

the Department of the Interior. Near the close of his tenure, Wright reaffirmed his view of the agency's role: "To my mind, all the facts which have so far been gathered and published by the Bureau bear, either directly or indirectly, upon the industrial and humanitarian advance of the age, and are all essential in any intelligent discussion of what is popularly known as the 'labor question.'" He stressed that labor statistics should relate to the "material, social, intellectual, and moral prosperity of society itself," rather than solely to narrow fields. In response to those who called on the Bureau to become "the instrument of propagandism" in the interest of reform, Wright replied, "Whenever the head of the Bureau of Labor attempts to turn its efforts in the direction of sustaining or of defeating any public measure, its usefulness will be past and its days will be few." He continued: "It is only by the fearless publication of the facts, without regard to the influence those facts may have upon any party's position or any partisan's views, that it can justify its continued existence, and its future usefulness will depend upon the nonpartisan character of its personnel."¹¹³

Wright died in February 1909 at the age of 69.

Chapter III.

Charles Neill: Studies for Economic and Social Reform

On December 12, 1904, President Roosevelt appointed Charles P. Neill to succeed Carroll Wright as Commissioner of the Bureau of Labor, effective February 1, 1905. The active role already emerging for the Bureau under Wright in the early years of the Roosevelt administration intensified under Neill as Roosevelt increasingly used the Bureau to further the reform efforts of the Progressive movement. In 1908, the President wrote, "Already our Bureau of Labor, for the past 20 years of necessity largely a statistical bureau, is practically a Department of Sociology, aiming not only to secure exact information about industrial conditions but to discover remedies for industrial evils."¹

As a major figure in the conservative wing of the Progressive movement, Roosevelt was concerned with the social problems of the working population brought on by the increasing industrialization of the economy and the growth of large-scale enterprises. This concern reflected both a sincere interest in reducing the ill effects of industrialization and a desire to forestall the possible alternatives of social instability and radicalism. In relations between capital and labor, neither "government of plutocracy" nor of "mob" was to be controlling.²

Roosevelt regularly expressed his concern with labor problems in his annual messages to Congress. His policy, innovative for the times, was for limited government involvement in labor-management relations to protect the interests of the public. He saw unions and their federations as accomplishing "very great good. . . when managed with forethought and when they combine insistence upon their own rights with law-abiding respect for the rights of others." The role of the Department of Commerce and Labor was to secure fair treatment for both labor and capital.³

For Roosevelt, the Bureau of Labor's investigatory activities and reports were of great value in furthering his goals. In his 1904 message to Congress, he called attention to the positive role of government accomplished "merely by giving publicity to certain conditions," and praised the Bureau of Labor for doing excellent work of this kind "in many different directions."⁴

The Bureau retained its broadened role even after Taft took office in 1909. Thus in 1911, in describing the Bureau's activities, Neill wrote of "the practical nature of the work which the Federal Government is trying to do to assist in exposing conditions which are dangerous to the life and health of wage-earners and to furnish the basis for sound legislation for the improvement of these conditions."⁵

Demands for legislation mounted during the early years of the century as the growing strength of labor unions was challenged by the concerted action of large corporations. Responding to gains by the American Federation of Labor and especially the United Mine Workers, the National Association of Manufacturers and the Citizens' Industrial Association launched a vigorous campaign for the open shop. At the same time, the United States Steel Corporation drove the remnants of the iron and steel workers' union from its plants.

In defense against these antiunion moves, the AFL increased its political activities. In 1906, it presented "Labor's Bill of Grievances," calling labor's principal demands to the attention of the President and the leaders of the House and Senate. Among the demands were legislation for an 8-hour workday, elimination of the competition of convict labor, relief from the mounting flow of immigration, exemption of unions from the antitrust laws, and relief from injunctions, which were increasingly sought by employers to prevent union action in labor disputes.

In the factories and mines, a militant new union, the Industrial Workers of the World, emerged to challenge the AFL from the left. Originating in western mining areas, the IWW took up the cause of the unorganized and unskilled, largely immigrant, work force in the factories of the East. Confrontations of workers, strikebreakers, police, and militia often erupted into violence.

In the turmoil of the times, Neill, as Roosevelt's ally in reform efforts, became embroiled in considerable controversy. Although the Commissioner forcefully defended his agency against charges of partisanship, declaring that it sought objectivity and balance, his experience provided something of an object lesson, warning of the hazards of being closely identified with particular government policies.

The second Commissioner

Charles Patrick Neill was born in Rock Island, Illinois, in 1865 and was reared in Austin, Texas. He attended the University of Notre Dame and the University of Texas before graduating summa cum laude from Georgetown University in 1891. He then became an instructor at Notre Dame. In 1895, he returned to the East Coast to finish his doctorate at Johns Hopkins, receiving the Ph.D. in 1897. In the meantime, he served as an instructor at Catholic University in Washington, D.C. He was appointed Professor of Political Economy in 1900, a post he held until he came to the Bureau of Labor in 1905. It was at Catholic University that Neill met Carroll Wright, who was teaching there while serving as Commissioner of Labor.

Before the House Committee on Agriculture in 1906, Neill briefly summarized his early years: "I was engaged in business as a clerk from the time I was 10 years old to 20, including occupation as a newsboy, a clerk, and other things. I have been a student from the time I was 20 until I was 30, and a teacher from that time on." He had also worked at the University of Chicago settlement house at the gate of the stockyards.⁶

Neill was active in charitable organizations in Washington before his entry into government service, and was associated with the "new era" of professionalism in welfare work in that city. In 1900, President McKinley appointed him to the newly created Board of Charities for the District of Columbia, which chose him as its vice president.⁷

Neill also participated in the educational activities of the District's Civic Center, which sponsored studies of housing conditions, especially of alley dwellings, and of sanitary conditions in the schools, and which played an important role in the enactment of child labor and compulsory education laws—causes in which he was prominent as Commissioner.⁸

Neill first came to Roosevelt's attention in 1902, when Carroll Wright recommended him for a post on the staff of the commission set up to mediate the anthracite coal strike. Roosevelt commented in his autobiography, "The strike, by the way, brought me into contact with more than one man who was afterward a valued friend and fellow-worker. On the suggestion of Carroll Wright, I appointed as assistant recorder to the Commission Charles P. Neill, whom I afterward made Labor Commissioner to succeed Wright himself. . . ." ⁹ In 1903, Roosevelt appointed Neill to the new Board of Conciliation and Arbitration for the anthracite industry, where he served first as accountant and later as umpire, replacing Wright.

When Roosevelt was looking for a new Commissioner of Labor, a number of influential men supported Neill for the position. One of them, Edward A. Moseley of the Interstate Commerce Commission, wrote Marshall Cushing of the National Association of Manufacturers, "I believe he is the sort of man that should be appointed to a position of that kind not only because he is a political economist, but will be able to hold the balance with a steady hand." The *Review of Reviews*, while commenting that it would be difficult to fill Wright's place in government and academic reputation, remarked, "The new Commissioner brings good credentials for his work."¹⁰

Neill's views

Neill's early writings and speeches reflected the view that the betterment of society could come only from the moral improvement of the individual. He saw the task of the social worker as one of developing the psychic fortitude of the poor: "We may say what we will about environment. The struggle of the poor is the struggle of the interior psychical forces against external environment. Any society is only as strong as the individual members make it."¹¹

By the time he became Commissioner, he had broadened his view: "It is true poverty is perfectly compatible with sanctity, but

when this happens it is the unusual. Those of you who have seen something of low standards of living amid poor material surroundings know how almost impossible it is to bring up children with decent moral standards. To raise the standards of living, both material and moral, we must begin with the food, clothing, and shelter. . . . There are certain possibilities in higher standards of living which the individual cannot attain by himself. This requires State action. There must be certain united action to allow the individual to reach the highest standard of living possible."¹²

Neill emphasized the collective social conscience, especially after becoming Commissioner. In a 1906 article, "Child Labor in the National Capital," he summarized his ideas as follows: "Whose is the responsibility? For whom do these children work? The truth is these child victims are working for us. They are working for me, and they are working for you. We enjoy cheaper products because the rights of children are outraged in order to furnish cheap labor. We cannot turn around and lay the blame entirely on the greed of the employer. Whatever shameful conditions of child labor exist, it is due just as much to a lack of conscience in the community at large as it is to any greed on the part of particular employers."¹³

Neill did not agree with those who believed that capital and labor were "necessary allies and natural friends." On the contrary, he argued that industrial disputes were inherent in the very nature of the economic system. However, he stated, "That strife may be tempered and kept within reasonable limits. . . . The best hope of industrial peace between these two groups lies in educating each to the realization that antagonistic interests can be compromised and treaties of peace arranged better before than after a test of strength has been made by an appeal to force."¹⁴

He saw unions as an avenue for tempering the conflict. "We must either develop a satisfactory process by which, through some form of trade unionism and collective bargaining, the burdens of industry shall be lightened and the wealth constantly created by the joint toil of brain and arm shall be more widely distributed amongst those who cooperate in its production, or we shall find ourselves face to face with the menace of Socialism in one form or another."¹⁵

The Bureau's investigative work

During his first year in office, Neill concentrated on completing studies Wright had begun. But the President soon asked him to undertake several major new investigations on issues of immediate concern.

