

More About Special Labor Laws for Women

By GRACE PHELPS

Legislative Representative of Women's Joint Legislative Conference

BECAUSE it believes that special laws are needed by the working women of this state, the Women's Joint Legislative Conference, which is backed by the largest women's organizations of New York State, is undertaking to put through this session of the Legislature six bills for their protection.

These bills are the Minimum Wage,

sponsor this legislation at the request of the men and women workers of the state.

What Rose Schneidermann Says About It

The following statement was made by Miss Rose Schneidermann, president of the Women's Trade Union League:

"The legislative programme of the W. T. U. L. was formulated at the legislative conference called by the league in New York, June 7, 1918. At this conference were representatives from all the women's trade unions in the city, comprising 60,000 working women. These unions were:

- "The Ladies Waist and Dressmakers of New York City, Local 25.
- "The Packers, Turners and Boxers Union.
- "The Neckwear Tackers Union.
- "The Neckwear Makers Union.
- "The White Goods Workers Union.
- "The Wrapper and Kimono Makers Union.
- "The Typographical Union No. 6.
- "The Fancy Feather and Flower Workers Union.
- "The Library Employes Union.
- "The Costume Dressmakers Union.
- "The Teachers Union.
- "The Woman Upholsters Union.
- "The Bookkeepers, Stenographers and Accountants Union.

"The Central Federated Union of New York City and the Central Federated Union of Brooklyn, both of which include women and men in their membership.

"The programme which the working women drew up at that time was endorsed by the State Federation of Labor at its convention in Rochester, last August, and was included in Labor's Bill of Rights.

"At the conference of the Women's Trade Union League, the questions of night work for women and long hours, with consequent fatigue and breaking down of health, were thoroughly discussed. It was recognized that laws limiting the hours of women's labor might injure a few, yet the benefit which such limitation would give the vast majority of workers, and the betterment of general social conditions which the passage of these bills would effect would far outweigh the hardships which a few women would undergo as a result of being thrown out of employment because of these laws.

Corporations Favor Such Changes

"The benefits of the shorter day come



not only to the working men and women themselves, but result in greater industrial efficiency and betterment of the race. Corporations which have been forced to adopt the eight-hour day, or have done so voluntarily, have discovered that they obtain more and better work in eight hours than they formerly obtained in ten hours.

"The last thing that working men or women want is competition between the sexes. What labor has been suffering from is too much competition; women against men and children against women. Such competition lowers standards and injures all alike. The laboring people of this country, as well as of the state, are standing together for equal opportunity for men and women and for pay to be based, not on sex, but on the needs of life for the worker.

"No one can question the fact that this programme is the official legislative programme of the organized labor of the state, which also represents the masses of unorganized labor which has no spokesman to voice its demands."

Miss Mary E. Dreier, chairman of the Women's Joint Legislative Conference, in answer to Mrs. Blatch, says:

"Ever since women entered industry they have been paid less than men for the same work. Since the war, women have entered industry in great numbers. Because of the necessity of increasing production during the war, the trade union men who control these industries permitted the women to work with them

without joining the union. Most of these women did as much work as the men beside whom they toiled. The output of many of them was even greater than that of the men, yet most of the women workers got from 2 cents to 10 cents an hour less than the men were paid for the same work.

"Because women workers are inadequately organized, they have been a prey to exploitation. They have been forced into unfair competition with the men, working longer hours for less pay and

under conditions detrimental to their health.

"Instead of forcing women out of work and blocking their chances for equal pay, these bills will remove unfair competition with men and aid in forcing employers to give women equal pay for equal work.

Women Sacrifice Health To Duty

"The working girls who express their approval of these bills have more intelligence than Mrs. Blatch gives them credit for having. Mrs. Blatch says that the 'poor little working girl is duped by the promise that things will be made right for her—that all the hard work will be done by men, and yet that she is to receive as much pay as the men workers.' These girls know very well what they are about. They have worked under the conditions of no protection and inadequate protection and they have not been lured with false promises by any one in the approval of this legislation.

"Mrs. Blatch seems to forget that working women have home duties and cares which working men do not have, and therefore, for the welfare of their children, they require special protection. Women who work at night, and many a working woman does prefer to work at night because of her family duties, overwork themselves because they attempt to take the entire responsibility of feed-



Mary L. Dreier, Chairman Women's Joint Legislative Conference

the Eight-Hour Day, Health Insurance and three bills for the protection of women transportation workers, elevator operators and office workers.

