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FIRST ANNUAL REPORT
OF THE
INSPECTOR OF THE LABOR OF CHILDREN,
OF THE
STATE OF NEW JERSEY,

1883.

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Factory & Work Shop

REPORT.

STATE OF NEW JERSEY,
OFFICE OF INSPECTOR OF LABOR OF CHILDREN. }
ORANGE, October 31st, 1883.

To His Excellency George C. Ludlow, Governor of the State of New Jersey :

SIR—In pursuance of my duty as Inspector of Child Labor, and in accordance with an act of the Legislature, approved March 5th, 1883, I have the honor to herewith submit my report for the brief period of four months, during which the Child Labor Law has been in operation. The law regulating the hours of employment of children, minors and women, which received your approval on March 5th, 1883, and under which I had the honor to be appointed Inspector, prohibits the employment of boys under the age of twelve years, and of girls under the age of fourteen years, in any factory, workshop, mine, or establishment where the manufacture of any goods whatsoever is carried on. It further provides that no child under the age of fourteen years shall be employed in any factory, workshop, mill, or establishment where the manufacture of any kind of goods is carried on, for a longer period than an average of ten hours a day, or sixty hours a week. The second clause of this act relates to the schooling and employment of children between twelve and fifteen years of age, but as its provisions will not go into operation before the first day of July, 1884, it remains for the present outside the limits of my duty and does not come within the scope of this report. The fifth clause of this act empowers the Inspector to visit and inspect, at all reasonable hours, and as often as practicable, the factories, workshops, mines and other establishments in the State where the manufacture or sale of any kind of goods is carried on, and to enforce the provisions of the law and prosecute all violations of the same. In accordance with the provisions of the fifth clause, and immediately after the law going into effect, I proceeded to the performance of my duty by notifying manufacturers and others interested of the new law and its provisions—a copy of which notification I append to this report—and by entering into correspondence with those districts in which I had reason to believe child labor most prevailed.

By an examination of the United States Census Report of 1880, I found that there were in that year over 7,000 manufacturing establishments in the State of New Jersey, and that in those establishments alone there were over 12,000 children and youths employed. That very many workshops and small places where manufacturing is carried on, and which come under the provisions of the Child Labor Law, were not classified under the head of manufacturing establishments in the census report, there can be little doubt; but on this point I have been unable to obtain any approximate figures, and I only draw attention to the subject for the purpose of pointing out the immensity of the work that has to be performed in the proper enforcement of the Child Labor Law.

A strict investigation disclosed the fact that Essex county had the most manufacturing establishments, and that Passaic county employed the most children, being in this respect slightly ahead of Essex. Of the other counties of the State, Mercer and Hudson employed the most children, and Somerset the least. The average number of children employed in manufacturing establishments in the remaining counties of the State, according to the census report of 1880, was about 250 for each county; since 1880 the number of manufacturing establishments and of employed children has largely increased, as all well know who take an intelligent interest in the educational, manufacturing and statistical affairs of the State. The increase in the number of manufacturing establishments from 1870 to 1880, according to the last census report, was 492, and of employed children, 5,913, which latter is larger proportionately than the increase in the employment of adults.

Guided by the result of my examination, I made my first visit to Paterson, in which city I have had the hearty coöperation of the intelligent working people of the Trades and Labor Unions, and of their recognized leaders. The great majority of the 413 manufacturing establishments existing in Passaic county, according to the census report of 1880, I found to be situated in the city of Paterson. According to the same report there were employed in all the establishments of the county in 1880, 3,294 children under fifteen years of age, and in the establishments of Paterson, 2,320 children under fifteen years of age. The number of both establishments and employed children must have been considerably larger when my duties commenced, and the difficulty of a full and proper inspection and enforcement of the law will therefore be obvious.