Packinghouse conditions

For over a decade, reformers had been demanding Federal legislation to require the accurate labeling of preserved foods, beverages, and drugs. Germany and other European countries had roundly condemned American preserved meat and packinghouse products. Veterans of the Spanish-American War remembered none too fondly the "embalmed beef" of the quartermaster. Such legislation had passed the House only to die in the Senate, and Roosevelt urged its adoption in his message to Congress in December 1905.¹⁶

Early in 1906, Upton Sinclair published *The Jungle*, which exposed the unsanitary practices of the Chicago packers and stirred public indignation. Roosevelt called for action. The Bureau of Animal Industry of the Department of Agriculture, which maintained a staff of inspectors at the stockyards, immediately launched an investigation. The President directed Neill to make an independent inquiry: "I want to get at the bottom of this matter and be absolutely certain of our facts when the investigation is through." Neill, along with James Bronson Reynolds, a reformer from New York City, spent 2½ weeks gathering information and then submitted a report to Roosevelt, who praised him for his work. In addition, not satisfied with the report of the Animal Industry Bureau, Roosevelt asked Neill to revise it.¹⁷

Based on these reports, Roosevelt ordered the Department of Agriculture to prepare a bill establishing more stringent meat inspection procedures. Senator Albert J. Beveridge introduced the proposal in May. The so-called Beveridge Amendment quickly passed the Senate, where the packers made no fight. The press reported that the packers "were willing to agree to almost any kind of legislation" to prevent publication of the Neill-Reynolds report.¹⁸

However, Representative James W. Wadsworth of New York, Chairman of the Committee on Agriculture, mounted a vigorous opposition in the House. Thereupon, Roosevelt released both reports. As he transmitted the Neill-Reynolds report, he declared, "The conditions shown by even this short inspection to exist in the Chicago

stockyards are revolting. It is imperatively necessary in the interest of health and decency that they should be radically changed. Under the existing law it is wholly impossible to secure satisfactory results." The Neill-Reynolds report had described the poor lighting and ventilation facilities; the "indifference to matters of cleanliness and sanitation" demonstrated by the privies provided for men and women; and the uncleanness in handling products.¹⁹

The packers retorted in congressional hearings that their procedures were sanitary and wholesome but that they would favor more efficient and expanded inspection. Nevertheless, their defenders in the House treated Neill harshly when he came to testify, prompting him to complain, "I feel like a witness under cross-examination whose testimony is trying to be broken down."²⁰

In the meantime, the press reported vigorous activities at the packinghouses where "carpenters and plumbers and kalsominers by the score are at work on alterations." Nevertheless, a great outcry continued in both American and foreign newspapers. On June 19, Congress agreed to a meat inspection bill, and the President signed it on June 30, the same day he signed the Pure Food Law.²¹

Violations of the 8-hour law

At the same time that Roosevelt ordered Neill into Chicago on the meatpacking investigation, he asked the Commissioner to investigate alleged abuses of the law limiting contractors on Federal Government work to an 8-hour day for their laborers and mechanics. The AFL charged that contractors disregarded the 8-hour law with impunity. In response, Roosevelt wrote to Frank Morrison, Secretary of the AFL: "At our interview yesterday, I requested you to bring to my attention any specific cases of violation of the 8-hour law. . . . I shall at once forward them to Mr. Neill, of the Labor Bureau, and direct him to investigate them and report direct to me. . . . My belief is that you will find that with Commissioner Neill personally supervising the enforcement of the law all complaints will be met."²²

After a thorough inquiry, Neill reported to the President in August that the law was rarely obeyed. In September, referring to the Neill memorandum, Roosevelt issued executive orders putting into effect the Commissioner's suggestions for improving notification and enforcement procedures. Roosevelt asked Neill to continue his review of enforcement by the contracting agencies and the courts. A year

later, Neill reported that most contractors continued to have their employees work 10 hours a day.²³

The *Butchers' Journal* of the Amalgamated Meat Cutters and Butcher Workmen declared, "Charles P. Neill, National Commissioner of Labor, has come out flat-footed against the greedy and grasping contractors on government work and in a letter to President Roosevelt he shows up the contractors in their true light and condemns their persistent efforts to violate the 8-hour law on all government work."²⁴

The *Machinists' Monthly Journal* of the International Association of Machinists thought politics to be at the root of the President's action: "Whether the sudden feverish desire on the part of the Federal authorities to see that the provisions of the 8-hour law are strictly enforced has anything to do with the recent decision of the organized forces of labor to enter the political field can best be determined by the workers themselves."²⁵

Immigration laws

Immigration laws figured prominently among labor's grievances, because the unions viewed existing laws as providing draftees for business to restrain wages and prevent unionization. Roosevelt frequently called on Neill to conduct inquiries, and the issue occasionally found Neill, who supported restriction of immigration, at odds with his superior, Secretary of Commerce and Labor Oscar Straus, a founder of the Immigrants' Protective League and a proponent of an open immigration policy.

In June 1906, Roosevelt asked Neill to prepare confidential reports on the immigration situation, with the assistance of the Commissioner General of Immigration. Neill also surveyed conditions surrounding Japanese immigration into the San Francisco area.²⁶

Roosevelt also called on Neill, as well as Straus, when the actions of the State of South Carolina under the Immigration Act of 1903 were questioned. The act had made it unlawful to pay for the transportation of aliens or to assist or encourage the importation of aliens by advertising in foreign countries or otherwise. The ban on advertising, however, did not apply to State governments, and South Carolina established a Department of Agriculture, Commerce, and Immigration to encourage immigration into the State. The State Commissioner induced several hundred aliens to migrate, with the understanding

that their passage would be paid from a fund made up of a State appropriation and individual and corporate contributions. Organized labor charged that mill owners supplied the funds, thereby skirting the letter of the law in hope of obtaining cheap labor.

When the Solicitor of the Department of Commerce and Labor upheld South Carolina, Roosevelt called on Straus to review the matter thoroughly, because "many of the people most affected sincerely believe that it is the end of any effort to stop the importation of laborers under contract in the Southern States, and that this means further damage to laborers in the Northern States." Roosevelt also advised Straus that he was consulting with Neill, who had "exceptional advantages in the way of keeping in touch with the labor people and of knowing their feelings as well as their interests."²⁷

The Immigration Act of 1907 was intended to close the loophole. However, a conference called by the President on the interpretation of the act produced divergent views. Straus commented in his diary, "Commissioner Neill gave a narrow view of the whole situation which, however, the President did not adopt." Roosevelt then appointed a committee, with Neill as a member, to study immigration into the South and directed that all reports of violations of contract labor laws should be filed with the Commissioner.²⁸

The 1907 act also created a commission to study the whole question of immigration, and the President appointed Neill to it. Neill wrote later, "When the Immigration Commission was created in the spring of 1907, I was, against my personal wishes, drafted into service. I had a good deal to do with the planning of the work of the Commission in the beginning, and during the entire period of its existence, I was in close touch with its work." He helped direct the statistical work and the southern investigation and supervised the general work in Washington, at least in the earlier years of the commission. A number of Bureau personnel worked with the commission as well, including Fred C. Croxton, who served as its chief statistician.²⁹

The new act also set up a Division of Information within the Bureau of Immigration. Terence Powderly, former leader of the Knights of Labor, was appointed Chief of the Division, whose function was to distribute immigrants to sections of the country where there were jobs available. Originally, the AFL had viewed this function as permitting "workmen lawfully coming to the United States. . . a more intelligent choice of location in which to seek employment. . .

