



The Common Welfare



PRESIDENT COOLIDGE has signed the bill to continue the work of the Sheppard-Towner Act to June 30, 1929. The bill was subjected to a filibuster so long that its friends at last agreed to an amendment providing that at that date the act should cease to exist. Throughout its history, since November, 1921, this beneficent measure has had a majority of votes in both Senate and House. Whenever the appropriations have been delayed, the responsibility has rested upon the small group of senators back of this filibuster. They are surviving anti-suffragists, opponents of the Sheppard-Towner Act from its introduction by Jeannette Rankin and Senator Robinson in July, 1918, to this day. Led by Senators King (Utah), Reed (Mo.), Wadsworth (N. Y.), Bingham (Conn.), Broussard (La.), Bayard (Del.), and Phipps (Colo.), they succeeded in having the bill talked out on June 15 and whenever it was reached thereafter, so delaying until January 13 its coming to a vote in the Senate. It passed the House by a large majority last winter. The Senate Committee, of which Senator Phipps of Colorado is chairman, recommended that the act should be extended for one year only. When friends of the measure declined to accept this, systematic delay ending in the final filibuster followed.

Forty-three states, Hawaii and Porto Rico are cooperating under the Sheppard-Towner Act. President Coolidge's prompt signing enables legislatures now in session to make appropriations intelligently for the coming two years. This was a lame-duck session for an expiring Congress. The new one contains many modern men. Death always reaps a harvest of the obsolete in the two years congressional period. So the Sheppard-Towner Act will undoubtedly go on.



THIS round, Judge Ben B. Lindsey has lost his fight to keep his seat on the bench of the Denver Children's Court which he has held for more than a quarter century. The State Supreme Court has declared illegal the election in 1924, in which, in a disputed recount of votes, he seemed to have defeated the Ku Klux Klan candidate, Judge Royal R. Graham, ruling that there was no way to discriminate between illegal and legal votes in one of Judge Lindsey's strongest precincts, and the entire vote of that precinct must be cast out. That this attempt by the Klan to throw out the precinct was a frame up was freely charged at the time. More than a year ago Judge Graham was found dead in his kitchen, with the gas jets turned on, on the eve of facing charges before the grievance committee of the State Bar Association. His widow continued the suit; dropped it; then reopened it. Testimony was given in open court

by the Grand Dragon of the state that the attorney who represented her was retained by the Klan throughout the proceedings. By the recent decision she will be entitled to her husband's salary as judge from the day on which Judge Lindsey was sworn in until Judge Graham's death; Judge Lindsey will be entitled to a salary as de facto judge, since he has served continuously through the litigation; and his office, now declared open, will probably be filled by appointment by the Board of County Commissioners of Denver. Judge Lindsey has petitioned for a re-hearing, alleging that he was deprived of an opportunity to be heard, and not having had his day in court, has been deprived of his property without due process of law.



IT is a long step forward to give to pre-school and elementary school children the freedom, the use of intelligently selected materials, the joy of creative activity that the "new" schools are making possible for an increasing number of small boys and girls. But as the first crop of new school children advances into its 'teens, parents and teachers are faced with a grave problem of what to do next. Most of the children want to go to college, but to pass entrance examinations they must be forced into the regimented routine of conventional high and preparatory schools. This imperils and frequently it loses all the advantages gained in the "free" elementary school.

More and more the question of how to carry over the fruits of this new education into adolescence is concerning progressive educators. In the call to the World Conference on New Education at Locarno next summer, the New Education Fellowship points out that "in all countries the education of the child under ten years is improving more rapidly than the education of older children." It promises that the conference will investigate "problems of the secondary school and discuss how far progressive methods can be applied to them without prejudicing examination results."

A fresh experiment in secondary education for boys, under the patronage of Mrs. John Wallace Riddle, at Avon, Old Farms, Connecticut, will open next fall with accommodations for 200 students. Press announcements state that "Mrs. Riddle has planned the school to possess the atmosphere of a New England farm, with its traditions of individual initiative and habits of personal industry. . . . While the cultural phases of education will be the main body of work carried out in the school, a special feature will be an effort to encourage all students to participate in work on the land." The boys will enjoy the healthy freedom of country life and the novelty of New England farm activities, and the promoters will in time collect

valuable evidence as to whether such a school offers a realistic approach to the problems of modern secondary education in our industrialized society, among boys who must become business executives, surgeons, lawyers, research scientists, radio engineers, building contractors, politicians and salesmen.

