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THIRD ANNUAL REPORT

OF THE

INSPECTOR

OF

Factories and Workshops

OF THE

STATE OF NEW JERSEY,

1885.

REPORT.

STATE OF NEW JERSEY,
OFFICE OF
INSPECTOR OF FACTORIES AND WORKSHOPS.

ORANGE, N. J., October 31st, 1885.

To His Excellency Leon Abbett, Governor of New Jersey:

SIR—I have the honor to herewith submit my third annual report as State Inspector of Factories and Workshops, for the year ending October 31st, 1885.

The act creating the office of Inspector of Child Labor was approved on March 5th, 1883, and is as follows:

"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 kind 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 misdemeanor, and, upon conviction, be fined for each offence 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 employment 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 offence, 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 offence 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."

Under this law I had the honor to be appointed State Inspector of Child Labor. Immediately after entering upon the performance of the duties of my office, it became apparent that the statements of the organized workingmen of New Jersey, through whose untiring efforts the law had been enacted, were not exaggerations in any sense, and that the employment of children of tender years, without regard to sex or education, was general all over the State. There were about 8,000 manufacturing establishments and over 13,000 children and youths employed in New Jersey. Essex county had the most manu-

facturing establishments, and Passaic county employed the most children. Mercer and Hudson counties employed the largest number of children, after Essex, and Somerset the least. A close investigation proved that there had been an enormous increase in the employment of children during the previous ten years, and that it was much larger proportionately than the increase in the employment of adults—a showing both painful and significant. My investigations and inspections were of a truly saddening character. Everywhere I found old faces on young shoulders, children with wan cheeks, who had never known the sunshine of childhood, little ones of both sexes, upon whom their employment and neglect had left traces of mental and physical degradation. The school-house and the play-ground were almost unknown to the little inmates of the factories and workshops. Like lambs they had been driven to the slaughter. In many cases they were the victims of greedy, dissipated or indifferent parents. To the employers they were only as machines. To the State they had not been an object of solicitude. The organized workingmen alone deemed their conditions worthy of consideration and action, and to them, indeed, is due the honor of doing whatever has been accomplished towards the material, intellectual and physical emancipation of New Jersey's young.

It did not take long to discover that beyond making a cursory investigation in different parts of the State it would not be possible to do much towards the ferreting out of violations or the enforcement of the law. I visited the chief manufacturing districts in the State, but found it impossible to inspect any of them properly without totally ignoring all other places. The numerous communications of parents, guardians and complainants, had to be disregarded in many instances or to receive only the poor attention that could be given by mail. The time consumed in traveling and in examining children and certificates, rendered it beyond human power for one inspector to visit more on an average than three factories per day, a rate at which it would take a number of years for any one official to inspect all the factories and workshops in our State in an efficient manner. My efforts, therefore, during my first official year were largely limited to a general investigation into the condition of children employed in factories and workshops and the methods in force in other States and nations against the evils of child labor. The shocking illiteracy of the children whom I examined caused me to devote special attention to the question of compulsory education, and in my first annual report I strongly urged the necessity of a comprehensive compulsory education law and the erection of additional schools throughout the State. I also recommended the appointment of at least two assistant inspectors to aid in the enforcement of the Child Labor Law and of all other laws relating to the interests of the laboring classes, and made numerous suggestions, some of which were favorably acted on by the Legislature of 1884. My most important recommendation

was that for the appointment of additional factory inspectors, as it was self-evident that the Child Labor Law could not be enforced and would not be obeyed until the State provided a sufficient number of officers to make frequent inspections of all workshops and factories. This recommendation was considered favorably by the Legislature of 1884, but, unfortunately, a limit was placed upon the term of the deputies, through which the interests of those affected by the law have been sadly injured. The compulsory education recommendation was well received, but owing to the want of school accommodation it was thought better to leave the consideration of the subject to the Legislature of 1885.

LABOR LEGISLATION OF 1884.

In 1884 the Legislative Committee of the State Federation of Trades and Labor Unions of New Jersey, by direction of the State Labor Congress, presented a supplement to the Child Labor Act of 1883, for the consideration of the Legislature. The bill was amended and passed in the following form:

"A SUPPLEMENT to an act entitled '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,' approved March fifth, one thousand eight hundred and eighty-three.

"1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the title of the inspector under the act to which this act is a supplement, and the deputies hereinafter provided for shall be respectively 'factory and workshop inspector' and 'deputy inspectors,' and it shall be their duty to enforce the provisions of this act, and all other laws relating to the sanitary condition of factories and workshops, and to the employment, safety, protection and compulsory attendance at school of minors, and to institute all suits or actions in the name of the inspector as in the fifth section hereof provided for the violations of any of the provisions of this act, or the act to which this act is a supplement, but no action shall be begun by any deputy inspector without the written direction of the inspector, and in case of judgment for the penalty in any such suit so instituted, the same shall be paid into the treasury of the state, to be used to defray the necessary expenses of the inspector and his deputies.