and if administered fairly [as] calculated to be of least injury to labor."³⁰

In a period of widespread unemployment, however, the activities of the Division of Information in helping immigrants find jobs came in for much criticism. The AFL argued that the Department of Commerce and Labor should devote its energies solely to meeting the problem of the domestic unemployed. Neill reaffirmed an earlier view that "it is useless to talk about any plan to distribute immigrants, other than the single plan of offering higher wages in the places that want them than they are getting in the places that they are now or in offering them opportunities to take up land that make the opportunities actual and really within their reach."³¹

In September 1909, Neill wrote President Taft, calling his attention to union charges that immigrants were being used to break the unions: ". . . the immigration figures are rapidly mounting up to what they were during the high tide of immigration 2 years ago, and the labor organizations are convinced that a number of the large corporations are determined to take advantage of the abundance of labor and the incoming immigrants to break the power of the unions before there is a full return to prosperity and such a scarcity of labor as would give an advantage to the organizations."³²

Neill also expressed concern about the influx of Orientals into Hawaii. A major section of the third report of the Commissioner of Labor on Hawaii (1906) was entitled "Orientalization of Laboring Population and Its Results." Neill wrote that "as long as Oriental labor is available, it will be practically impossible to build up a typical American commonwealth." Besides, he continued, pointing to the plantation regimen, "It will always be impossible to secure any body of self-respecting Caucasian laborers who will work under those conditions." Neill reported in 1911 that competition had increased between American and Japanese workers, and that the territorial government and businessmen had attempted to attract Caucasian labor from the mainland, with only slight success.³³

Strike investigations

In the festering industrial unrest of the period, Neill and the Bureau were called upon to investigate many labor disputes, particularly in the steel, mining, and textile industries, which were later viewed as landmarks in the history of industrial relations. The Bureau's reports

on these disputes were comprehensive. In addition to noting the immediate causes of the dispute, they discussed the new developments on the labor scene—the role of immigrant labor, the rise of the IWW, and the growth of the open shop and company unions. Further, they dealt with the corporate structure of the industry, its business practices, and the impact of new technology on the work force.

Steel was one of the most strife-ridden industries. In 1909, Neill was asked to investigate a strike called by unorganized workers, many of them recent immigrants, at the Pressed Steel Car Company of McKee's Rock, Pennsylvania, when the company altered the wage system and refused to post rates of pay. The workers' other grievances included the compulsory use of company stores, extortion by foremen, and a speedup of work. Moreover, the Austrian consul complained that employment agencies were importing immigrants as strikebreakers. The IWW gave advice and direction to the strikers, marking its entry into the East.³⁴

The AFL noted Neill's report on the strike when it directed its executive board to obtain the report "for the purpose of framing national legislation for the proper supervision of the employment agencies."³⁵

At the same time, when the United States Steel Corporation announced that all its plants would operate on an open shop basis, the Amalgamated Association of Iron, Steel and Tin Workers struck in protest at a company subsidiary, the American Sheet and Tin Plate Company, the only remaining unionized mill of U.S. Steel. During the unsuccessful year-long strike, the AFL provided organizing support and presented grievances to President Taft and Congress, calling for an investigation of the activities of U.S. Steel.

Neill reported to Taft on the "bitterness in labor circles" aroused by the company positions in the two steel strikes. He suggested to Taft that, to avoid increasing bitterness, a study of labor conditions in the steel industry be undertaken and announced immediately. Taft replied that he had no objection to such a study, "but I do not wish it advertised. . . . I am not in favor of grandstand performances in advance."³⁶

In February 1910, another walkout by several thousand unorganized workers at the Bethlehem Steel Company over the extension of overtime and Sunday work prompted the Secretary of Commerce and Labor to direct the Bureau to investigate. Ethelbert Stewart of the

Bureau's staff led the study. He reported that at least half the company's workers were required to work 12 or more hours a day, with no premium for overtime or Sunday work, and that a 7-day workweek was common. No grievance procedure was available to the unorganized workers, he reported, and "time-bonus" payments stimulated a speedup in work.³⁷

The *Machinists' Monthly Journal* described the report as providing "reliable information founded upon exact data, carefully and scientifically collected," and called on the union's members to give all possible publicity to the facts in the report. Charles Schwab, Bethlehem Steel's president, protested that the report was unfair in failing to clarify that these conditions existed throughout the American steel industry. Following a meeting with Schwab and the Secretary of Commerce and Labor, Neill affirmed that the "shocking" conditions prevailed in the industry generally, but that U.S. Steel had recently ordered Sunday work reduced to a minimum.³⁸

A month after the publication of the report on Bethlehem Steel, the Senate authorized the Bureau to examine working conditions in the iron and steel industry. The Bureau's 4-volume study, published over a 2-year span, was based on information obtained through personal visits and mail questionnaires to plants employing about 90 percent of the industry's workers, the majority of whom were recent immigrants. The study covered wages, hours of work, and accidents. It reported continued 6- and 7-day workweeks of 12-hour days: One-third of the 150,000 workers in blast furnaces, steel works, and rolling mills were working 7 days a week, and one-fifth were working 84 hours or more a week. The report questioned the need for Sunday work in view of the recent action of U.S. Steel in abolishing most Sunday work. The report also called attention to the dilution of skills in the industry as mechanical developments spread, adding to the already large proportion of unskilled workers.³⁹

In commenting on the study, the *Machinists' Journal* stated, "Gratifying in the extreme and profitable in every way is the report. . . because of the additional light it throws upon the terrible conditions under which men have to work in that industry." Pointing out the inadequacy of craft unions for dealing with the employers, the *Journal* continued, "There is only one remedy and that is thorough and perfect organization. Not the organization of a little aristocracy composed of the less than one-twentieth of these workers who receive fifty

cents an hour and over, but the complete organization of every worker in the industry along the broadest, the most liberal and democratic lines imaginable. . . ."⁴⁰

Gompers cited excerpts from the report to reply to "public opinion" that labor was well-treated in the industry. Later, in his autobiography, he wrote, "Dr. Neill performed a very comprehensive and valuable piece of work which caused the officials of the steel corporations to 'cuss' him and gnash their teeth."⁴¹

The Bureau continued to focus considerable attention on the outbreaks of industrial violence characteristic of the period. A congressional resolution of June 1911 called on the Bureau to investigate conditions in Westmoreland County, near Pittsburgh, where a strike had been going on in the bituminous coal mines for over a year. The Bureau reported that union efforts at organization had been blocked by the mine operators for two decades and that the introduction of machinery had increased the number of unskilled jobs for which immigrants were employed.⁴²

One of the most dramatic industrial disputes of the period began in the textile mills of Lawrence, Massachusetts, in January 1912. The immediate cause of the strike was a reduction in earnings announced by the American Woolen Company in response to a new State law reducing the limit on working hours for women and children from 56 to 54 hours a week. The strike was marked by violent confrontations between strikers and the police and militia. Although Congress held hearings, the Bureau conducted its own investigation and prepared a report, which commented on the strike "started by a few unskilled non-English-speaking employees" that developed into an organized action of 20,000 workers led by the IWW. It noted that wage increases were obtained.⁴³

Friends of President Taft objected to giving publicity to the poor wages and working conditions in the highly protected textile industry for fear of exposing the weakness of the argument that high tariffs kept American wages high. However, the Senate called for the Bureau report, and published it as a Senate Document.⁴⁴

The widespread industrial unrest prompted concerned citizens to petition Taft to form a commission to make a thorough investigation of laboring conditions in the country. In a message to Congress, Taft supported the idea, explaining that recent investigations had been "fragmentary, incomplete, and at best only partially representative."

The country needed, he said, a comprehensive, nationwide study. Neill expressed a similar view in congressional testimony, stating that the Bureau was too small to undertake such a task. But Taft delayed in making appointments and Woodrow Wilson subsequently named the members—after Neill had left the government and the Department of Labor had been established.⁴⁵

Neill's mediation activities

Although the President and Congress called upon Neill for many tasks, mediation of labor disputes proved to be his major and most absorbing public work. As Commissioner, he helped settle some 60 railway controversies, and his involvement in railroad labor relations extended into World War I, when he served on the first Railway Board of Adjustment.