Professor John E. Kirkpatrick has planned a liberal college which shall aim "to encourage students to venture freely and daringly into the field of intellectual activity and into the creative art of social living" in which "the curriculum . . . will be on new lines. Its aim will be to train students to think rather than to learn, to value ideas rather than information. . . . Courses of study are to be arranged and books selected after students and teachers are together in their classrooms. . . . The teacher is to be the director and assistant, not the taskmaster." Professor Kirkpatrick adds that "We are not waiting for large donations or a big plant. We want to build our own plant and create our own endowment in working contacts with the world about us." A group of young teachers have declared themselves ready for the venture whenever he is willing to start. Half-time work outside the college for students and perhaps some of the faculty, on the Antioch plan, is expected to be "an important item in educational experience, not merely a means of gaining a livelihood."



THE clinical year for theological students which Dr. Richard C. Cabot advocated so persuasively in *The Survey* (December 1, 1925) has found among its adherents the General Theological Seminary in New York City. Until two years ago the Seminary was a part of its parish in Old Chelsea in only the geographical sense. The Seminary drew students from all over the country and they had little connection with the community of St. Peter's to which their studies chanced to draw them. Then under a suggestion of Dr. Cabot's, which ultimately culminated in his *Survey* article, it was decided to try to link up the theological teaching with actual pastoral work in the community. The students have helped to gather data for the improvement of the parish lists and records; they have published a weekly paper; and the seniors have carried on systematic parish visiting. In conjunction with the Charity Organization Society they engaged in social work and community organizing. The faculty as well have cooperated. The result has been so satisfactory that the Seminary is now engaged in raising a fund of \$1,250,000 to further the idea by relieving students who were working outside class hours to pay their way, so that they might be free to give all their outside time to carrying on the experiments of using the parish as a religious clinic.



ONE of the dilemmas of democracy lurks in the frank words of an interview attributed by the Philadelphia papers to Mrs. E. S. H. McCauley, the newly appointed

secretary of welfare of Pennsylvania. "I know very little about my job," Mrs. McCauley is reported as saying. "But coming up on the train Governor Fisher and Lieutenant-governor Arthur H. James admitted that they did not know much about their jobs either and that we would all learn together here in Harrisburg. So I don't feel so badly."

It is wholly in keeping with political theory and practice in this country that a highly technical and complex position with a good salary is likely to be turned over at the beginning of each new term to a raw apprentice who must, perforce, spend a large fraction of a comparatively brief tenure in education on the job. But how would it look to a business man? Would he, in fact could he, adopt a practice of training responsible technical executives during their service, with the probability that the training would have to be done all over again at the end of a few years? Is there a middle course between the dull rigidity of a bureaucracy and the kaleidoscopic come-and-go in which even the most earnest and interested office-holders must suffer bewilderment?

In this particular shift in Pennsylvania the new incumbent has the advantage of long interest in civic, especially educational, affairs. And she steps into an organization of which any state might be proud. The Pennsylvania State Department of Welfare was established in 1921 under Governor Sproul, bringing together the scattered bureaus and commissions in the welfare field under Dr. John M. Baldy as commissioner, with Dr. Ellen Potter as director of the Bureau of Children. When Governor Pinchot came into office Dr. Potter was appointed commissioner, perhaps in response to a demand that the women voters should be represented by a woman member in the Governor's cabinet. Here was a shift of responsibility, though to an appointee who had been deeply engaged in all the previous work of the department.

Under these two administrators there has been a vigorous and effective record of coordination and improved administration of the state's institutions, public and private; of needed legislative changes; of public education; and of research to lay the basis of future social engineering. The reorganization of the Mothers' Assistance Fund and of child welfare work in general, the development of the Bureau of Mental Health, the improvement in prison buildings, and the program of Negro welfare stand out as some of the conspicuous items in a long list of substantial gains made both effectively and economically. Pennsylvania can hardly overestimate the importance of the past six years under Dr. Baldy and Dr. Potter, which have brought the state's rating in public welfare up so that it will bear open comparison with that of other rich and progressive states.



THE bi-lingual conference "to consider the interests of Mexicans and Spanish-speaking people in the United States" held at El Paso a few weeks ago demonstrated that it is possible for "problems of mutual interest" to be discussed across the Rio Grande with open-mindedness, tolerance and good humor. The three-fold purpose of the conference, as announced by the Committee of Arrangements,

was: To find and face the facts basic to the solution of the major problems affecting the Mexicans and Spanish-speaking people in the United States; to develop and focus a more intelligent public opinion on these problems; to provide that all interested agencies may face the facts together and permit each to use the findings in such ways as may be of advantage to their own programs.