In reply to an interview with Mrs. Blatch in The Tribune of January 12, the conference maintains that:

1. Working women want the laws. The bills were drawn up by the Women's Trade Union League, representing women workers.

2. Working men want the laws. The bills are backed by the State Federation of Labor and endorsed by the newly formed Labor party.

3. The state needs the laws to protect the coming generation.

4. The Women's Joint Legislative Conference, including the Women's Trade Union League, the Consumers' League of the city and state, the New York League of Women Workers, the W. W. C. A., the New York State Suffrage party and the State Federation of Women's Clubs, has undertaken to



Mrs. James Lees Laidlaw, Legislative Chairman New York State Woman Suffrage Party



Mary Van Kleec, Head of Women's Division Federal Department of Labor

Calls This a Half Loaf For Women

"If we cannot yet have an eight-hour day for all workers, we should at least insist upon the half loaf for women, upon whom long hours lay the heaviest penalty in lost health and vitality.

"Employers do not pay women less money because they work less hours or because they do inferior work, but merely because they are women, without the power of organization behind them.

"I know a big machine shop in Brook-

ultimately obtain them through their unions and through legislation. But if we wish the health of the coming generation to be unimpaired, the state must step in now at this juncture, and provide sanitary working conditions for women, shorter hours for women and such other protection as may be necessary. It is because we are taking a broad, human point of view on these questions that we have sponsored this legislation and wish to get it now, before the health of the mothers of the race suffers beyond repair.

"Ladies of the Jury"

By ROSE FALLS BRES

WHEN a lawyer faces the jury which is to decide his or her case consideration has been given all the strong points developed by the evidence and its legal effect; then comes a guess as to the personnel of the particular group staring across the low railing which fences off the jury box. "Know thyself" is a perfectly useless injunction to the lawyer at that moment, but "Know thy jury" is mightily important.

About the most disheartening thing a lawyer experiences is the sometimes wooden indifference of a totally unemotional jury—it is like talking to a hole in the wall. But if only one of the twelve has a real heart and open mind, takes a human interest in what is going on and asks a question or two, there seems some hope of a just verdict. Twelve absolutely stolid, unimaginative persons could not be just in their conclusions reduced to one brief verdict about affairs or individuals of this everyday world.

When the cause is a righteous one counsel for one side tries to hammer home the fact, but, as there are two sides presented, it is safe to assume somebody is trying to blur the vision of the jury so that wrong will look right and truth fade into nothingness. That is the reason very old practitioners declare "the only hope of a weak case is trial by jury." There are so many cross-eyed tactics—the look-one-way-and-strike-another kind—that a stupid jury made up of but one kind of "show me" brains may easily and conscientiously go wrong.

"Know Thy Jury"

There are said to be tricks practised by some trial lawyers to obtain unfair advantage, such, for instance, as the loud aside or parenthetical remark, not in the least relevant and sure to bring reproof from the court, but depended on to affect the opinion of the jury; and there is the blustering mix-up of facts and ruled-out evidence, the rough dragging forth of unimportant details to hide the main issue, and the honeyed persuasion which leads to false conclusions.

It all depends on the jury whether one or the other method has any chance whatever of success. To mistake the character of the jury is usually fatal to a lawyer's cause. It is related of a certain Kentucky statesman who came from the heart of a mountain district that on his return from college in his callow youth he was hurried into a courtroom by an admiring family dependent who needed a lawyer. The young man was not interested in the proceedings; they were crude, according to his newly ac-

quired veneer, and he was considerably bored. But when it was time for his argument he arose with a determination to show the extent of his intellectual attainments to those farmers who remembered him in swaddling clothes.

He commenced: "Far over the waters of the deep blue sea a golden moon climbed the star-studded"—

And an old fellow in the jury box reached out the curved end of a many-notched limb he used for a walking cane, looked the youth back into his seat and declared in a stage whisper: "You're all balled up, sonny; this is er case er hawg stealin'."

That young lawyer with the native gift of oratory, who became known later as a master at the art of fence and parry with polished wits, in this his first case failed to take into consideration the personnel of his jury.

All these years, by textbook and by word of mouth handed down, lawyers have been learning to read juries. In the course of time and practice it is possible to do a fairly good job of character reading—that is, reading of the material which has been filling into jury boxes without variation for years. But nowhere in the great law libraries of the world nor in the memory of man is there to be found any sort of guide for the poor counsellor and attorney at law in his diagnosis when he must address a panel as "Ladies of the jury."