The Erdman Act of 1898 had provided for a board of mediation for railroad disputes, with the Commissioner of Labor as a member, but the act's procedures had been asked for only once during Wright's tenure. In December 1906, the Southern Pacific Railroad Company applied to the board when it found itself threatened by a jurisdictional dispute between two railway unions. Although one of the unions was skeptical at first about the board's role, it viewed the final result favorably, finding that "Mr. Neill applied himself with such diligence to the task of bringing about an adjustment that he was soon familiar with every detail of the controversy. He was absolutely fair to all interested."⁴⁶ Within a month, the unions agreed to an arbitration panel. This success, coupled with the broadening scope of railroad collective bargaining agreements, spurred use of the act's machinery.

Neill noted that, in the beginning, the companies viewed him with some suspicion since they presumed him to be pro-labor because of his position. But, he said, "After the first case or two, why, they became convinced of my fair-mindedness." He further explained, "There is no occasion to charge either side, as a rule, with unfairness. . . . It is human nature to want to be fair. But it is also human nature to be self-centered. Therefore, each side has an entirely different conception of what is fair."⁴⁷

His colleague on the mediation board, Judge Martin A. Knapp, chairman of the Interstate Commerce Commission, stated that the function of the mediators "is to aid a friendly settlement. . . . For this

reason, it has been the conception of those who have acted in this capacity that their duty is not to determine what settlement they think ought to be made, but to find out what settlement can be made."⁴⁸

As originally viewed, the Erdman Act provided a tool for dealing with disputes between a single railroad and its operating employees, but the railroad brotherhoods turned to concerted action, in which they organized and negotiated with management on a broader regional basis. This greatly complicated procedures and took considerably more of Knapp's and Neill's time while threatening a more extensive public impact if mediation failed.

In addition, legislation was proposed in 1912 to extend coverage under the Erdman Act to coal companies in interstate commerce and to railway shop craft workers. Widening the board's scope would make further demands on the time of the Commissioner of Labor.

Thus, in his report for 1912, the Secretary of Commerce and Labor stated that the Commissioner needed some relief and recommended an independent board of conciliation and arbitration, to be named by the President and confirmed by the Senate. This reflected Neill's concern that, if the Erdman Act were expanded or if he and Knapp were to undertake cases not properly falling under the letter of the act, "It would be absolutely necessary to create some other machinery."⁴⁹ And in testimony before Congress that year, Neill emphasized that the suggested expansion would require a new mechanism, declaring, "It has been impossible for me to give proper attention to this work and even begin to perform my legitimate duties in the Bureau of Labor. . . . I might add that I would not, under any conditions, be willing to continue to attempt to carry on the work under this act and the work of the Bureau of Labor both."⁵⁰

Early in 1913, under the pressure of disputes on eastern railroads, Knapp and Neill worked with a committee from the National Civic Federation and representatives of the major railroads and the railroad brotherhoods to develop a plan for a separate, permanent board of mediation. Within the year, Congress passed the Newlands Act, which set up a separate Board of Mediation and Conciliation. From that time on, Commissioners of the Bureau were no longer occupied with the time-consuming task of mediating labor disputes.

Work in industrial safety and health

Under Neill, the Bureau was a leading force in the movement to improve industrial safety and health conditions. In 1908, the Bureau highlighted the lack of information on industrial accidents by publishing an article by Frederick L. Hoffman, a consulting statistician for the Prudential Insurance Company, in which he wrote, "Thus far, no national investigation of the subject of industrial accidents has been made to determine the true accident risk in industry, and the statistical data extant are more or less fragmentary and of only approximate value."⁵¹ To fill some of the gaps, the Bureau published reports on railway employee accidents, fatal accidents in coal mining, and accident experience in other countries.

In addition, Bureau staff developed information on occupational accidents as part of larger studies. Lucian W. Chaney, the Bureau's expert on accident prevention, prepared *Employment of Women in the Metal Trades*, a study of accidents to machine operators, as volume XI of the Bureau's massive study on working women and children. In 1912, the Bureau published Chaney's *Accidents and Accident Prevention* as volume IV of its report on working conditions in the iron and steel industry. Chaney had taken 2 years to collect the data. This publication was the first in a continuing annual series on industrial accidents in iron and steel.

Both Neill and Chaney played important roles in the early years of the National Safety Council. At the First Cooperative Safety Congress in 1912, both were appointed to the Committee on Permanent Organization, whose function was "to organize and to create a permanent body devoted to the promotion of safety and to human life." The next year, Neill delivered a paper in which he advocated that the National Council for Industrial Safety become a clearinghouse that would circulate information about accidents and maintain a roster of lecturers. In the speech he declared, "I doubt if there is a commercial nation today, laying any claim to an elementary civilization, that has been maiming and mangling and killing those who attempt to earn their bread in the sweat of their faces with as little apparent regret and as little thought as we do in the industrial centers of the United States."⁵²

The Bureau's interest in industrial hygiene paralleled its concern with industrial accidents. In 1908, the Bureau published an article on

the subject by George M. Kober, professor at the Georgetown University Medical School. In the same year, an article by Hoffman, "Mortality from Consumption in Dusty Trades," gave impetus to the fight against tuberculosis.

The Bureau also gave increased attention to the problem of exposure to industrial poisons. As late as 1908, the report of the Lucerne Conference of the International Association for Labor Legislation included the following comment on the state of protective legislation in the United States: "The protection of the worker from industrial poisons and dust has hitherto made little progress in the United States. No material on the subject was available and the American Section could do nothing except bring to the notice of the Governments of the various States the petition of the International Association requesting the compulsory notification by doctors of cases of industrial poisoning."⁵³

In 1904, when the president of the International Association had written Secretary Cortelyou, head of the Department of Commerce and Labor, about a conference to consider, among other things, the use of white phosphorus in the production of matches, Cortelyou replied, "I have the honor to state that the Federal Government has no jurisdiction in such matters. They belong definitely and specifically to the several States."⁵⁴ Subsequently, in September 1906, Germany, Denmark, France, Italy, Luxembourg, Switzerland, and the Netherlands signed a convention on the prohibition of the use of white phosphorus in the manufacture of matches. In December 1908, the British Parliament passed the White Phosphorus Matches Prohibition Act.

Neill and the Bureau were instrumental in arousing American concern over phosphorus poisoning. In 1909, the Bureau cooperated with the American Association for Labor Legislation in a study of the effects of white phosphorus in match production. John B. Andrews, secretary of the association, summed up the results: "The investigation of 15 of our 16 match factories during the year 1909 proved conclusively that, in spite of modern methods and precautions, phosphorus poisoning not only occurs in this country but exists in a form so serious as to warrant legislative action to eliminate the disease."⁵⁵

The Secretary of Commerce and Labor wrote Neill, "While this report will no doubt make some stir, I am satisfied that the truth of this condition ought to be known, especially since we seem to be

behind other countries in giving attention to so serious a condition. If the matter is to be published, kindly urge it as much as possible in order that it may receive attention as early as conditions admit of."⁵⁶

After publication of the report, legislation was introduced to ban phosphorus matches from interstate commerce. The campaign sought to encourage production of matches by the more modern sesquisulphide process, but this faced three problems: The Diamond Match Company (also known as the "match trust") held the patent on the process; the technology was more expensive; and the match industry was localized and not easily subject to Federal regulation under the commerce clause. Therefore, supporters of the legislation argued the need for a heavy tax to discourage use of phosphorus by eliminating the economic incentive. In his 1910 message to Congress, President Taft recommended such an approach.⁵⁷

In the meantime, Diamond moved to sell rights to other companies who wished to use the sesquisulphide process. In January 1911, it relinquished the patent to three trustees: Neill, E.R.A. Seligman of Columbia University, and Jackson Ralston, an attorney for the American Federation of Labor. On January 27, the trustees surrendered the patent.

Since the industry could not be forced to adopt the new process, efforts to tax phosphorus matches continued. Finally, in 1912, Congress passed a law that provided for the tax, ending the phosphorus poisoning problem so far as matches were concerned, but not in other industries.⁵⁸

The Bureau also focused considerable attention on the problem of lead poisoning, beginning with three articles in the *Bulletin* in July 1911. Based on personal investigation of 22 factories, Alice Hamilton, later a professor at Harvard Medical School, wrote on the white-lead industry in the United States. John Andrews wrote on deaths from industrial lead poisoning reported in New York State in 1909 and 1910. And Sir Thomas Oliver, leader of the British crusade against the employment of women in white-lead processes, contributed an article on lead poisoning and lead processes in European countries. In 1913, the Bureau published Hamilton's tentative findings on the effects of lead in the painters' trade.