The conference, projected by the Home Missions Boards having work in the Southwest and constituent members of the Council of Women for Home Missions and the Home Missions Council, was held in one of the Mexican churches of El Paso. There were more than 150 delegates, and all addresses, discussions and reports were in both English and Spanish. Five commissions reported on social and economic factors, education, religion, interracial and international factors and literature, bringing together facts from every section of the United States where Mexicans live. Representatives of many agencies participated in these preliminary studies, and the reports constituted the basis for discussion and for the final findings.

Bad housing as a constant source of friction between Mexican immigrants and American communities was repeatedly stressed. Its correction, to prevent economic as well as social waste, was urged.

The church groups, largely in the majority at the conference, naturally overshadowed other considerations with their particular interests. This was especially apparent in discussions of education, where church schools and Protestant religious training occupied the attention of the delegates to the exclusion of the special educational needs of both children and adults who try to live in American communities handicapped by ignorance of the language and customs of the country.

The final report of the conference points out that

No effort was made to complete a detailed, scientific survey. Rather was it the hope that this conference might serve the participating groups who are facing immediate problems and at the same time point the way for continuing studies in this field. The procedure throughout was based on the theory that the chief need in most situations is not an exhaustive compilation of facts gathered by parties who cannot use them, but an honest facing of many facts already available or readily secured by those who are actually responsible for changing conditions. Too often knowledge far outruns the disposition to use it.

It is in this point of view and this method that the real achievement of the conference lies.



ELSEWHERE in this issue (page 620) Mr. Bruère describes how certain decisions of the United States Supreme Court created a no-man's land between federal and state jurisdictions in which killed and injured longshoremen and their dependents lost the benefits of state compensation laws. In one of these decisions the court suggested to Congress that the only constitutional way by which this unhappy result of its reasoning could be remedied would be the enactment of a federal compensation law to apply uniformly throughout the nation. Such a measure is now before Congress. While its enactment is essential if ordinary justice is to accrue to the thousands of men engaged in the hazardous work of loading and unloading vessels, it will mean

another considerable derogation of the authority of local state government.

At a time when, as in the case of the federal child labor law, it is commonly assumed that public opinion is averse to further concentration of power in the federal government, the Supreme Court, in a number of decisions based upon reasoning analogous to that in the leading longshoremen's cases, is dotting the landscape with no-man's lands whose reclamation its interpretation of the Constitution makes impossible except through a further extension of federal power.

Some years ago the exploitation of immigrants by steamship ticket agencies that also engaged in immigrant banking assumed the proportions of a scandal. To prevent this fraud, a number of states required these agencies to take out a state license. Now the Supreme Court, Mr. Justice Butler delivering the opinion, finds that these laws interfere with or burden foreign commerce and are unconstitutional. The sale of steamship tickets to Europe is held to be a part of foreign commerce under the exclusive jurisdiction of Congress. Now Congress has not dealt with the subject; it has not occupied the field. "This is not a case," says Mr. Justice Brandeis in a dissenting opinion in which Mr. Justice Holmes concurs, "in which the silence of Congress can be interpreted as a prohibition of state action—as a declaration that in the sale of ocean steamship tickets fraud may be practiced without let or hindrance. If Pennsylvania must submit to seeing its citizens defrauded, it is not because Congress has so willed, but because the Constitution so commands. I cannot believe that it does." But the majority hold otherwise. And so, until Congress acts to extend the federal jurisdiction, this fraud may flourish and its victims will discover that they have strayed into a country where the state has no jurisdiction and Congress has assumed none.

An interesting case is that of the Public Utilities Commission of Rhode Island and Narragansett Electric Lighting Company vs. the Attleboro Steam and Electric Company. In 1917 the Narragansett and Attleboro companies, the one in Rhode Island, the other in Massachusetts, entered into a contract by which the Rhode Island company agreed to sell and the Massachusetts company to buy electric current for a period of twenty years at a specified basic rate. In due course the Rhode Island Company found that it was losing money on this contract and it appealed to the Rhode Island Public Utilities Commission to permit it to increase the rate. On the ground that the loss here involved worked an injury to the Rhode Island companies' more than seventy thousand customers in Rhode Island, the commission granted the appeal. The Supreme Court holds this an unconstitutional interference with interstate commerce. The Rhode Island company delivers a block of power to the Massachusetts company at the state line. Says the prevailing opinion of the Court:

The forwarding state obviously has no more authority than the receiving state to place a direct burden upon interstate commerce. . . . The paramount interest in the interstate business carried on between the two companies is not local to either state, but is essentially national in character. The rate is therefore not subject to regulation by either of the two states in the guise of protection to their respective local interests; but if such regulation is required it can only be attained by the exercise of the power vested in Congress.