Finding it impossible to make a proper inspection of Passaic county without entirely neglecting other districts of the State, I confined my inspection to the leading establishments. It is clear to me that, had I made a complete inspection and instituted legal proceedings in cases of violation of the law, it would not have been possible for me, up to this date, to visit any other county but Passaic. My inspection in Passaic county was followed by an inspection of manufacturing estab-

lishments in Jersey City, New Brunswick, Newark, Hoboken, Trenton, Camden and other manufacturing districts of North and South Jersey. It was not possible for me to make a satisfactory inspection in any of these districts, for the very same reasons that prevented a more thorough inspection in Passaic county, but, so far as my inspection went, I found that the Child Labor System had left indelible traces of mental and physical degradation; and I have no hesitation in saying that the Child Labor Law, properly amended and properly enforced, will contribute largely to the future prosperity and greatness of the State.

In those districts which I visited I found that some manufacturers had complied with the requirements of the law upon receipt of my notification, but that in many cases my warning had been treated with indifference. The object of the act being to protect the young from heartlessness, neglect and greed, I notified those whom I found violating it that further violation would not be tolerated, and that, while there was no desire to prosecute or harass, my duty in the interest of the State and of humanity had to and would be rigidly performed. The excuses given by violators of the law were manifold. Some said that other labor laws were not enforced, and for this reason they did not expect the enforcement of the Child Labor Law. This admission, so very candidly made, forced me to consider whether the passage of labor laws and their non-enforcement was not calculated to inspire the wage-workers with a disregard for all law, and to induce both employers and employes to openly violate the laws of the commonwealth. Others excused themselves by saying that they were violating the law at the solicitation of parents or guardians. To all the excuses given I made answer that the State had now, for its own honor and welfare, undertaken the protection of its future men and women, and that I, as chief officer of the Child Labor Law, while willing to grant all possible indulgence to those affected, would insist upon a full and immediate compliance with the provisions of the act.

I found quite a number of manufacturers heartily in favor of the law, and the only fear they expressed was that it would, or rather could, not, under existing circumstances, be properly enforced, and that respectable manufacturers, who were willing to obey the law, would suffer through its violation and the consequent unfair competition of cheap child labor. These manufacturers were very pronounced in their opinion, favoring a similar law in all other States for the purpose of preventing undue competition, and for compulsory education and a thorough system of inspection of the law. The sentiment was universal in favor of compelling the children affected by this law to attend school, and not allowing them to roam the streets.

The evils of child labor in all our manufacturing and business centers are painfully apparent. The sad results are to be seen in the faces and forms of the young children. Old faces and dwarfed forms are the offspring of the Child Labor System. Children who spend their lives amid the din of machinery and who are kept long hours on

the tread-mill of our stores at the sacrifice of their health and education, and young girls of tender years who stand ten, twelve and fourteen hours at looms and counters, cannot develop into true mental or physical manhood or womanhood. I have noticed young girls in our manufacturing and business districts, many of them under sixteen years of age, employed in violation of the ten-hour law, who are physical wrecks through overwork. Child labor has increased in a greater ratio than adult labor, and as it has increased the wages of parents and adults have sadly diminished, and in too many cases the parents have been unable to maintain their homes without the earnings of their tender offspring. The tendency to buy cheap labor, no matter how injurious its effects upon society, I regret to say, seems to prevail, and child labor is therefore eagerly sought after. In every city I visited I was compelled to order the immediate release of more or less children from work. I issued permits in cases of orphans and others who were the chief support of widowed mothers, when upon investigation it seemed just and proper to do so.

No law has ever yet been enacted whose machinery at the outset was perfect, but must be matured as time and experience may wisely suggest. This is the case with the Child Labor Law. My brief experience satisfies me that the law needs ample amendment to make it effective. It is hardly possible to obtain a conviction before the courts so long as the fourth section of the law permits the certificate of a parent or guardian to be conclusive evidence of a child's age. Under this clause employers and parents who are interested in violating the law can readily do so, without danger of punishment, by submitting a false certificate. This should not be tolerated. The improvidence of parents is, I believe, in many cases the cause of their children going to work; but even when such is not the case, when the object is to aid in providing the necessaries of life, no evasion of the law should be allowed, for so long as children of tender years, more fit for the hospital or school than the factory, are permitted to have a legal status as workers, their employment will be sought after and the cheapness of their labor will affect the wages of their own parents and of grown persons. I therefore feel it my duty to recommend that parents and guardians be compelled to make affidavits to their written statements respecting the ages of children, and that persons swearing falsely be prosecuted for perjury. Another reason why the present law is not and cannot be effective will be apparent to all those who have studied the factory legislation of Massachusetts and Great Britain, and of other States and Nations. All the laws passed in these States and Nations for the benefit of labor remained ineffective, so long as they had no clause to secure their proper enforcement.