Neill's activities included participation both at home and abroad in efforts to establish occupational health standards. The American Association for Labor Legislation, of which he was a member, took

several steps in the field of occupational health in addition to the work on phosphorus, such as organizing the National Commission on Industrial Hygiene (1908) and calling the First National Conference on Industrial Diseases (1910). The conference wrote a Memorial to the President which recommended some greatly expanded national efforts.⁵⁹

Industrial education

The Bureau had published studies on industrial education in 1892 and 1902, but in 1908 there was intensified interest from the AFL, which corresponded with educators, academicians, and social workers on the subject. In that year, a committee was formed which included Neill, union officials, and representatives of public interest groups. At the committee's request, the Bureau conducted another study.

The AFL termed the Bureau's effort, published in 1910, the "most comprehensive study of the whole subject. . . that has ever been made in the United States." The study provided support for legislative proposals by the AFL for Federal aid to the States for industrial education on the basis that, as Gompers wrote, "Industrial education, like academic education, is becoming a public function and. . . should be paid for by public funds."⁶⁰ Legislation did not come until 1917, however.

Social insurance

The Bureau's educational work in the field of social insurance also began under Wright, who, as early as 1893, had published a study of compulsory insurance in Germany. Under Neill, the Bureau continued to provide information on European and also American practices. In 1908, a study by Lindley D. Clark reported on U.S. employers' legal liability for injuries to their employees, and the Bureau's annual report for that year consisted of a study of workmen's insurance and benefit funds in the United States. A companion report published in 1909 dealt with workmen's insurance and compensation systems in Europe.

It was in the field of workmen's compensation that the Bureau exercised, for 8 years, a statutory administrative function. In May 1908, Congress passed a law providing compensation for injuries to

certain artisans and laborers employed by the Federal Government, the first workmen's compensation act in the United States. Administration of the law was assigned to the Department of Commerce and Labor, and the Secretary turned over most of these duties to the Bureau, including the examination and approval of claims. The coverage of the act was later widened so that by 1913 the compensation system covered about 95,000 civilian government employees. The Bureau retained this responsibility until 1916, when Congress established the Federal Employees' Compensation Board.

A sidelight on the compensation system the Bureau administered is provided by a 1913 magazine article by a former Bureau employee. He noted, first, that the Government treated its employees badly: "The economic and social value of the welfare work of large corporations need not be exaggerated, but it is a sad fact that the Federal Government has done less of it (outside the Isthmian Canal) than many of the soulless corporations." Second, he noted that, although the Federal act was the first compensation law in this country, several States had subsequently enacted programs that were far superior. Further, he charged that the Bureau had done little to implement improvements.⁶¹

The Federal Government's efforts to establish a pension system for its employees led to several Bureau studies. In examining various proposals, the Senate asked the Bureau for information on domestic and foreign retirement plans. In response, the Bureau prepared a study of 219 municipal retirement systems and 22 railroad programs. The Bureau also commissioned a report by an outside expert on civil service retirement programs in Great Britain, New Zealand, and Australia.

The study on working women and children

During 1907, with much encouragement from the AFL and welfare reform organizations, Neill and the Bureau embarked on a massive study of the working conditions of women and children. The investigation joined two campaigns, one for limitation of child labor and the other to improve the conditions of the increasing number of working women.

In his annual messages for 1904 and 1905, Roosevelt had pressed for such a study, with special emphasis on child labor and its regulation by the States.

Social reformers from Chicago pushed for an investigation of women's working conditions, and Mary McDowell and Jane Addams met with Roosevelt in 1905 to ask for a study. Several women's organizations took up the cause and drew up a proposed bill. In January 1906, Neill wrote to Sophonisba Breckinridge of Chicago, "The President is very much in earnest in this matter and has said to me since you were here that he is quite anxious to do anything he can to help secure the investigation."⁶²

In the appropriations hearings on the study, the Commissioner stated, "If there were conditions of prime importance affecting the family life and morals and citizenship, due to industrial conditions, the national government has just as much interest in finding that out as it has in finding out what is the total amount in savings banks or what is the general increase of street railways, or nine hundred and ninety-nine other things for which large sums of money are expended in the Census. Here are matters. . . of tremendous sociological importance."⁶³

The movement toward the study proceeded at the same time that proposals were introduced in Congress to limit child labor. A bill introduced by Senator Albert J. Beveridge prohibited the interstate transportation of the products of factories or mines employing children under 14 years of age. A bill proposed by Senator Henry C. Lodge applied only to the District of Columbia.

Neill, who had been campaigning for a child labor law in the District, wrote to the President, arguing that, "If Congress has the power to pass legislation of this kind, some bill embodying the principle of the Lodge or the Beveridge Bill should be passed. . . . Child labor is indefensible from any view point whatever, and is a blot on the civilization that tolerates it." Either bill, he explained, "would serve both to protect the markets of any State from being made the dumping ground for the products of child labor in other less advanced States, and would assure to the manufacturers of more progressive States a protection against the competition of child labor States in outside markets."⁶⁴ Neither bill won committee approval. However, Congress finally passed a bill applying only to the District of Columbia

which prohibited the employment of youth under 16, with some exceptions. Roosevelt signed the limited measure in May 1908.

There was even opposition to the conduct of a study. Congressional opponents questioned whether the national government had the authority to investigate, contending that Congress lacked authority to legislate on the subject.⁶⁵

Another set of arguments was directed at limiting the scope of the study. Neill was asked, "Is not all this information that you can gather already to be had right here in the Census Bureau—the number of women and children employed and the average wages they receive per annum?"⁶⁶

Supporters of the measure responded that the Census Bureau could provide some numbers but not the "thorough investigation as to the effects of the employment of women and children upon their health and upon the social conditions of the people."⁶⁷

In January 1907, Congress directed the Secretary of Commerce and Labor to conduct the investigation, later stipulating that the Census Bureau should do the work. With continuing uncertainty over the status and conduct of the investigation, the National Civic Federation established a commission of its own, made up of representatives of manufacturers and the AFL, to investigate the extent and menace of child labor, expressing concern that "it would be most unfortunate to have the result of the investigation be a lot of misleading figures and exaggerated statements of conditions which would simply serve as socialist propaganda."⁶⁸

Roosevelt wrote to Secretary Straus that the Bureau of Labor should have the work: "I cannot too strongly state that in my judgment the investigation will be shorn of a very large part of the good results we have a right to expect from it, if it is not confided to the Bureau of Labor."⁶⁹ Straus then wrote, "Both the Director of the Census and the Commissioner of Labor agree with me thoroughly" that the investigation should be carried out by the Bureau of Labor. In the end, the Bureau of Labor was permitted to conduct the study.⁷⁰ For each of two consecutive years, the Bureau received \$150,000 for the investigation.

Eager to have the cooperation of employers, Neill assured the National Association of Manufacturers, as he had Congress, that there were no preconceived notions guiding the conduct of the study and that its purpose was solely to gather facts. The study would take into

account the conditions and practices of the "best class of manufacturers" and avoid the misrepresentation that would result from describing only the worst conditions. "There is no desire to discover the harrowing or unearth the sensational. . . ." "When the important facts have all been brought out, there will be found to be evils to be corrected," Neill went on to say. "I believe that then it will be found that the members of this association are just as ready as any body of men in the country to see that justice is done."⁷¹

The AFL and representatives of welfare organizations offered their assistance in the investigation, and the National Child Labor Committee provided the Bureau with the material it had collected over a period of 3 years. As the investigation proceeded, AFL representatives met with Neill to suggest setting up a division in the Bureau to deal specifically with the conditions of working women and children.⁷²

The Bureau encountered many problems in the conduct of the study. Although Bureau agents took great care to verify the ages of children under 16, as reported by children and mill officers, there were difficulties in obtaining age information in the southern mills, and frequently, it was reported, working children were hidden from Bureau agents.⁷³ In addition, there were complaints by mill operators about the time required to respond to the questions of the agents.

Neill's designation of a southerner to conduct the study of the textile mills was challenged very early by the study's supporters. McDowell wrote Neill, "I saw Miss Addams. . . and from her learned that the cotton industry had been assigned to a southerner. . . . I did hope so much that you were going to be free to give a body of facts that would stand the test of criticism, but already I hear rumors that the cotton industry investigation is discredited. This may be unfair, but natural."⁷⁴ Then, when the study finally was published, Neill was attacked from the other side as having slandered the South.

