends in the senate to have the bill reconsidered while she ran to a telephone booth and "got" the pier in time to fetch the tricked Sullivans back.

Their taxi stalled; they had to run part of the way; they arrived without a moment's leeway before door closing. But their return was triumphant. The recalcitrant noes sweetly and obediently answered "Aye," at the new roll-call and the Jackson bill awaited only the governor's signature to become law.

Yet at the height of this stirring victory, Miss Perkins was sure the Consumers' League would disapprove her compromise with practical politics. She was therefore a little dazed at the hearty and overwhelming congratulations on her quick-witted and dramatic conclusion of a long trench campaign waged against the huge bulk of industrial capital, doggedly convinced that the law was inimical to profits.

Since that time capital apparently has changed its mind; increased human efficiency now goes into its calculations. And no single agency did more to effect this change than the findings of the Factory Investigating Commission.

This commission, it will be recalled, was created and its appropriation secured in response to the pressure of the New York Committee on Safety, which now availed itself of the successful fifty-four hour lobby-

ist to further the program she already had helped plan.

The Committee on Safety immediately loaned its new secretary to the Factory Investigating Commission to organize its work and to appear as expert witness at its hearings.

Special training, education, practical legislative experience and workable social ideals in the person of Frances Perkins were now to be pitted against habit, prejudice and vested interests.

Yet so innocuous was the outward aspect of this young woman that vested interest—chiefly the capital invested or to be invested in loft buildings—scarcely took cognizance of her in the first hearings of the commission.

The able and talented lawyer for the real estate interests alarmed lest sentimental legislation make comparatively new buildings obsolete and the cost of further construction prohibitive, could scarcely believe his senses when he saw his chief antagonist. He felt like a battle-ship sent out to bring in a fishing-smack. "That little girl an expert!" he exclaimed.

But that was when the hearing opened in the aldermanic chamber of New York's City Hall. Later he discovered that the foe was worthy of his mettle. For Miss Perkins was prepared to inform the hearing and coincidentally the public at large, when a fire-escape is not a fire-escape. She showed that the Asch building, which had trapped the employees of the shirt-waist factory, was rather exceptionally considerate of human life as loft factories went. Hundreds of other buildings with a

greater hazard of gas, irons, wooden equipment and helter-skelter refuse, had fewer exits and all this invitation to disaster far above the seventh floor, the last at which Chief Croker said he was able to give a fire an honest fight.

Chemical and mechanical engineers in the employment of insurance underwriters were called to testify. They showed that even when existing laws were fully met in building requirements, many peaceable-looking structures trustfully entered by hundreds of workers every morning—in relays, simultaneous entrance being impossible—were really little less than crematories, provided a flame, accidental or otherwise, was applied at any point.

“And the wonderful thing about engineers,” says Miss Perkins, “is that they don’t know how to lie. Their whole training and experience has to do with meeting natural laws, not evading them. A lie won’t bridge a river nor make a building stand. Engineers get in the habit of thinking and telling the truth, and people recognize it in them.”

When pertinent truth is brought to bear on such a crisis as that precipitated by the shirt-waist fire, something is going to happen. Something now happened—the fire prevention laws of the State of New York, and with them the other advanced labor laws of 1913-14-15 whose necessity was discovered and made public largely by the Factory Investigating Commission. New York with more than twice as many wage-earners and millions of dollars more invested in industrial plants than Wisconsin, was only two legislative sessions later than the west-

ern state in creating an industrial board with full legislative and judicial powers. For the Factory Investigation Commission in ferreting out fire hazards unearthed many other conditions inimical to the safety and health of industrial workers.

Formerly the factory inspector had traveled by train. His arrival in a one-or-two-train-a-day town permitted the station agent or any town loiterer to inform a factory management of his approach in advance.

The new commission,—not salaried—composed of two state senators, three assemblymen and four other citizens, made a point of traveling chiefly by automobile in order to make its visits unannounced. This was necessary if it was to discover the actual number of occupants housed in a given factory, since even the most upright employers did not hesitate to conceal such facts from interfering busybodies who knew less about the business of the owner than the owner knew, and nothing at all about making money.

The commission, therefore, discovered not only the inadequacy of fire-proofed stairways—basing the number of such stairways on the number of persons in a building was early recognized as the key to safety—but their surprise visits brought to light an astounding number of deliberate violations of the child labor law.

If there was no time to unlock the doors on exits, locked to prevent employees from sneaking out with stolen goods, there also was no time to hustle out by back doors large numbers of child-workers just before the commission arrived.

It was as a by-product of the fire prevention investigation, also, that Miss Perkins was able to introduce the members of the commission to the practical effect of laws permitting the night-work of women.

Legislators were clamoring, at the behest of constituents, for the exemption of small cities where there was little danger of overcrowding, from the requirements of the new factory laws. It took the sacrifice of more human victims, even while investigation was in progress, to demonstrate graphically that open stairways ordinarily adequate for the occupants, were flues for fire, and that outside fire-escapes were virtually useless. For in the Binghampton shoe factory fire which occurred at this time, twelve persons who were kept back from stairways by roaring gullets of flame were roasted to death on outside fire-escapes.