Now Come the Women

Along with their right to vote, women in some of the Western states have had the right to serve on juries, but these progressive helmsmen of man have been so busy with just one reform after another for the benefit of women and children, that they have not issued any handbooks on the behavior of jury women. And now New York faces the innovation, by reason of a bill prepared for legislative enactment by the Brooklyn Women's Bar Association, and the cross-eyed tactics won't be worth anything any more, for women have a "sixth sense" which will enable them to look both ways at once.

As the most ordinary events and things go to make up evidence it will no longer be possible to profit by the one-sided knowledge of men. Take an instance in the recent Baksa trial, where a country girl was accused of the murder of a woman who kept a boarding house where she had lived. A lot of time was taken to show that a certain cheap little Tam O'Shanter hat had been worn by the accused. The same described hat was worn by a girl who later rented another room and then went off and left her effects, including the hat, in the room and disappeared. There was other evidence to establish the fact that it was

the Baksa girl who rented the room and left in it the clothes described; but that little hat played an absurdly prominent part in the evidence and had no place there for weight.

Every man who heard the evidence looked greatly impressed—surely there was no doubt about it: the Baksa girl had owned a cheap little Tam O'Shanter hat, and that was the kind of hat abandoned in the room a few blocks from where the murder was committed.

But every woman who heard the evidence knew that that little hat was of the "manufactured" kind, and that thousands of the same sort had been sold in New York to all kinds of girls. To women it proved nothing.

Old Tricks Must Go

There was a lot of attention paid, also, to the number on a pair of old shoes and the number on a new pair, when every woman knows that a foot clothed in a narrow last No. 5 shoe may be comfortably stowed into a wide last No. 3.

In the case of a woman tried on a charge of arson in another state a great appeal was made to the jury because the woman had suffered so from "an accusation cruelly false that her hair turned entirely white" in the three months she spent in jail before her trial. But every woman in the courtroom knew that the color previously used on the hair had not been "fast," and that Time, unassisted by Injustice, had worked the change to be expected.

It is conceded there are many things men know which women will never get acquainted with, but there are also long depended on lines of argument which will now go into the discard if women serve on juries. There will have to be a readjustment of plans and specifications when it becomes correct to address the "ladies of the jury."

While the accusation of too much "maudlin sentiment" has always been made against women, there stand out in the record of events certain trials where the verdict set at liberty very handsome and charming women accused of violent crime, and it has to be conceded that the all-man jury was unduly influenced by the aforesaid charm and loveliness of the accused. So it would seem that jury women may not be more sentimentally emotional than men. And if they are to serve as a check upon the male weakness for beauty what will a poor lawyer do to earn a million or two fee in certain sensational cases?

Perhaps there has never been real appreciation of the development of the judicial instinct in women, who have had to judge every day the little folks who are to be the citizens of to-morrow; the call upon every mother and every teacher to learn to be fair and to judge only after full understanding of all sides of a case, and to look for that "intent" which is so important in the legal definition of crimes.

Midnight on the B. R. T.



IT WAS midnight on the B. R. T.—no crowd, no hurry—everything as calm and peaceful as Nantucket. The newspaper woman had been on the job since 9 a. m., with intervals for such nourishment as was to be painfully extracted from Park Row with the waiters all on a strike. She ran for the wrong car and caught it, but took it grimly, thinking that Fate must have some designs.

Fate had. The conductorette at first glance proved to be a person worth knowing, and when the fares were collected the Park Row woman stood her sealskin chummiily up alongside of the blue uniform and queried, "How do you like this run?" "I like it fine," said the conductorette. "No grouches on the night run and no crowd. And I go home and sleep like a log and don't have to get up early in the morning. It's the life, and certainly beats getting to work at 7:45 in the morning."

"But do you get enough sleep? Doesn't the daylight tempt you to do too much?"

"No, dearie; if I was to home I'd be sitting up reading till 2 or 3 o'clock, anyway. My man was a bartender and never got home till three, and I got the habit."

"That's so," said the Other Working Woman musingly; "seems to me I have heard of women being kept up nights before they went into industry. Come to think of it, my mother, who had four others besides me, and never did a stroke of work outside the home, sleeps with one eye open and a light in her room at the age of seventy because she got so in the habit during the ten years that the children were little that she could not sleep any other way."