Work on the study began in 1907 and continued through 1909. The inquiry was substantially confined to States east of the Mississippi, partly because the social and industrial problems dealt with were found mainly in the East, and partly because of the limitations of time and money. One aspect of the study dealt with employment of women and children in the four industries in which they made up a significant proportion of the work force—cotton, glass, men's readymade garments, and silk—and also with employment of women in stores and

factories, in the metal trades, and in laundries. Two studies dealt with child labor problems, focusing on the reasons for leaving school and on the relationship between employment and juvenile delinquency. Three studies gave historical accounts of child labor legislation, women in industry, and trade unionism among women. Three reports dealt with health questions: Infant mortality in Fall River, causes of death among cotton-mill operatives, and hookworm disease, particularly in the southern cotton-mill communities. The remaining studies included a survey of family budgets of cotton-mill workers, the connection between occupation and criminality among women, and State enforcement of labor laws and factory inspection laws. In all, 19 volumes of studies were published.

Among the leading findings of this landmark report was the disparity between the North and the South in the employment of children. In the textile mills of the South, where the legal age limit was 12, there were many children at work; there were far fewer in New England. However, in Pennsylvania, although the age limit was 16, enforcement was lax, and a large number of children were at work in the silk mills.

The study showed that, in a substantial number of cases, children's earnings were essential to meet pressing necessity. But in many other cases, both in the South and elsewhere, families would not have suffered hardship if child labor were forbidden. The report concluded that, to a considerable extent, child labor seemed to be due "to indifference or active hostility to the schools on the part of both parents and children."⁷⁵

Another finding concerned the growing substitution of women for men in industry. The report brought out the paradox that "a process of substitution has been going on by which men have been gradually taking the leading role in industries formerly carried on chiefly in the home and considered distinctly feminine, such as spinning and weaving and garment making and knitting. As the women have been more or less dispossessed in their specialities, they have either gone into work formerly considered men's, such as the printing trade, or entered newly established industries which had not been definitely taken over by either sex. In both cases they are usually found doing the least skilled or poorest paid work."⁷⁶

Among the many pioneering aspects of the study was the development of new techniques for analyzing economic and social phenom-

ena. The first standard budgets prepared by the Bureau were developed for the purpose of evaluating the living conditions of the cotton-mill workers in Fall River and the South in 1908-09. Actual weekly earnings and expenditures for a year were obtained for representative cotton-mill families. From these the Bureau prepared standard budgets for a "fair standard of living," including some allowance for comfort, and a "minimum standard of living of bare essentials," on which families were living and apparently maintaining physical efficiency.

Commissioner Neill noted: "These standards, it should be emphasized, are the standards found to be actually prevailing among cotton-mill families of the several communities studied, and are not standards fixed by the judgment either of the investigators or of the Bureau of Labor."⁷⁷

The diet of the Federal prison in Atlanta was compared with the expenditures for food of the cotton-mill families. The comparison indicated that—for both Fall River and southern families—at least half had expenditures at a standard less than the prison diet.⁷⁸

The study results influenced the establishment of the Children's Bureau, achieved in 1912 after several years of effort by supporters. Neill had favored its establishment as a separate agency rather than have his Bureau assume the added responsibilities. The intensive studies required of a Children's Bureau would not duplicate the work of the Bureau of Labor, he said.

Pressure also developed to make special provision for women's studies. The AFL, for example, called for a special unit in the Bureau of Labor—to be headed by a woman—that would conduct studies relating to the condition of women in the United States. The Bureau established such a section in 1911 under the direction of Marie L. Obenauer, who published a series of studies on hours and earnings of women in selected industries in Chicago, the District of Columbia, Maryland, California, and Wisconsin.

Controversy over the study findings

In 1912, during congressional debate on the establishment of the Children's Bureau, southern Senators charged that the study on women and children presented an unfair picture of southern conditions. In addition, a former Bureau agent charged that Neill had suppressed his survey of conditions in southern mills. The agent's

report, which he later published on his own, held that conditions under industrialization, even if not very good, represented an improvement over the conditions in the rural areas from which the mill workers had migrated.⁷⁹

Although the Bureau had not published the agent's study, Senator Lee S. Overman of North Carolina referred to sections of it as presenting an "obscene and . . . scandalous" picture of southern rural conditions. A month later, the Senator criticized as "odious" the Bureau's report on family budgets of cotton-mill workers. A Washington newspaper had reported the study under the headline, "Southern Mills Bad as Prisons (Bureau of Labor Report)—Families ill fed, poorly clad, and ignored by every class of society—children all drudges."⁸⁰

Neill responded to these criticisms, both as they occurred and later. To charges that he had been unfair to the South, Neill replied, "I designedly placed this under charge of special agent Walter B. Palmer, himself born, reared, and educated in the South and known to me to be southern in every respect." Furthermore, Neill said, he had directed that the southerners on the project staff were to be assigned to the cotton textile study.

The Commissioner also pointed out that the study covered virtually all the best mills as well as the worst, stating, "I desired to be able to point out that good conditions could be maintained on a commercial and practical basis by the fact that they did exist in mills that were being profitably conducted." He stated further that he had been so anxious to avoid any appearance of focusing attention on the South that he had hoped to present the data by State, without dividing them by region, but that clear differences between the northern and southern States in age limits, working hours, and the ethnic composition of the work force required presentation by region.⁸¹

Neill summed up: The agents "were not sent south to write up sensational material any more than they were sent north to do so. . . . If the results were sensational, it was due to the facts and not to any desire on the part of the Bureau to make them sensational."⁸²

There was much support for the conduct and findings of the investigation. In the Senate, William E. Borah of Idaho, sponsor of the Children's Bureau proposal, contested Overman: "But the fact remains that a vast amount of the facts were based upon real investigations and brought forth a number of things which were startling to the country. I do not know whether there are things in them that are

untrue or not; but I know from investigations of my own, which have resulted since I took charge of this measure, a great many of those things reported to be true are true."⁸³

The *Survey* commented on the first publications, "No greater service could be done the various movements against child labor, against the night employment of women, against unsanitary shop conditions and for higher wages, better hours, more conserving methods of work, than to secure a wide distribution and reading of these encyclopedic books."⁸⁴

Warren M. Persons, in the *Quarterly Journal of Economics*, wrote, "The first three volumes issued by the Bureau of Labor on *Woman and Child Wage-Earners in the United States* set a very high standard of excellence for the series. . . . The investigations seem to have been as careful as they were extensive."⁸⁵

Gompers, in his report to the 1911 AFL convention, declared, "The results of this investigation have fully justified the action of the American Federation of Labor in behalf of such an inquiry being made."⁸⁶

The National Child Labor Committee also took some pride of sponsorship: "We may fairly claim a large share of responsibility. . . . We promoted the bill which secured the appropriation for this investigation and have placed all our available information at the disposal of the United States Bureau of Labor."⁸⁷

But criticism of Neill's conduct of the study persisted and reappeared when President Taft asked Congress to reconfirm Neill as Commissioner in 1913.

The Bureau's statistical work

Neill continually sought to improve the quality of the Bureau's statistical work. One of his first activities upon becoming Commissioner was to visit the Bureau's agents in the field. He had heard, he said, "serious charges affecting the integrity" of their work, and reports of "a large degree of loafing and considerable drinking." "I made a trip through the country visiting practically every agent in the field and made inquiries in proper quarters concerning the character of their work."⁸⁸

Collection of data on prices and wages was the primary activity of the field agents; for this, it was essential to be assured of the representativeness of the stores selected for obtaining prices and of the estab-

lishments selected for obtaining wages. The stores were to be those patronized by workers. In his trips to the field, Neill visited many stores to be sure the selection had been the proper one.

As a check on the validity of the agents' work, Neill decided to switch the territories and industries to which they were assigned. The agents protested that this would undermine the value of the personal relationships they had established with store proprietors and of their familiarity with the characteristics of the industry. Neill felt that certainty of the quality of the primary material collected overshadowed these considerations, and he went ahead with the reassignments.