It was in looking into the fire prevention situation in the smaller communities that Miss Perkins, ever alert to the social implications of industry, came upon the haggard women of Auburn.

When she asked the Factory Investigating Commission to visit this little village at five o'clock in the morning there naturally were demurrers. But Miss Perkins insisted it was the only way in which to see and be convinced of what actually takes place when women are permitted by law to work at night.

The commission was at the mill gate when the night shift of women passed out and their husbands passed in for the day shift—for this was the first practical result of night-work for women. The wives did not look simply fatigued—they looked as if

they never had rested; no grime of sweat and toil could account for the veil of ugliness over them. So might prisoners have looked, and so might Doré have drawn the figures of "The Inferno" passing into another and deeper hell.

But this much any sentimentalist or superficial observer might have deduced; Miss Perkins led the commission to the workers' houses where they might see how the women employed their days. And the investigators had an actual view of these factory mothers going home to wake up their children, to get their breakfasts and to start them off to school. When the older ones had left and the housework was begun, the mothers tended the babies, cleaned the house and prepared the noonday meal. After the dinner dishes were washed, the children returned to school and a start made in preparing supper—if the babies needed no special attention—these part-mothers, part-machines, went to sleep.

Under favorable conditions their sleep might last as long as two or three hours. For it was not necessary to get up until time to put supper on the table and, having had a "bite," leave for the mill to greet their home-coming men at the gate.

Homes were worse than ill-managed orphan-asylums and mothers were living under worse than slavery conditions.

To-day Auburn is a model factory village. Men are paid a family wage and, for the most part, their wives stay at home minding the children and their domestic duties. When women have to work, they work in the day shifts.

Not the least of these beneficences is that employers, once a demonstration was forced, have discovered that humanity is the best policy. A family wage to men brings a higher grade worker; automatic machinery devices do not cost as much in the long run as the grade of work done by pittance-paid women.

Even in the real estate field the idealism of fifteen years ago has become the practical wisdom of today. The New York Real Estate Board has recognized that the shirt-waist fire did them a great good turn. Better buildings bring better returns. Trades with fewer workers were attracted from low rent sections to the buildings outlawed for populous manufacturing.

The dogged opposition of the penny-squeezing type of factory owner has turned to acknowledgment of greater insurance rebates. The "hard-boiled" business man who demanded to be shown how business could be run with a burden of petticoat provisions for the health, welfare and safety of the worker, amiably admits that his profits have in the main tended to increase.

These changes in public and private attitudes have not come about without perseverance. On the passage of an "advanced" law there was certain to follow a string of pettifogging amendments, for which the secretary of the New York Committee on Safety had to be on the watch constantly.

Later the Industrial Board took over the eternal vigilance which was to insure to New York working men and women their safe, clean, and for the most part, humane conditions of labor.

When Alfred E. Smith in 1919 became Governor of New York one of his early official acts was to appoint Frances Perkins a member of the Industrial Board. Governor Smith had been a member of the Factory Investigating Commission. Together he and Miss Perkins had worked for the passage of much of the legislation recommended by that body. To no one, he realized, could he better entrust the equitable and humane administration of these enactments.

Now the powers vested in the New York Industrial Board are great. The reports of the Factory Investigating Commission were of such detailed and technical character that legislation based on them would not only be bulky and time-taking but would call for comprehensive information on building construction, machinery and factory operation.

Consequently the legislature in creating an industrial board gave it power to make, amend and repeal codes affecting the health and safety of workers. With this went the right of granting special variations in instances where an employer is able to prove that the health and safety of his employees are otherwise equally well assured.

Besides these legislative functions the hearing of all controverted workmen's compensation cases was turned over to the Industrial Board with the additional duty of acting in the capacity of state's attorney in finding all the facts.

Appointment to this board set Miss Perkins' ever active New England conscience to work at a newer stiffer job. "Nothing," she says,

"so cramps the reformer's style as the power to make other people spend their money."

This transference from the ranks of the recommenders to the ranks of power brought its transformation in thinking. Miss Perkins had recommended freely, but she thought twice before carrying out the recommendation.

The burdens and difficulties of the employer now had to be considered; the health and safety of business and the general public interest were on an equal plane with those of the worker.

The new test was: "What will this give the employee in health, comfort, decency and security?" and "What will it cost?"

Ultimately, however, Miss Perkins found that what is good for man is good for master. The law for master has been immeasurably humanized by the board's power to grant variations. The exercise of the board's discretion is regular and constant. Special permissions are granted and modifications of orders are made.

Far-reaching, however, as is the work of the board in preparing, investigating, hearing and finally adopting codes—on the surface it appears largely a matter of blueprints, bricks and mortar.

It is in the hearing of claims of workmen for compensation that the board must render justice in terms of arms and legs, eyesight and hearing, referred to by the code as "permanent total disability, permanent partial disability, temporary total and temporary partial disabilities."

