

# Better Child Labor Laws in 1911

By OWEN R. LOVEJOY

General Secretary, National Child Labor Committee



A Seven year old Oyster Shucker

*who has not yet been protected by the merciful hand of a child labor law. One of the hardest fights of the legislative year was defeated in Florida, chiefly through the influence of the representatives of the oyster packing industry. They made their cause popular by demonstrating that whatever harm might result from such child labor befell little foreign*

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Stories of the legislative campaigns in 1911, in states where opposition was most active would be far more interesting to the general reader, but for serious students desiring an authentic record a somewhat detailed analysis of the changes secured in thirty states will, it is believed, be of greater service.

The eight-hour day, exclusion of all children from night work and from occupations dangerous to life or limb, and the elimination of all minor boys from the night messenger service have been the main objective points of the National Child Labor Committee's legislative campaign. We have also aimed, especially through cooperation with state and local committees, consumers' leagues, women's clubs, and other agencies, to develop throughout the country a keener interest in efficient law enforcement and in the revision of educational methods and opportunities to meet the needs of an industrial civilization.

Two or three groups of states in which the more prominent changes were effected will serve to compare the records of this year with former standards.

## AGE LIMITS.

A fourteen-year age limit was established in Colorado, Vermont, and West Virginia (in manufacturing establishments). Indiana, Missouri, New Jersey, and Wisconsin either added new territory to that where the law formerly applied or extended the protection to other industries. California and Oregon established a fifteen-year age limit for general child labor with some exceptions.

## THE EIGHT-HOUR DAY.

The eight-hour day was established in the following states for children up to sixteen years of age: Colorado, Missouri, and Wisconsin. In California and Washington the eight-hour day was established for women and girls. The following important reductions of hours in other states were secured: Massachusetts, a fifty-four-hour week for males under eighteen and all females in manufacturing and mechanical establish-

ments; Missouri, a nine-hour day and a fifty-four-hour week for all females; Utah, fifty-four-hour week for boys under fourteen and girls under sixteen; North Carolina reduced the working hours of children from sixty-six to sixty per week in manufacturing establishments; Georgia reduced the working hours from sixty-six to sixty per week for all employees in cotton and woolen mills; Indiana established what amounts to a nine-hour day and a fifty-four-hour week for all children under sixteen. Ten states and the District of Columbia have now established the eight-hour day for working children. They are Ohio, Illinois, Nebraska, New York, Wisconsin, Colorado, Kansas, Oklahoma, North Dakota, Missouri, and the District of Columbia.

## NIGHT WORK.

Children under sixteen were prohibited from night work in Colorado, Indiana, Missouri, New Hampshire [eighteen for females], New Jersey, South Carolina, Wisconsin, Vermont (applies only to hotels and bowling alleys), while California has prohibited the employment at night of all minors under eighteen.

## NIGHT MESSENGERS.

Four states enacted laws forbidding the employment of boys under twenty-one in the night messenger service: Massachusetts, New Jersey (eighteen outside of first class cities), Wisconsin, Utah. Four states established the eighteen-year age limit for such work: Michigan, New Hampshire, Oregon, Tennessee. California by general law forbids such employment under eighteen and Indiana and Missouri under sixteen. Campaigns to regulate child labor in the night messenger service began a year ago when New York passed a law forbidding such work under twenty-one and Ohio under eighteen.

## DANGEROUS OCCUPATIONS.

Specific lists of dangerous occupations, following the outline in the National Committee's proposed uniform child labor law, are prohibited to children under eighteen in Wisconsin and under sixteen in Connecticut, Colorado, Indiana (girls to eighteen), Missouri, Tennessee, and Vermont. A number of these states already excluded children from certain occupations, but are named here as having made radical improvements in the law.

	<p>manufacturing and mechanical establishments.</p> <p>50 a week in workshops connected with stores.</p> <p>Minors to 13.</p> <p>All women.</p>			10 p. m.—5 a. m. (Except newspaper offices.)		
			15 for employment in dance halls, pool or billiard parlors, moving picture and burlesque shows, etc.	To 15 years. 10 p. m.—5 a. m.	From all provisions, children employed to act in travelling theatrical companies.	Instead of out's affidavit list of proof, must require Board of Health to sign. School of issue employer certificates.
Age limit 10-12 years	8-15, to 10. 9-14, all females.	To 15. 7 p. m.—7 a. m. Entire state.	Specified list to 15.	To 15 (By general law.)	Poverty exemption abolished. Excepts domestic service and agriculture.	Better by employment certificate.
Age limit 10-12 years	11 a day, 30 a week. Males to 15. Females to 15.	7 p. m.—6.30 a. m. Males to 15. Females to 15.		To 15 years. 10 p. m.—5 a. m.	Girls over 15, as telephone exchange operators and in retail stores, may work to 10 p. m.	School certificate requires no certificate and secondary to 15 yrs.
Age limit 10-12 years	13, to 15 years, in mercantile establishments.	To 15. 7 p. m. to 7 a. m. in mercantile establishments.		To 15 years in cities of first class, 15 elsewhere. 10 p. m.—5 a. m.	To 9 p. m. one day in week, and night work permitted to 10 p. m. December 15 to 25, in mercantile establishments.	
Age limit 10-12 years	Girls to list for 9 a day, 34 a week, 6 days a week.	Girls to list provided between 7 p. m. and 8 a. m.			Vacation exemption for children over 12 in rural communities abolished.	
	60 hours a week (reduced from 66) to 15 years.					
	13-14, Females over 15.				Canneries exempted from hours regulating women's work.	
Occupations school term, to list of one for 14 every school term 14.			15 in telegraph, telephone, and messenger service.	To 15 years. 10 p. m.—5 a. m.		Child Labor Commission a paid Secretary. Trusts of responsible for enforcement.
			14 years outside, 15 inside mines.			
	12-15 for females in mercantile establishments.	To 15, 8 p. m.—6 a. m. For females, after 10 p. m.			Exemptions for poverty and summer work in mills stricken out.	
Age limit 10-12 years, agriculture domestic serv-			Specified list to 15.	To 15 years, 10 p. m.—5 a. m.	Agriculture and domestic service.	