For thirty years after 1802 the factory workers of Great Britain, a country which may be considered the cradle of our present mode of production, agitated for protective legislation, and although they carried five factory laws, they failed up to 1833 to secure means for their

enforcement. Since that time, and with the growth of the great trades societies, factory and workshop inspectors have been appointed, and their number increased year after year until they now form an important part of the government of the country. In Massachusetts, where factory legislation has occupied public attention for more than fifty years, it has been found necessary to provide by inspectors for the enforcement of the labor laws of the State. In Pennsylvania, Ohio and Illinois, the laws relating to mines were a dead letter until mine inspectors were appointed. Wherever laws have been passed in the interest of the wage-class they have remained inoperative, so long as no sufficient means for their enforcement were provided. In New Jersey, nearly thirty-three years ago an act was passed and approved prohibiting the employment of children under ten years of age, and of minors for more than ten hours a day, but the law provided no adequate means for its enforcement, and the result has been such that it might as well have never been passed. It is scarcely to the credit of our State that thirty-three years after the passage of the ten-hour law, feeble young girls under sixteen years of age, and children almost too young for school should be found toiling in our manufacturing establishments. The following, which I clipped from the *Paterson Daily Press* before my term of office began, should bring the blush of shame to the cheeks of those who have ignored or neglected the interests of the children of the State:

"Why are you boys not at school?" asked a reporter of a lot of little fellows who half filled the men's room at the Passaic depot this morning, just before the time of the half-past ten train up. One of them promptly answered: "We don't go to school; we work; and the mill is stopped to-day." "How old are you?" was asked of one of them, and he answered with a childish tone: "Just nine, sir, but I'm older than my brother, and he works in the mill, too." It is certain of the men who heard the conversation, not one of them but agreed with the reporter when he expressed his gladness upon the thought that July 4th next will be emancipation day for these little thralls. All present expressed their surprise when they learned that these almost babies did not go to school, but were "working in the mills."

That such a disgraceful state of things should exist towards the close of the nineteenth century, and at a time when improved machinery has developed our producing power to a marvelous extent, is not to our credit as a people. One would imagine that with the present means of production, the labor of children under fifteen years of age would be entirely dispensed with, and the toil of adults considerably lightened. In a country where life is so intense as it is in this, where so much is expected to be done in a little time, childhood and youth should be a time of free physical growth. But, instead of such being the case, we find childhood to be a period of long, killing drudgery for the children of the working people. This will continue to be the case, no matter how many labor laws we may have on our statute books, so long as these laws are wanting in adequate enforcement clauses; without such clauses they are a mockery and a delusion.

The ten-hour law has never been enforced, and never will be until inspectors are empowered to enforce it. The so-called compulsory education law has been and is a dead letter, because no adequate means were provided for its enforcement. It is true, that provision is made for the enforcement of the Child Labor Law, by the appointment of one inspector; but experience, which is a great teacher, now shows the utter impossibility of any one man efficiently performing the duties of such an important office. That the law will be evaded whenever and wherever possible by a certain class of employes and parents is certain, and, for this reason, it is just as necessary that the establishments affected by the law should be inspected frequently, as it is that we should have efficient health officers and police. If society had no reason to dread violations of law the necessity for all law officers would disappear. There are over 7,000 manufacturing establishments in this State, and many other places which come under the operation of the law which I am unable to enumerate. It must be evident that to inspect all these places periodically, and to carry out the law in all its fullness, at least three inspectors will be required. I am not prepared to say that three inspectors can perform this work as it should be done, but I am prepared to say that with less than three the law can and will be evaded, and that the law will become practically useless.