Neill sought to take the Bureau's price and wage reports out of the climate of political campaigns. These reports had been published in alternate years, a pattern which had placed them "at the beginning of a political campaign and . . . a subject of discussion in the campaign. This led to attacks upon the report and the charge that it was prepared for political purposes, and attempts were made to discredit the integrity of the work." He decided to change the time of publication to nonelection years. "In this way we felt that it received consideration as a serious scientific study and would not be subject to the charge of being a political document."⁸⁹

In 1908, Neill undertook an extensive revision and reorganization of the Bureau's statistical work. He halted the collection of data on retail prices and wages, partly because of the heavy demands on the Bureau's resources arising from the study on women and children, but also because he felt there were serious shortcomings in the concepts and techniques. Collection of retail price data was resumed in 1911 and wage data in 1912; information for the missing years was gathered retroactively. In the interim, Fred C. Croxton developed new techniques for data collection and supervised the reorganization of the field staff.⁹⁰

When retail price collection was resumed, the new series covered 39 cities in 32 States, generally the cities with the largest population in each region, representing two-fifths of the urban population and one-fifth of the total population. One innovation was the arrangement whereby retail merchants furnished price information by mail directly to the Bureau each month. Retail dealers selected were those selling largely to the families of American, English, Irish, German, and Scandinavian wage earners. Neighborhood stores predominated; few downtown stores were included, no cut-rate stores were priced, and

chain stores were included only where they were so numerous as to be an important factor in the city's trade. The grade of articles quoted was that sold in each city in the stores patronized by wage earners.

The Bureau cautioned that it had not "attempted to quote prices for an article of identical grade throughout the 39 cities. For almost every article, this would be absolutely impossible, as the grade varies not only from city to city but also from firm to firm within the same city, and the grade even varies to some extent from month to month within the same store."⁹¹

The Bureau presented "Relative Retail Prices of Food" for the 15 leading food items, representing approximately two-thirds of the expenditure for food by the average workingman's family. The relatives were presented in two forms—a simple average of the relative prices for the 15 items, and as indexes weighted according to the workingmen's expenditure patterns in 1901.

As Neill summarized the results of the reorganization of retail price collection, the information was secured from "a larger number of stores, is therefore more representative, is submitted monthly, and is more accurate, and what is more the collection of this field data from a large number of stores is now carried on at probably one-third or possibly one-fourth the cost of the former work."⁹²

Regular publication of wage data was not resumed until after Neill left office. But in March 1913 he described the new data collection system. One of the changes was to have the agents specialize in certain industries, whereas formerly they had covered many. Also, they were to become more familiar with the nature of the work in the various occupations. "Under the new system which we devised, the agents are required to make a careful study of systems and occupations in the industries to which they were assigned." Neill went on to point out, "The importance of this is suggested by the fact that. . . methods of production in the United States frequently change, so that, while the name remains, the real character of the occupation has undergone radical change, and this fact should be reflected in the reports on these occupations."⁹³

The series on industry wages and hours launched in 1913 reflected the improvements developed under Neill, including the application of statistical techniques for weighting and for constructing indexes. Further, successive reports on individual industries were made more comparable through provision of data for identical estab-

ishments and well-defined occupations, with weights based on the number of workers at each rate. Similarly, the work on union scales of wages in seven industries was systematized. The studies covered the cities included in the Bureau's survey of food prices, with indexes for wages and hours derived by weighting each city by the number of union employees in the city.

Wholesale price collection, begun under Wright in 1902, was maintained throughout Neill's term. The Bureau priced about 250 articles on an annual basis, generally in the New York market. At this time the wholesale index was not weighted, in the technical sense. Rather, the Bureau simply priced "a large number of representative staple articles, selected in such a manner as to make them to a large extent weight themselves." The quotations were collected partly from the standard trade journals and partly from different firms, or from chambers of commerce, by correspondence. The same source was used year after year so as to maintain the same standard.

Strikes and Lockouts was published as the Bureau's 1907 annual report. It provided data for the 1901-05 period on the number of employees involved in each strike, the duration of the strike, and the cause. It also indicated how the settlement was reached—whether by joint agreement or arbitration—and included a summary of the preceding 25 years. As with price and wage data, collection of strike statistics was suspended in 1908, and no further information on strikes was collected until 1914.

There were several efforts during this period to reorganize and coordinate statistical work on a broader scale, both within the Department of Commerce and Labor and throughout the Federal establishment. In connection with one such effort—the Interdepartmental Statistical Committee set up by executive order in 1908—Neill pointed out in answer to the committee's survey that, within the same Department, both the Bureau of Labor and the Bureau of Statistics published wholesale prices—even of the same commodities. He concluded, "The subject of wholesale prices, however, cannot be classed within the province of the Bureau of Labor; logically, it should be transferred to the Bureau of Statistics, provided a sufficient force be given that Bureau to keep this annual investigation at its present standard, or better, to extend and improve it."⁹⁴

The committee took no action on Neill's suggestion. Nor did other attempts to coordinate the government's statistical work come to fruition during Neill's tenure.

Administration

Neill continued most of the top leadership from Wright's administration, including Chief Clerk G.W.W. Hanger, Charles Verrill, and Gustavus Weber. Ethelbert Stewart continued as one of the principal members of the field staff.

Neill had to deal with several personnel problems during his tenure. No retirement system was yet in force for Federal workers, and the Bureau found itself with a large number of elderly employees. Neill explained, "The Bureau has been, and still is, hampered in its work by having a number of employees who have been long in the service and reached an age when their usefulness in the work of the Bureau is considerably impaired."⁹⁵ At the same time, the Bureau lost some of its best staff members because of low salaries.

In 1908, in line with a governmentwide directive to improve efficiency, the Bureau moved to put its personnel system on a merit basis and instituted efficiency ratings for its employees. On the basis of these, Neill made a number of promotions and demotions, which led some employees to charge him with unfairness and discrimination. The Secretary of Commerce and Labor found the charges to be groundless, but they came up again 5 years later at Neill's reconfirmation hearing.⁹⁶

Sufficient funding was a chronic problem. The many special studies the President and Congress called for, along with the reluctance of Congress to provide additional funds, strained the Bureau's resources. Regular appropriations remained at close to the same level during Neill's 8 years; extra funds were granted only for the largest studies. (See table 2.) As noted earlier, Neill suspended some of the Bureau's regular data collection programs partly because of the demands of other, more pressing work.

Table 2. Appropriations for Bureau of Labor, 1906-13
(in thousands)

Fiscal year ended June 30 —	Total ¹	Salaries
1906	\$184	\$106
1907	173	107
1908	² 323	107
1909	² 323	107
1910	173	107
1911	176	107
1912	³ 191	103
1913	⁴ 270	103

¹Includes salaries, per diem and etc., library, and medical examinations, but not allocations for printing and binding.

²Includes \$150,000 for the study on working women and children.

³Includes a deficiency appropriation of \$20,000 for special work.

⁴Includes \$100,000 for the Industrial Commission.

SOURCES: National Archives Record Group 257, Bureau of Labor Statistics, Appropriations Ledger, 1887-1903. Legislative, Executive, and Judicial Appropriations.

The Bureau revised its publications program at about the time it introduced its revised price and wage series. Neill had already halted publication of the voluminous annual and special reports, relying on the bimonthly *Bulletin* to present more timely information. Since 1895, the *Bulletin* had presented original work, digests of State reports, summaries and digests of foreign labor conditions and statistical papers, and summaries of current legislation and court decisions. Under the new plan, the Bureau produced the *Bulletin* at irregular intervals, with each issue devoted to one of nine subject areas.

International activities

Neill continued Wright's interest and participation in international activities. In 1910, he served as the delegate of the U.S. Government to the Paris International Conference on Unemployment and as a delegate of the American Association for Labor Legislation to the Lugano Conference of the International Association. In that year as well, the annual U.S. appropriation for the unofficial International

Labor Office, carried in the Bureau budget, was increased from \$200 to \$1,000.

In 1912, Neill presented a paper at the International Conference on Unemployment. The same year, President Taft appointed him a government representative to the Fifth International Congress of Chambers of Commerce and Commercial and Industrial Associations.

Reconfirmation

Neill's second term as Commissioner expired on Feb. 1, 1913, in the midst of the transition from the Taft to the Wilson administration. Taft had sent Neill's name to the Senate for reconfirmation in January, but Democratic capture of the White House and Congress had prompted partisan debate over all Taft appointments. The influence of southern Democrats in the Senate created an additional obstacle for Neill, as his study of working conditions for women and children in the South remained a sore point.