"2. *And be it enacted*, That the inspector appointed under the act to which this act is a supplement, and his successors, shall have authority to appoint, with the approval of the governor and comptroller, two suitable persons, who shall be residents and citizens of this state, as deputy inspectors, who, when appointed, shall hold office until the first day of February next, unless sooner discharged by the said inspector, and which deputy inspectors shall each receive while acting as such a salary at the rate of one thousand dollars, to be paid monthly, and shall have like power as the inspector under this act, but shall be governed by and be subject to the control and direction of and be liable to be discharged at any time by the inspector, and the salary of said inspector shall hereafter be eighteen hundred dollars, and said inspector and assistants shall have like right to free passage on all railroads in this state as other state officers now have by law.

"3. *And be it enacted*, That the inspector and his deputies shall have power to demand a certificate of physical fitness from some regular prac-

ticing physician in the case of minors who may seem to them physically unable to work, and shall have power to prohibit the employment of any minor that cannot obtain such a certificate.

"4. *And be it enacted*, That any parent or guardian, when so required by the inspector or one of his deputies, shall furnish to such inspector or deputy, a certificate from the office of registration of births, or in the absence of such certificate, an affidavit or affidavits of the age of such minor, and if any one shall knowingly swear falsely in any such affidavit, the person or persons so swearing shall be guilty of perjury and liable to indictment and punishment accordingly.

"5. *And be it enacted*, That section four of the act to which this is a supplement shall be amended to read as follows:

"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 liable to a penalty of fifty dollars for each offence, to be recovered in an action of debt in any district court in any city, or before any justice of the peace having due jurisdiction, and that any parent or guardian, who knowingly permits the employment of such child or children, shall be liable in a like action to a penalty of not more than fifty dollars, as the court shall fix; that such action shall be prosecuted in the name of the inspector; the trial shall proceed as other actions of debt, and the first process shall be a summons returnable in not less than five days or more than ten after issue, and it shall not be necessary to indorse the same as in *qui tam* actions; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court on application, after notice to the defendant, may award an execution to take the body of the defendant, and in case such a defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the state, but shall only be discharged by the court making the order for the body execution, or one of the justices of the supreme court, when such court or justice shall be satisfied that further confinement will not accomplish the payment of the judgment and costs; an affidavit of the age of any minor made by its parent or guardian, at the time of its employment, shall be conclusive evidence of the age of such minor, upon any trial against a manufacturer or employer for the violation of this act, but any parent or guardian that shall knowingly swear falsely in such affidavit shall be guilty of perjury, and the inspector or deputy inspector shall be authorized in case they shall find any minor employed under any false affidavit given as aforesaid, to order and compel such minor to desist from work; the provisions of 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.

"6. *And be it enacted*, That section six of the act to which this is a supplement, be amended to read as follows:

"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 presentation of proper vouchers of the same; *provided*, that not more than one thousand dollars shall be expended by him in any one year.

"7. *And be it enacted*, That all acts or parts of acts inconsistent with this act, be and are hereby repealed.

"8. *And be it enacted*, That this act shall take effect immediately.

"Passed April 17th, 1884."

Under this act, Mr. J. P. McDonnell, of Paterson, and Mr. John C. Craigie, of Newark, were appointed Deputy Inspectors of Factories and Workshops. The former was confirmed in April, and

entered upon the performance of his duties on the first day of May, 1884; the latter was confirmed on the first day of October, 1884, from which date his services to the State commenced. The law provided that the terms of both deputies should terminate on the first day of February, 1885. It will therefore be seen that before these gentlemen had well entered upon their important work their services came to an end, Mr. McDonnell serving the State nine months and Mr. Craigie serving four months.

The advantages of an additional inspection force were not long making themselves felt. The most important manufacturing districts were visited, numerous complaints were attended to, hundreds of children were examined, and over five hundred manufacturing establishments throughout the State were inspected by me and Deputy McDonnell from May 1st to October 1st, 1884. During the month of October, 1884, Deputy Inspector Craigie devoted his attention to Essex county, in which, during that time, he visited numerous factories and examined many children. The inspection of factories and the examination of children during the six months ending October 31st, 1884, showed more conclusively than ever the necessity of having a sufficient force of factory inspectors. In many cases the factories were so large, and the children employed so numerous, that it took several days to inspect the factories and examine the children, and consequently, the greater majority of the factories and children throughout the State had to be neglected.