The protection of the children of the State, and of our working people, require that not only the Child Labor Law, but all other laws in the interest of labor, be properly enforced; and enforced they can not and will not be without an efficient staff of inspectors. Other States and Nations have discovered this, and it is surely not too late for us to learn. In making this recommendation for at least two assistant inspectors, I desire to suggest that the field of action of this department be so enlarged as to require the inspectors to enforce all labor laws now on the statute books, or which may be hereafter enacted; by this means providing for a long-needed want, and saving the State the expense of inspectors for all the district labor laws. There are several labor laws at present in existence which cover a large field, and before long we are likely to have other laws respecting the sanitary condition of mills, the protection of machinery, ventilation, fire escapes, the employment of married women and of young girls who are physically unfit for work, the cleaning of machinery while in motion, &c., all of which might come under the enforcement provision of the factory and workshop inspectors' department. My inspection, so far as it has gone, impresses me with the necessity for more thorough factory and workshop legislation, and for a more comprehensive system of inspection. The interests of the producers are the interests of the State itself. The enforcement of laws for their protection is surely a duty which the State owes to its most useful citizens.

In the performance of my official duties I have met with many

painful evidences of the neglected condition of the children of the working people. The dangers to which the young are subjected through working long hours in badly-ventilated rooms, and through working over-time, as well as through the absence of proper sanitary arrangements and of suitable accommodation for dressing and undressing, are sadly apparent. In many factories I have met with some who favor child labor, and regard compulsory education as an infringement of parental right. It is scarcely necessary to say these latter are not to be found amongst the more intelligent and better paid class of wage labor. The interests of the community require that the rights of parents must not be used to the detriment of the children; to allow children to be brought up in ignorance would be to aid in overthrowing the free institutions which are the glory of our Republic. Governor Gaston, of Massachusetts, in his address to the Legislature, in 1875, correctly said that "That system which shall give to labor the time and opportunity for education and culture will never injure the moral or material interests of a people, or withdraw from wealth or capital any of its rightful possessions." Governor Washburn, of Massachusetts, in his address to the Legislature, in 1874, said that "Ignorance was dwarfing to the individual, and dangerous to society." He considered it "wiser economy to sustain the common school than the reform school, the normal school than the house of correction, the college than the penitentiary;" and, with wisdom sublime, he added that "the State assumes that the physical, mental and moral treasures embraced in what we call childhood are so much capital, belonging to the community as well as the parents."

The preamble to the first school law enacted in this State, in 1693, declared that "the cultivation of learning and good manners tends greatly to the benefit of mankind."

The illiteracy of children whom I have met in the factories was positively shocking; many of them had never been inside a school-room, and were growing up without the rudiments of a common education. Not a few of these were unable to give the name of the State in which their place of residence was located; others had little or no conception of right or wrong.

With a properly enforced Child Labor Law, and a comprehensive compulsory education law, this deplorable state of things can be abolished, and the sooner it is abolished the better for the future of our country. Child labor legislation and compulsory education in England have reduced the juvenile criminal class. Even Russia is not unmindful of such a reform, and it is only recently that a law went into effect in that country prohibiting the employment of all children under twelve years of age, and of children between twelve and fifteen, for more than eight hours a day, and compelling the latter to attend school at least three hours a day. In New Jersey we have 90,000 children who attend no school, and 70,000 who attend school for less than four months, and yet we wonder that we have about

100,000 adults who either cannot read or write. Our compulsory education law is in every respect inferior to the compulsory education laws of New York, Massachusetts, Michigan and other States. The objection that there is lack of school accommodation may be based on facts and figures, but the cause would have been removed years ago, if proper means for the enforcement of the compulsory education law had been provided, and if a system of adequate factory inspection had been established.