Again Mr. Justice Brandeis dissents in his consistent effort to protect local self-government from further federal encroachment. But in this case he stands alone. The court has defined another no-man's land that is without sovereignty

until Congress moves to bring interstate commerce in electrical power under national control.

This problem of the federal versus the state jurisdiction in America is steadily acquiring fresh social as well as economic importance as the financial and mechanical structure broadens out its interstate and national foundations. It was the subject of many-sided consideration at the October meeting of the American Academy of Political Science in Philadelphia, whose proceedings are now available in *The Annals* for January, 1927.



WHILE the slave ships were bringing their human freight from Africa, there came in the water casks a supercargo which wrought greater retribution on the New World than the most bitter abolitionist could have dreamed. That unknown passenger was the *Aedes aegypti*, the mosquito, which carries yellow fever. Yellow fever invaded the ports of the United States from New Orleans to New England. With two exceptions it visited the United States every year from 1800 to 1879. One epidemic in New Orleans cost 8,101 lives; another, in Memphis, 5,150. The story of its conquest is one of the most thrilling in social history; bit by bit, it has been forced back until in 1925 there were only three cases in all the Americas. It lurks, guarded and impotent, only in a few remote regions of Brazil. Now, freed of much of the vigilance which has been necessary in this hemisphere, the International Health Board has turned to the last fortress of yellow fever, the West Coast of Africa. Gorgas was on his way to Africa to study yellow fever in 1920 when he fell ill in London and died. Headquarters were established at Lagos, in Nigeria, in July, 1925. Here is a territory as large as the United States east of the Mississippi; a population of thirty million natives, ignorant, superstitious, secretive; a tropical climate. The native huts often are totally dark within, and it is not unusual for their occupants to bar the door and disappear when an inspector approaches. Yet as long as yellow fever persists on the West Coast, there is danger that the completion of the trans-African railways may carry the fever to the East Coast, and thence, by the trade routes, to India and the Orient. Not the least exciting chapter in this story of high adventure is in the writing.



THAT many women are not transients in the industrial world" but "as permanent in industry as are men" is the view stressed in the annual report of the Women's Bureau of the U. S. Department of Labor which has just been published (see *The Survey*, Dec. 1, p. 263). The report adds that "the growing realization . . . that women are indispensable to industry in its need for a large number of workers and that industry is indispensable to women in their economic struggles has led to a greater interest on the part of the public in women who are wage-earners." To employers, to women workers and to the general public therefore "special studies of problems particularly related

to wage-earning women" such as those of the Women's Bureau, are of increasing importance. One such study, which this report describes as well under way, is the investigation of the effects of special legislation on the employment of women in industry which was requested by the Women's Industrial Conference, held under the auspices of the Bureau a year ago (see *The Survey*, Feb. 16, 1926, p. 538). "The object of the investigation is to discover in what way legislation applying to women only has affected their employment in industry and how extensive any effect has been." The method of measurement adopted by the Bureau in gauging the results of such special legislation is "to study conditions of women's employment before and after the laws went into effect and to compare present conditions in states which are not regulated by law," making use of data collected by state and federal agencies and "original investigations by the Women's Bureau of selected states and industries and occupations." Special emphasis is being placed on "laws regulating hours—daily, weekly and at night—and on laws prohibiting women's employment in certain occupations. Other factors of importance in a consideration of the industrial equality of men and women and special legislation for women will be covered, such as vocational training, trade unions and the like."

Other studies made by the Women's Bureau during the past year which deal with various phases of the problems of the permanent woman worker in industry are *Women Workers and Family Support* (No. 50), *Lost Time and Labor Turnover in Cotton Mills* (No. 52) and *Changing Jobs* (No. 54).



THE last report of the Amalgamated Bank of New York, organized less than two years ago by the Amalgamated Garment Workers of America, shows total resources of some \$8,640,000 as against \$6,380,000 for January 1, 1926. The number of special-interest depositors has grown from 7,877 to 9,654, commercial accounts from 4,429 to 5,055. During the past year 121,000 transmissions, totalling four and a half million dollars, were sent through the Amalgamated Bank of New York to Europe, \$2,800,000 of it to Russia.