Michigan and Oregon made important restrictions, and Pennsylvania forbade all employment in mines under sixteen. Utah fixed fourteen years as the minimum in dangerous occupations.

#### IMPORTANT CHANGES.

The reader must not be misled by the above lists or the accompanying chart. The states named, except where noted, are those in which important legislative changes were enacted during the present year. A number of other states would also appear in these tables and chart if they were intended to cover all states now having the specified provisions in force. The chart compiles for convenience the most important changes made this year, except in a few instances which can not well be tabulated. These will be found noted separately in the text.

Important restrictions of street trades were enacted in a number of states, among which should be mentioned the following:

Colorado, prohibits street trades to girls under ten.

Nevada, to all children under ten.

Missouri and New Hampshire, to boys under ten, girls under sixteen.

Utah, to boys under twelve, girls under sixteen.

Wisconsin makes an important revision in its street trades law by raising the minimum age limit for girls from sixteen to eighteen; for boys selling newspapers and periodicals, from ten to twelve; and providing that in other street trades no boys shall be employed under fourteen.

Through the aggressiveness of theatrical managers and their allies, the problem of child labor on the stage occupied an important place in the public mind, the most prominent activities being in Wisconsin, where the new law provides a license system for stage children under sixteen and requires all under fourteen to be constantly accompanied by a guardian, and in Illinois, where, after a heated campaign to repeal the present prohibition, the theatrical interests have been defeated and the law left unchanged. In Indiana children under sixteen have been prohibited from employment on the stage. A plan of regulation somewhat similar to the defective one in New York has been provided in the laws of Colorado.

#### INVESTIGATIONS AND ENFORCEMENT.

A determination to seek the widest information so as to legislate wisely and to make laws effective through efficient enforcement, became evident in a number of states which established commissions for various investigations or strengthened their enforcing agencies. Connecticut has appointed an industrial commission and Delaware a commission of five to investigate and report on the conditions of child labor and a plan of regulation. New York increased its inspectors from fifty-two to eighty. Colorado organized a state department of factory inspection with power to enforce the law. Indiana thoroughly reorganized its inspection department with an increased appropriation. Massachusetts appointed a commission on minimum wage boards and instructed the Board of Education to investigate and report on a part-time school system. Minnesota enacted an excellent school census law. New Hampshire provided for three factory inspectors under the jurisdiction of the superintendent of public instruction. Maine reorganized the factory inspection department and gave the officials power to enter and enforce the law. Ohio appointed a commission to formulate a children's code. Oregon made an appropriation to employ a secretary for the state child labor commission. Pennsylvania adopted an excellent school code. Wisconsin provided a more strict system of vacation permits, and New York abolished all vacation work under fourteen. Nebraska passed a general law for sanitation and safeguards in factories, and Georgia established a Department of Labor.

Maine greatly improved its school law and removed from canneries the exemptions hitherto enjoyed, except as to hours. Minnesota abolished the poverty exemption, provided for a school census, and for compulsory school attendance to sixteen throughout the state. Arizona adopted important standards of protection in its new constitution which awaits final approval.

#### UNIFORM STATE LAWS.

The draft of a uniform child labor law for the various states, prepared by the National Child Labor Committee, was en-

dorsed by the Commissioners on Uniform State Laws at their twenty-first annual meeting in Boston, August 26th. This bill, which thus has the approval of leading lawyers from all parts of the country, and which comprises the best provisions of existing child labor law will be of especial help to those who seek to avoid the errors of unwise legislation and to incorporate in the laws of their own state measures that have proved effective.