On March 4, his last day in office, Taft reluctantly signed the bill creating the new Department of Labor. On March 8, President Wilson sent Neill's nomination forward. With reconfirmation before the Senate, two former Bureau employees submitted "Summary of Charges Preferred Against Charles P. Neill" in the name of "a large majority of the employees of the Bureau of Labor (irrespective of party affiliation)." They called for a "thorough and impartial investigation by the U.S. Senate," explaining that "such an investigation will show extravagance, maladministration, woeful waste of public funds, lack of executive ability, evasion of the Civil Service law, cruelty and injustice to the employees of said Bureau—especially towards Democrats and old soldiers."⁹⁷

At about the same time, another former employee wrote to the new Secretary of Labor, William B. Wilson, charging that the previous Secretary had not satisfactorily answered his earlier allegations against Neill. The protestor concluded, "Neill has been the most daringly incompetent public official that has ever been foisted upon an unsuspecting labor contingent or an ambitious President."⁹⁸

When President Wilson sent the nomination forward in March, Senator Benjamin R. Tillman of South Carolina wrote the Secretary that his appointment of Neill "would be a very unwise one to make," citing Neill's alleged bias against the South. Overman joined Tillman

in opposition. To this allegation, they added the charge that Neill had demoted or fired Democrats and replaced them with Republicans.⁹⁹

At Neill's insistence, Secretary Wilson launched a full investigation. A. Warner Parker, Law Officer of the Bureau of Immigration, conducted the inquiry, holding hearings and making independent studies. The complainants, along with Neill and the supervisory staff of the Bureau, testified fully.

The investigation again completely absolved Neill. Parker found no basis for the charge of unfairness to the South. Nor did he find political partisanship in the staff demotions, pointing out that no "cruelty and injustice" had been involved but that Neill had carried out a plan under a Presidential Order. Further, Parker stated that the Bureau had devoted more time and thought to carrying out the reclassification than was generally true in government.

The charge of maladministration had specified that investigations had been started "at great expense and then abandoned." One of the studies referred to was a report on Negroes in Lowndes County, Alabama, by W.E.B. Du Bois. Parker stated that the project had not been abandoned and that Neill viewed the work as "a report of great value." However, Parker stated, it "contained many of Professor Du Bois' personal opinions and also other matter not suitable for a government publication. . . . Press of other work in the Bureau has prevented either Dr. Neill or his chief editor from reviewing the work and editing out the objectionable parts."

As to charges that Neill had been away from his office an excessive amount of time, Parker found them exaggerated, noting that Neill's absence arose from the statutory procedures for railroad mediation under the Erdman Act. Further, in regard to Neill's administration of the Bureau, Parker wrote, "I was in a position to witness his remarkable familiarity with details, evidenced by the manner in which he could promptly respond to each and every call upon him for records, data, and information."

Thus, Parker concluded, "In closing this report, the evidence accompanying which I feel fully vindicates Dr. Neill of every charge preferred directly or impliedly in the papers turned over to me, I wish to add that Dr. Neill welcomed the investigation."¹⁰⁰

Neill received many expressions of support during the reconfirmation proceedings. In January, the Executive Council of the AFL resolved that "Hon. Chas. P. Neill has served faithfully and ably in the

capacity as Commissioner of Labor, and that his reappointment be strongly urged." The railway brotherhoods also urged Neill's confirmation.¹⁰¹

The *Washington Times* declared, "To defeat Dr. Neill's confirmation now would be equivalent to telling the sweat shop employers of the country that they have nothing to fear."¹⁰² Alexander J. McKelway of the National Child Labor Committee wired the President: "Failure to confirm Neill would alienate the countless friends of the reform of child labor and woman labor abuses in the nation."¹⁰³

Neill also received support because of his activities in railroad mediation under the Erdman Act, especially because his commission had expired in the middle of mediation proceedings involving the eastern roads. Before leaving office, Taft had written Senator Borah, pointing out that since February 1 Neill had been powerless to perform his Erdman functions. The President concluded, "The failure to confirm him may very well carry responsibility for serious consequences."¹⁰⁴ Ralph M. Easley of the National Civic Federation telegraphed Secretary Wilson: "The Federation never makes political recommendations but it felt that the public exigencies required the reappointment of Dr. Neill. His experience and tact in handling the railroad problems is required at the present time as never before."¹⁰⁵

Not all of Neill's opposition came from the South. In a letter to President Wilson, a Massachusetts manufacturer wrote, "He has evidently felt it necessary to suppress all reports that do not agree with his preconceived ideas concerning labor conditions."¹⁰⁶

President Wilson fought for his nominee. On March 21, he wrote Tillman, apparently basing his comments on Parker's preliminary report. "Whatever mistakes Dr. Neill may have made in judgment, he was certainly not guilty of the charges preferred against him." Wilson continued, "Circumstances have arisen which make it extremely desirable that I would appoint Dr. Neill in recess in order to make use of his services in arbitrating a pending controversy between the railroad switchmen and the 20 odd railroads that center in Chicago." The next day, the President made the appointment.¹⁰⁷

Tillman had already dropped serious opposition, awaiting only a face-to-face meeting with the Commissioner to confirm his new position. He had "learned the kind of work he is doing and the kind of people who are attacking him," Tillman said. Also, the Senator explained somewhat enigmatically, "I learned this morning that he was

born in Texas and is southern to the backbone in his prejudices and feelings."¹⁰⁸ On May 1, the Senate voted to consent to the appointment.

Resignation

Two weeks after his reconfirmation, however, Neill tendered his resignation and took a position with the American Smelting and Refining Company to organize and conduct their labor department. In his letters of resignation to the President and the Secretary, Neill wrote that it was "impossible for me to make the financial sacrifice required to continue in the Government." He took the step, he said, "with extreme regret and only because my personal affairs at this time require it."¹⁰⁹

Secretary Wilson received the letter with "a deep sense of loss." He commented, "Your wide experience and sound judgment of industrial affairs would have been of great value to me in organizing the Department of Labor and directing its initial efforts in the proper channels."¹¹⁰

It was a testimonial to the nonpartisan character of the work of the Commissioner and the Bureau that, particularly in the face of the charges, the new Democratic administration was prepared to have Neill continue his service. Although the Bureau assumed its role in the new Department of Labor without his leadership, in many ways Neill had prepared it for its new functions.

Later years

Neill's career following his resignation was a full one, including many activities he had begun as Commissioner. Among these were mediation in the coal and railroad industries and work on the Railway Board of Adjustment.

Neill's work at the American Smelting and Refining Company has been described in the company's history: "Following the long-established Guggenheim policy of engaging the best qualified experts, C.P. Neill, who had been Labor Commissioner under the Theodore Roosevelt, Taft, and Wilson administrations, was engaged to direct the welfare and safety work. He was made chairman of the Labor Committee with Franklin Guiterman and William Loeb, Jr., as associ-

ates."¹¹¹ Neill resigned from the company in 1915 to become manager of the Bureau of Information of the Southeastern Railways, a post he held until his retirement in 1939.

Neill remained active in National Civic Federation projects directed at labor-management cooperation, mediation, and arbitration. When the Federation undertook a survey of industrial and social conditions, it named Neill as a member of both the Committee on Plan and Scope and the Child Labor Committee.¹¹² During the railroad and coal strikes of 1922, he was involved in Federation activities to bring the parties together. In October 1922, as part of the settlement of the coal strike, President Harding appointed Neill to a commission to investigate both the bituminous and anthracite industries and report to Congress.¹¹³

Neill continued his work as umpire for the Anthracite Board of Conciliation until 1928. At the 50th anniversary dinner of the Board, J.B. Warriner, of the Lehigh Navigation Coal Company and long-time operator member of the Board, recalled, "Charles P. Neill, the first long-term umpire, was a learned and scholarly man, keen and able, broad minded and liberal. He stands very high in my mind."¹¹⁴

Neill also continued to be active in civic and social welfare work, particularly concerning women and children. In January 1920, the Supreme Court of the District of Columbia named him to the Board of Education for a term expiring June 30, 1921.¹¹⁵ In November 1921, when the National Council of Catholic Women opened the National Catholic School of Social Service in Washington, a graduate school affiliated with Catholic University, Neill became its first director. During the 1920's, Neill also served as a member of the Department of Social Action of the National Catholic Welfare Council.¹¹⁶

Charles Patrick Neill died in October 1942.