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EDITORIALS

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ANTI-DISCRIMINATION GETS RESULTS

A Study of New Fair Employment Laws' Operation in Four Eastern States:

BY KINGS RANSOM.

(Mr. Ransom, a writer for "The Des Moines Register and Tribune" and "The Economist," of London, England, recently passed two weeks in New York, New Jersey, Connecticut and Massachusetts looking into the anti-discrimination laws.)

Four eastern states and the cities of Chicago, Minneapolis, Milwaukee, Cincinnati and Philadelphia have adopted laws against racial or religious discrimination in employment based on the New York Ives commission report of 1945. Last year 28 other bills based on the New York law (not counting five toothless ones) were introduced in 18 northern state legislatures. (It normally takes two or three sessions to pass such a law.)

New York's leadership is recognized almost blindly out over the country, where such slight deviations from the New York pattern as substituting a single administrator for a commission are taken by zealots as sabotage. Yet zealots in New York, equally blind, regard Governor Dewey as a late and unreliable convert because he postponed passage from 1944 to 1945 and strengthened the law in the process. He has since supported it with able appointments, substantial funds and full co-operation from other state departments.

How are the new laws working after three years' experience in New York and New Jersey, two years in Massachusetts, one year in Connecticut?

Negroes are the chief beneficiaries but by no means the only ones: Jews, foreign-born and Catholics are often discriminated against, for example.

Opponents of the law feared a deluge of complaints. So far that has not happened. Instead, it is often difficult for state agencies (and even minority pressure groups) to get informants to file formal complaints, and the worst violations of the spirit of the law occur in firms where minority members know the policy and avoid rebuffs by never applying.

Enforcement staffs are not the "hordes of bureaucrats" opponents predicted. There are fewer than 35 complaint investigators in all four states combined, and 100-odd anti-discrimination em-

ployees of all kinds (roughly 70 of them in New York state), from switchboard operators to commissioners, in investigating, educational and research subdivisions.

That is not enough to be a noticeable burden on taxpayers, nor to turn employment practices "fair" overnight. But it has been enough to reverse the ominous trend which had been squeezing Negroes out of skilled crafts, denying them entry into many of the newer industries and occupations, confining their leaders to serving "colored only."

The wartime labor shortage had reversed the trend momentarily. Since then, the fair employment practice states have been working out new methods for holding wartime gains and winning new ones—slowly and gently, with prospects for more permanence than those won by northern bayonets in the 1860s and '70s had.

New York state's is the largest operation in terms of budget, staff or number of cases handled. New York has the prestige of primacy and the national spotlight. But Connecticut has the latest and most sweeping law. It covers employees of non-profit concerns as none of the other state laws do; and the Connecticut law specifically says that the word "discrimination" shall include segregation and separation. The Massachusetts and Connecticut laws permit the commission itself to initiate a complaint.

Connecticut excels in use of psychological research. Smallness of the state makes it possible also for its compact unit to settle a case in one week, where New York's may take fourteen. In proportion to population, however, Massachusetts and New Jersey have the largest staffs and settle the most complaints.

All four states do a great deal of social survey and educational work organizing unpaid local councils in New York, New Jersey and Massachusetts to help

with this and with getting the word around. In Connecticut they prefer not to start new organizations, but confine themselves to giving training courses to interested people from key existing organizations.

New Jersey and Connecticut have single administrators instead of the clumsy commission form of administration, which New York and Massachusetts took over from the Federal Fair Employment Practices Commission. It should be said that in New York the chairman of the commission, on the basis of a single phrase in the law, plus sion into a working department. The size of the operation in New York makes division of labor between the staff field investigator (who probes the facts) and the "investigating commissioner" (who negotiates a settlement) a useful administrative device.

Nevertheless, there is a logical inconsistency in having the commissioners simultaneously be representative of the various racial and religious strains (as they have been in practice in all four states by appointing at least one Negro, one Jew, one son of the new immigration, etc.) and administrators representing the whole state. The New Jersey-Connecticut system of a part-time representative commission giving advice and making studies, and in Connecticut actually appointing the administrator and making policy for him, is better political science.

Commissions and staffs in the four states keep in close touch with one another, learning from one another and from the criticisms of the public. Social scientists of the universities and the voluntary associations have been following their work with critical sympathy and solid research of their own. The campaign against discrimination is being handled as a conscious adventure in social pioneering: modestly, discreetly, yet with soaring hopes.

—N. Y. Herald Tribune.

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OutofOldNebraska

BY JAMES C. OLSON

Superintendent, State Historical Society.

Ogallala, gateway to the upper plains and northern terminus of the Texas cattle trails, was Nebraska's cowboy capital during the 10 years from 1875 to 1885—10 years that form an epoch in the town's history as colorful as any period in the annals of old Nebraska.

According to the town's historian, Dr. Norbert R. Mahnken, Professor of History at Oklahoma A. & M. College, "gold flowed freely across the tables, liquor across the bar, and occasionally blood across the floor," as Wyoming and Nebraska cattlemen met with Texas cattle kings in Ogallala's hotel and saloons to haggle over the prices to be paid for longhorns driven up the trail.

Ogallala's career as a cowtown was a by-product of the Union Pacific railroad. It began in 1874, when the railroad officials constructed a cattle pen and loading chute just west of town, hoping to recapture here the profitable trade they had enjoyed at Kearney and Schuyler and other Nebraska shipping points for Texas cattle.

The trade was brisk, and during the summer of 1875 more than 60,000 head of Texas cattle were driven to Ogallala. At almost any time during the next few summers, upward of 25,000 head could be counted on the plains south of town. During the last years of the decade, more than 100,000 Texas cattle made their way through the Nebraska cowtown each season.

In addition to shipments east, a solid basis for the Ogallala trade was the development of the cattle industry in western Nebraska and

eastern Wyoming. Many of the early herds in this area got their start from the Texas cattle driven into Ogallala.

The town's terrific cattle business was carried on only during the summer months. As a result, it found itself filled to overflowing with population during part of the year, and almost deserted during the remainder. This naturally didn't make for steady growth.

In the summer of 1884, a serious epidemic of cattle fever brought into the state from Texas devastated large areas in western Nebraska. As a result, Nebraska cattlemen, who had begun by this time to build up their herds through introduction of blooded stock, demanded that Texas cattle be excluded.

The quarantine, added to other burdens on the trail drivers, brought an end to Ogallala's career as a market for Texas cattle. Ogallala, the boisterous cowtown, began to be replaced by Ogallala, the modern seat of Keith county.

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