Just then Fate intervened again. The regulation drunken man said to infest the midnight cars to the undoing of all conductorettes lurched into the scene. He wore the traditional "three-day stubble" that all real drunkards should possess and he was very unsteady. Firmly but gently the stalwart blond put her hand in the middle of the old man's back and eased him to a seat.

"Look out for the step, Pop," she said encouragingly, "and don't sit in the lady's lap," she added, as the old man lurched toward the girl in the corner.

"Yes, I understand you want to change at Blank Street," and the intoxicated fare lapsed happily into an untroubled slumber. The conversation was resumed without a ripple. "Drunks" seemed to be all in the night's work, and perhaps easier to handle in a streetcar than within the sheltered home.

"There is some talk about laws to prevent night work for women," ventured Park Row.

"Who wants them?" snapped the Uniform. "I suppose these ladies with no jobs of their own must be pegging away on something, so they pick on us. Will they come around with a pay check when we lose our jobs, that's what I'm wondering? It's hard work, but a lot easier than standing over a washtub all day."

Just here a well-groomed young man with two girls made a run for the car, but one of the girls fell far behind. The conductorette stood poised with her hand on the fateful rope, but held the car until the laggard caught up, and the whole party was reunited on the midnight train. The young man bowed courteously to the conductorette and said "I thank you," as he joined his partners in the car. Memories rose as before one of the numberless times when the bell had been briskly rung in the face of eager would-be patrons of the car, arriving breathless just in time to have the car slip neatly out from underfoot.

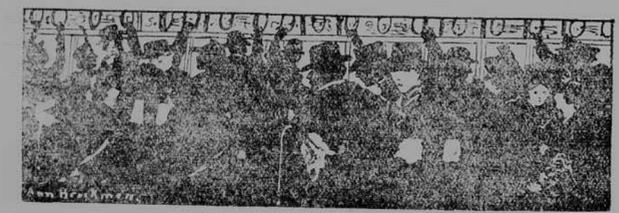
Suddenly The Observer, wrapped in the adventures and philosophy of the conductorette, discovered that she was rolling zactly away into the wilds of Brooklyn and dropped hastily off the car, starting back on a brisk cross-country walk toward home and the classic shades of Borough Hall.

The air was soft and velvety, and a delicious fragrance was issuing forth from bakeries where humans, male or female, always have to work at night. It was a "good old world," apparently at peace, and The Observer ambled on with lungs full of ozone, a heart full of deep content and a mind filled with the conviction that the American woman can work when and where she pleases with profit and efficiency, and no one has a right to say her nay. Working out your own salvation is an inalienable right, bearing Biblical sanction, and the conductorette said, "Why don't they let us settle it? Ain't it our job?"

And when you come to think of it, "Ain't it?"

ANNE LEWIS PIERCE

The Subway Day Shift



WITH the not overclean hand of a hairy man resting on one shoulder, the other weighed down by the sharp elbow of a tall, dissipated youth reeking with cigarette fumes; faced by a short, chunky, garb-breathing male whose every lurch sends Mary back into the embrace of a negro stevedore—

No; this is not a tale of panic in a burning building or on board a sinking vessel; it is a realistic description of conditions on the "L," the subway, the surface car, morning and night, in which Mary and my Kate must travel between home and office, factory or store.

Horried, you determine that your Mary shall not leave on an early train hereafter; she can secure a position with shorter hours—10 to 6, which calls for only seven and one-half hours' work. So Mary finds the "ideal place"—and her travel conditions remain unchanged, except that the negro stevedore's embrace is exchanged for that of a leering "office lizard."

The horrors of transportation cannot be alleviated by such a simple expedient as leaving for the office an hour later and coming home an hour earlier, for thousands of workers thought of that scheme years ago; the overcrowding cannot be ended by the building of more subways, for of their building there is no end, yet the opening of each new artery of traffic finds the same mass of humanity waiting to overcrowd its cars. Segregation of the sexes has been suggested as a partial remedy, but—do you notice the large number of males occupying seats in the ladies' cabins of ferryboats?

There is but one remedy for the truly shocking transportation state into which Manhattan Island's shape and the decision of business to remain at its southern end have brought us: three eight-hour shifts in every trade and business which would prosper under continuous operation. And the two shifts the hours of which would bring them within the night-work classification should be open to women, who suffer more from transportation evils than do men.

Revolutionary as this may seem, the suggestion is based on sound common sense. Consider the case of your Mary, for instance. She leaves the house at 9



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