#### FEDERAL CHILDREN'S BUREAU BILL.

The National Committee again introduced into Congress a bill for the establishment of a Federal Children's Bureau. It led the campaign, and its contributing members, their friends, churches, clubs and other organizations were unusually active in petitioning Congress and individual representatives for its passage. The bill was reported unanimously by the committees to which it had been referred in both the Senate and House, and was passed by the Senate unanimously; but the leaders would not consent to have it brought up in the House and the Sixty-first Congress adjourned without action. It was re-introduced in the present extra session by Senator Borah and Representative Peters. Hearings were given and just before the Congress adjourned the bill was favorably reported by the Senate Committee. Appeals to Congressmen in favor of the bill are now in order.

#### THE LOSSES.

Among the unsuccessful efforts to secure legislation the following are of special note. In both Carolinas a fourteen-year age-limit bill was lost because of the united opposition of cotton manufacturers. In Alabama everything was lost except a slight improvement in inspection. The general child labor bill in Delaware was defeated. Four important bills: regulating night messenger service, prohibiting child labor on the stage, creating a state board of education, and providing an eight-hour day for women, failed to pass in Minnesota. Missouri, with its excellent new child labor law, failed at the same time to extend the authority of its state factory inspection department to cities of less than 10,000 population. Nevada failed to pass an eight-hour bill for women. The legislature of Pennsylvania refused through its

political leaders to vote on the restriction of night work in glass factories and on a night messenger bill, although both measures were backed by popular support. In Rhode Island a good night messenger bill passed the lower house without opposition, but was defeated in the Senate. Bills providing better sanitation in factories employing women and girls, for the reporting of accidents within forty-eight hours, and prohibiting minors under sixteen from cleaning machinery while in motion were also beaten in Rhode Island. Three important bills were introduced in Idaho, but failed to pass. In Florida a bill to raise the age limit to fourteen years, to regulate night work and especially the night messenger service, and otherwise to protect working children in the state was defeated, chiefly through the influence of representatives of the oyster packing industry, who made their cause popular by demonstrating that whatever harm might result from such child labor befell little foreign children from Baltimore rather than the children of Florida.

#### PENDING BILLS.

The legislatures are still in session in New York, Massachusetts, and Connecticut. The important measure before the New York legislature is for the establishment of a commission to investigate conditions of child labor in city tenements, in the hope that an official report will in time get from the state what no amount of reliable evidence gathered through private sources has been able to accomplish—the protection of little children from virtual slavery in tenement house manufacture in New York City.

#### EIGHT-HOUR DAY IN THE TEXTILE INDUSTRY.

A year ago many friends of child labor reform hoped that Massachusetts would establish an eight-hour day for children under sixteen, as the bill received extensive endorsement and was not opposed by the Arkwright Club (textile manufacturers). The bill, however, was not reported out of the committee on labor and was not even presented to the legislature this year. Apparently the reduction of hours to fifty-four per week is approximately all that can be hoped for in Massachusetts, until other

New England states and the southern cotton manufacturing states move forward. The fifty-four hour bill was signed by the governor only, as reported, after he was assured that this bill would for some time put an end to agitation for further reduction. Attention was called to this matter in a recent issue of *The Survey*, and in attempting to suggest why Massachusetts refused an eight-hour day to working children at the same time that she approved an eight-hour day for men employed on public works, I said, "Is it not because the regulation of hours in Massachusetts is dominated by the textile industries and these industries are notoriously guilty of the double economic sin of long hours and short pay?" This statement was not intended as a criticism of manufacturers only, but as referring to the attitude alike of employers, employees, and the general public. Outside the prominent textile communities, the Massachusetts citizen will readily acknowledge that the children of his state are as much entitled to an eight-hour day as are children in New York, Illinois, Indiana, Ohio, Missouri, or Wisconsin. But in the textile communities the standards of comparison are not with these more enlightened and progressive commonwealths. The textile worker who feels the pressure of competition from long hours and cheap child labor in southern states and in oriental countries, while frankly admitting the present injustice to a fourteen-year-old child of Massachusetts, naturally feels that, so long as children twelve years of age may work in southern cotton mills sixty hours a week, any fur-

ther restriction in his own state might so cripple the only industry on which his living depends as seriously to injure himself and his friends. That the manufacturer does not seriously share this dread is evidenced by the fact that the history of modern child labor reform fails to record an instance in which New England textile manufacturers have aided in improving the child labor laws of southern states.

#### WORK AHEAD.

The fruit, vegetable and sea-food canning industries throughout the country remain practically exempt from all child labor restriction. A large number of states still employ young boys in coal mines and quarries. The regulation of street trades is chaotic. Hundreds of young girls and boys are being sacrificed in vaudeville and moving picture shows to the enterprise of theatrical managers and the ignorance of parents. The reduction of hours for children to eight per day—a standard already commonly recognized as reasonable for adult men—has been secured in only ten states, and it is significant that none of these boasts of textile manufacturing as a leading industry. Law enforcement and educational opportunity are almost lacking in many sections. Little school children, and even their younger brothers and sisters, in New York City, continue to bend over their hard tasks in stuffy, dim-lighted tenement rooms, at unseemly hours of the night, without violation of any law by those who employ them. Thus in our greatest city we continue to thwart the education and blast the physical life of children.