On December 31, the Union Labor Life Insurance Company passed the \$600,000 set for cash in hand before beginning business. The subscription books were closed a month later. Policies and application blanks are ready to write the first policies this month. Every share of stock has been purchased by a union member or organization and those in charge report that "the promotion work was accomplished at a cost of less than 3 per cent of the capital acquired." Though sponsored by the American Federation of Labor, the insurance company is an entirely separate organization (see *The Survey*, Sept. 15, 1926, p. 635). It will write all forms of policies, including group insurance. Permanent offices have been leased in Washington, D. C.

This is the second life insurance company to be established by American labor. The first, the Union Cooperative Insurance Association organized about two years ago by the International Brotherhood of Electrical Workers, has been successful not only in supplying insurance at low rates but also as a business enterprise.

INDUSTRY

The War on the Western Maryland

By ROBERT W. BRUÈRE

EVER since the crash of guns dazed a day-dreaming world in 1914 there has been a vast amount of speculation about the origin of wars. The man in the street has seemed disposed to lump them with lightning, floods and earthquakes—acts of God, to be humbly accepted as beyond human control. Tell him that international wars are the cumulative results of the little wars that go on between Simpson and MacCord, the rival grocerymen, between Chubb, the garageman who has the backing of the local Republican machine, and Isaacson, who looks to the Democratic leaders, between the Rev. Kent and the Rev. Murphy for pew-holders, and he will think you a bit cracked. It's like the way people used to think of disease. I remember how some fifteen years ago I met a retired Bellevue Hospital scrubwoman on a Catskill train. I had been ransacking the Pullman for milk and a sterilized bottle for a baby whose mother was trying to still its hungry yells by forcing between its gums a rubber nipple that rebellious pink fingers kept tossing to the dirty floor. The ex-scrubwoman watched me with worldly-wise amusement.

"Why all the bother?" she said. "You can take it from me, there ain't no such things as germs. I been all through with it and I know."

She had never seen "germs" under a microscope, so she didn't believe in them as the source of disease. What if we could isolate a little war and watch it grow under a high-powered glass? Would wars then still seem to us inexorably predestined acts of God?

This is precisely what the Research and Education Department of the Federal Council of the Churches of Christ in America, in cooperation with the Social Action Department of the National Catholic Welfare Conference and the Social Justice Commission of the Central Conference of American Rabbis, has done for us in its study of the little war that has wrecked families and spread bitterness along the Western Maryland Railroad. In response to requests from representative members of the communities where the battles were fought, requests from ministers' associations, business men,

employers and trade unionists, these agencies undertook to uncover the origins of the war, to trace its evolution and to appraise its results. Its report just issued reveals in miniature a startlingly exact replica of the great war. When so reduced to nursery dimensions, in spite of the solemn stage setting of great moral principles, the actors look like petulant and headstrong children who defy adult reason for the sake of having their own way. Because this was a little war with a negligible number of casualties, the story reads like a comedy with the touch of tragedy that good comedy always has.

In brief summary, the facts as given in the investigators' report are these. The Western Maryland is one of the lesser Class I railroads. From its eastern terminus in Baltimore, it runs directly west through Maryland by way of Hagerstown and Cumberland. It is principally a coal-carrying road. It had not been earning what its president, Maxwell C. Byers, considered satisfactory profits. He

decided to make it pay. In the autumn of 1923, the Brotherhood of Locomotive Engineers and the Brotherhood of Firemen and Enginemen initiated a concerted demand upon all Class I railroads, including the Western Maryland, for the restoration of the wage-rates that had prevailed in 1920-22 before the Railroad Labor Board by a majority vote ordered a cut of 12 per cent. This they later modified to approximately 5½ per cent on the basis of their settlement with the New York Central in January, 1924, which was followed by practically all Class I railroads in the United States except the Western Maryland.

President Byers was adamant. He plead poverty. The report fails to sustain this plea. It shows by expert analysis of the road's financial records and comparison with the records of

roads similarly circumstanced that what others were able to do, the Western Maryland might have done. But

President Byers' whole industrial philosophy and his habit of thought dispose him to be very critical of trade unions. . . . He has severed relations with all of them except those of the



By courtesy Zum Sehen Geboren, Berlin

"ONE OF THE LESSER CLASS I RAILROADS"