My observations force me to urge the necessity of a perfect compulsory education law; with it will come the remedies for many of the evils surrounding the children of the poor. Education perpetuates a free State, decreases pauperism and crime and doubles the value of the citizen. I therefore hope that the Legislature will enact a comprehensive law, compelling the attendance at some public or private school of all children between seven and twelve years of age for at least twenty weeks per year, and of all children between twelve and fifteen years of age for at least twelve weeks per year. The enactment of such a law, containing provisions for its enforcement, will be a blessing to our children and our State.

It would not be proper for me to conclude this report without reference to those through whose indefatigable efforts the question of child labor became not merely a local but a State issue. Before the organization of the State Labor Congress, in 1879, little or no agitation prevailed in favor of the limitation of the hours of labor or the prohibition of child labor. Since 1879 the question of child labor has occupied a prominent place in the deliberations of every Congress of the State Federation of Trades and Labor Unions until it resulted in the passage of the present law at the last session of the Legislature.

The Child Labor Law meets with the approval of the best elements in society, and many who at first opposed it are now to be found amongst its most earnest advocates. Intelligent citizens begin to look upon child labor as a blemish upon civilization, and the opinion daily advances that to put children to work is to rob them of their educational opportunities, and of the innocent pleasures which belong to childhood. The interests of the community and of humanity demand that children shall learn and play, and that parents shall go to work. In conclusion, I have the honor to submit the following recommendations:

1. That the Child Labor Law be amended so that certificates of age will have to be sworn to by parents and guardians, in the absence of certificates from the legally constituted officer of registry, and that parents and guardians swearing falsely be prosecuted for perjury.
2. That provision be made for the appointment of two assistant inspectors, for the better enforcement of the Child Labor Law.
3. That the inspectors of child labor shall be known as Factory and Workshop Inspectors, and that they shall have power to see that

all educational, sanitary and other laws relating to the interests of the laboring classes are faithfully executed.

4. That a comprehensive law, providing for cases of truancy and vagrancy, be enacted for the compulsory education of children under fifteen years of age, and that adequate means for its enforcement be provided.

5. That the inspectors will have power to prohibit the employment of females under eighteen years of age, who appear physically unable to work, unless said minors procure a certificate of fitness from some regular physician.

6. That the employment of all persons under the age of eighteen years in manufacturing establishments, for more than ten hours a day, be prohibited; that the sixty hours of labor per week shall be so divided as to give a half holiday on Saturdays, and that not less than one hour each full working day shall be allowed for dinner.

7. That all rooms in manufacturing establishments and other places which come under the operation of the Child Labor Law, be amply ventilated and kept clean; that water-closets be thoroughly cared for; that noxious odors be deodorized; that suitable dressing places be set aside for female workers; that no woman be employed for two months subsequent to her confinement; that the cleansing of machinery while in motion, (a system through which the lives of many young as well as grown persons are being constantly sacrificed,) that belting, exposed shafting, &c., be securely guarded.

All of which is respectfully submitted,

L. T. FELL,

Inspector of Labor of Children.

CIRCULAR.

STATE OF NEW JERSEY,
OFFICE OF INSPECTOR OF LABOR OF CHILDREN, }
ORANGE, June 1st, 1883.

Having been appointed under an act approved March 5th, 1883, entitled "An act to limit the age and employment hours of children, minors and women, and to appoint an inspector for the same," I beg leave to call the attention of those employing minors to the provisions of the law, to be found on the next page.

It will be noticed that the object of the law is to prevent:

First. The employment in any manufacturing establishment, of boys under twelve (12) years of age and girls under fourteen (14).

Second. The employment in any manufacturing establishment of children of either sex, between twelve (12) and fifteen (15) years, without a certain prescribed attendance at day or night school.

Third. The employment in any manufacturing establishment of children under fourteen (14) years of age, for more than ten (10) hours per day.

The justness and wisdom of these provisions, and their important bearing upon the physical, mental and moral welfare of the rising generation, and those who succeed them, cannot well be over-estimated. They are apparent to all.