Nothing in the whole sphere of labor legislation is so human as the

administration of what the Appellate Division of the New York Supreme Court once called "the rough but speedy justice" of the Industrial Board. Here passes in review the total result of all that is being done to affect the life of the worker. Here he is seen as the victim of too great a chance taken, or sometimes as the miraculous survivor of what would have been a life-taking accident but for safeguards. Here, his short and simple annals are touched with drama and his relation to the industrial machine made vivid and often significant. And here even-handed justice is meted out to the worker as never before.

The twenty-seven referees of the Labor Department last year heard and awarded over 150,000 claims for workmen's compensation. The great majority of these claims are not controverted. Only 7500 of them came before the Industrial Board for review. Disputes arise as to the facts of the injury, the point of law and as to the medical reasoning.

Hearings are conducted as those of a court, and attorneys address themselves to members of the board as to a court. Decisions may be appealed only to the Appellate Division of the Supreme Court of the State, and the low number reversed indicates their wisdom and justice. In actual amounts the board has jurisdiction over cases involving \$6000, \$8000, \$10,000 and in cases of loss of life as much as \$20,000. Decision must be quick and must be right.

The brief time it is possible to give a single case, making decision of

necessity speedy, increases the value of Miss Perkins' technical knowledge of New York State manufacturing and factory construction—for it is generally conceded by employer and employed that Miss Perkins "knows her stuff."

When workmen are represented by attorneys—a practice the state does everything to discourage—they are likely to present the case as they would before a jury, dwelling on matters relevant to the misfortunes of the workman, rather than to how he came by them. There is no temptation, Miss Perkins says, for the board member who is bringing to light essential evidence to use jury methods on himself—he knows the labor code and knows it under decisions.

One of Miss Perkins' early achievements on the Industrial Board in humanizing the operation of the law, was the creation of an after-care service conducted by trained social workers who investigate the cases where compensation does not solve the problem, so as to provide for their relief through the various charitable agencies. It is particularly useful in controverted cases pending decision.

During the life of the New York Industrial Board there has been a marked change in the attitude of owners and manufacturers toward

the restrictions imposed by it. In some instances a complete change has come about. Where formerly the employer opposed state interference, he now coöperates in every way with safety and welfare legislation. The laundry trade is a conspicuous example. It has found the provisions of the code regarding temperature and humidity of work-rooms, the guarding of machinery, and seating facilities for workers to be useful and advantageous. The baking trade has discovered that greater cleanliness and increased saleability of its product come from required ventilation and sanitation.

Masses of employers are now moving in the direction humanly desirable. The day of the reformer from the outside is done, Miss Perkins believes. The worker himself will not effect much more. It is the owners of industry who are the next to take up reform.

What Frances Perkins' own contribution toward this awakening of the employer to his human responsibility will have been, only a future generation can say.

Certain it is that she has not failed the girl workers she saw silhouetted against the red and black of the Washington Place fire, their hands lifted in prayer before they jumped to death.

ALL IN THE DAY'S WORK

ELINORE COWAN STONE

BINKS scrambled up, straightened to the fullest extent of his forty-eight inches, heels together as close as the brace on his bad leg would permit, and saluted with military precision as a gray motor-cycle dashed up and halted. A tall, blue-eyed young man, in the uniform of a lieutenant of the state police, dismounted and gravely returned the salute. It was the daily exchange of courtesies for which Binks had waited half an hour, sitting patiently on the stone bench just inside the tall, wrought-iron gates of his father's drive.

"Morning, Sergeant," said the young man. "What's the report?"

Binks so far violated military decorum as to stand on one foot and wriggle his elbows in delight, as he invariably did when Lieutenant Ruston addressed him as "Sergeant."

"Spicious-looking person went down that road to the creek 'bout ten minutes ago. He was carrying something over his shoulder, and it *looked* like a gun," he reported smartly.

"Good work, Sergeant. I'll investigate your information."

"Course, now," qualified Binks a little tardily, "it *might* have been just old Mr. Scott, and—and the gun *might* have been just a shovel."

"Never mind," his superior officer reassured him, "if you saw old Ben

Scott carrying anything as useful as a shovel, the circumstances are sure suspicious. Warm day." The lieutenant mopped his brow and glanced a bit wistfully toward the coolness of the rolling lawn under the elms and horse-chestnuts.

Hospitably Binks sprang to lift the latch of the gate but the bad leg played him false, as it often did if he hurried it injudiciously, and sent him sprawling into the hedge of rhododendrons that bordered the gravel drive.

"Tough luck, Sergeant," commiserated the young officer, fishing him from the shrubbery with a single turn of a brawny wrist and setting him gently upon his feet—not too gently, however—for Binks was wont to turn pale and excessively dignified at the remotest hint of pity.

"Old leg isn't quite itself yet, since that free-for-all down at Pete's Place—eh, Sergeant?" added Lieutenant Ruston casually.

It was a fascinating bit of fiction, invented and fostered by the lieutenant and tremulously appreciated by Binks, that the warped little left leg, which for three years—since Binks was five—had refused to grow straight and strong, was a souvenir of a bloody encounter at a road-house out on the highway, during which Sergeant Binkshop Vaille Bennett had captured, single-handed,