It is the hope of the undersigned that a knowledge of the requirements of the law will secure a compliance with them, and render unnecessary any recourse to the penalties provided by it.

Very respectfully,

L. T. FELL,
Inspector.

An Act to limit the age and employment hours of labor of children, minors and women, and to appoint an inspector for the enforcement of the same.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That after the fourth day of July, one thousand eight hundred and eighty-three, no boy under the age of twelve years, nor any girl under fourteen years of age, shall be employed in any factory, workshop, mine or establishment where the manufacture of any goods whatever is carried on.

2. *And be it enacted*, That on and after the first day of July, one thousand eight hundred and eighty-four, no child between the ages of twelve and fifteen years shall be employed in any factory, workshop, mine or establishment where the manufacture of any kinds of goods whatever is carried on, unless such child shall have attended, within twelve months immediately preceding such employment, some public day or night school, or some well-recognized private school; such attendance to be for five days or evenings every week during a period of at least twelve consecutive weeks, which may be divided into two terms of six consecutive weeks each, so far as the arrangement of school terms will permit, and unless such child, or his parents or guardian, shall have presented to the manufacturer, merchant or other employer seeking to employ such child, a certificate giving the name of his parents or guardian, the name and number of the schools attended, and the number of weeks in attendance, such certificate to be signed by the teacher or teachers of such child; *provided*, that in case the age of the child be not known, such teacher shall certify that the age given is the true age to the best of his or her knowledge and belief; *provided*, that in case of orphan children, where necessity may seem to require, the guardian or others having charge of the same may, upon application to the inspector provided for in this act, receive from him a permit for the employment of such child or children, under such regulations as the said inspector may prescribe.

3. *And be it enacted*, That no child or children under the age of fourteen years shall be employed in any factory, workshop, mill or establishment where the manufacture of any kind of goods is carried on, for a longer period than an average of ten hours in a day, or sixty hours in a week.

4. *And be it enacted*, That every manufacturer, merchant or other employer employing any person contrary to the provisions of this act, or who shall be guilty of any violation hereof, shall be guilty of a misdemeanor, and upon conviction be fined for each offense in a sum of not less than fifty nor more than one hundred dollars, and in default of payment of the same, shall be imprisoned in the county jail for not less than thirty nor more than ninety days, and that every head of a family, parent or guardian who knowingly permits the employ-

ment of such children, shall be likewise subject to a fine of not more than twenty-five nor less than ten dollars for every child so employed, and for each offense, and in default of such payment, shall be imprisoned in the county jail for a period of not less than ten days nor more than twenty days; a certificate of the age of the minor, made by him or her, and by his or her parent or guardian at the time of employment, shall be conclusive evidence of the age of such minor upon any trial for the violation of this act; *provided*, that the provisions in this act in relation to the hours of employment shall not apply to or affect any person engaged in preserving perishable goods in fruit-canning establishments.

5. *And be it enacted*, That the governor shall, immediately after the passage of this bill, appoint, with the advice and consent of the senate, some suitable person, who shall be a resident and citizen of this State, as inspector, at a salary of twelve hundred dollars per year, to be paid monthly, whose term of office shall be for three years; the said inspector shall be empowered to visit and inspect, at all reasonable hours and as often as practicable, the factories, workshops, mines and other establishments in the State where the manufacture or sale of any kind of goods is carried on, and to report to the governor of this State, on or before the thirty-first day of October in each year; it shall also be the duty of said inspector to enforce the provisions of this act and prosecute all violations of the same in any recorders' courts of cities and justices of the peace or other courts of competent jurisdiction in the State.

6. *And be it enacted*, That all necessary expenses incurred by said inspector in the discharge of his duty shall be paid from the funds of the State upon the presentation of proper vouchers of the same; *provided*, that not more than five hundred dollars shall be expended by him in any one year.

7. *And be it enacted*, That all fines collected under this act shall enure to the benefit of the school fund of the district where the offense has been committed.

8. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and that this act shall take effect immediately.

Approved March 5, 1883.