Special attention was paid during the official year of 1884 to all matters relating to the sanitary condition of factories and workshops, the protection of machinery and the moral and educational condition of the young. The examinations of children in factories, and of children who sought permission to be employed, were conducted with a view to promote the best interests of the State. They were very distressing in almost all cases. The ignorance of the children of the toiling poor was most startling. In my second annual report, referring to the great evil, I said:

"Nothing short of personal experience would have led us to believe in the frightful amount of ignorance which exists. The number of children who are being reared in ignorance, fitted for injuring society, in whom the natural feelings are destroyed and who forget all the good they have ever learned, whose homes are too often habitations of wretchedness, and who seem to have no hope, is appalling. The condition of these children appeals to all who desire to save society from lawlessness and ruin, and who prefer prevention to punishment. The children of the toiling poor are not naturally disorderly or lawless. They were not born thieves, liars, prostitutes or murderers. They are as capable of good as the children who are more favored, and, with proper care and protection and nurture, they would make honest, honorable and intelligent citizens. With their wan faces and dwarfed

forms and stunted minds, these little ones of our State outstretch their arms and appealingly implore the law-makers of New Jersey to afford them the mental pabulum and physical protection which they so much need."

The investigations and inspections made by me and the Deputy Inspectors during the official year of 1884 led me to make numerous important recommendations in my second annual report, not a few of which, it is gratifying to know, were adopted by the Legislature of 1885. Education has been made compulsory, and additional protection has been afforded factory and workshop operatives by the laws of 1885, but, unfortunately, no provision has been made for the most important feature of these laws, namely, the means of enforcement, without which they are practically dead letters.

CHILD IGNORANCE.

My second annual report made some startling statements regarding the illiteracy of the children in factories and workshops. It was shown that the children who went to work at early ages knew less than those who went to work when more advanced in years. The dreadful fact was revealed that thousands of children in the State knew no change but from the workshop to the bed and from the bed to the workshop, and that the children who attended school when seven, eight or nine years of age, and then went to work, had forgotten all that they had learned. To some people the ignorance of the children as reported by me, seemed incredible; they could not credit that the young of New Jersey were growing up in such dense ignorance. But there were others who ridiculed the statements, not because they doubted their veracity, but because they disliked their publication and desired to throw obstacles in the way of legislation for the material protection and mental advancement of the children of our State. Those who are brought into constant contact with factory children know that there was no exaggeration in the statements made in my second annual report, and not a few of these are themselves employers of labor. Indeed, the report did not give the facts in all their hideousness. If the examinations had been published in full they would have shown a much worse state of things than my second annual report represented. While these examinations were being carried on in this State by me and Deputy McDonnell, similar examinations were being made in New York State by the Hon. Charles F. Peck, Commissioner of the State Bureau of Statistics of Labor. The result of the Commissioner's examinations will be found in the second annual report of the New York Bureau of Labor Statistics, which was issued almost contemporaneously with my second annual report. The examinations conducted by Commissioner Peck,

show almost precisely the same intellectual condition amongst the young of New York State as in New Jersey. They go to show, in New York as in New Jersey, that the factory has been rapidly taking the place of the school-house, that the young have been taking the places of the grown-up, and that the most important interests of the State—the children of the producing class—have been shamefully neglected. Further, these examinations show the foresight and wisdom of the organized workers of New Jersey who have so persistently labored against the employment of children, and in behalf of their compulsory education. In order that it may be seen that child ignorance is the result of early factory life and of neglect, and that it is not confined to New Jersey, but prevails wherever the same conditions exist, I subjoin a portion of Commissioner Peck's report, giving the testimony of several children, which the Commissioner says fairly represents the average standard of intelligence among those employed in the mills of New York State:

CHILD EXAMINATION IN NEW YORK STATE.

Q. How old are you? *A.* Eleven years old.
Q. How long have you worked in the mill here? *A.* Five years.
Q. Have you ever been to school? *A.* Yes, sir.
Q. How long did you go? *A.* Over a year.
Q. What State do you live in? *A.* State of Cohoes.
Q. What county do you live in—do you know? *A.* County of New York.
Q. Who is the Governor of New York State? *A.* I don't know.
Q. What is the capital? *A.* I don't know.
Q. Who is President of the United States? *A.* I can't tell.
Q. What is the capital of the United States? *A.* I don't know.

Q. How old are you? *A.* Twelve years old.
Q. Can you read and write? *A.* Yes, sir.
Q. Can you read any thing any body else has written—writing? *A.* I can't read it very good.
Q. Can you read writing at all? *A.* Yes, sir.
Q. Do you know what county you live in? *A.* Albany county.
Q. What State? *A.* State of New York.
Q. Do you know who the Governor is? *A.* No, sir.
Q. Do you know who the President of the United States is? *A.* No, sir.
Q. What is the capital of this State? *A.* I don't know.
Q. Do you know what the capital of the United States is? *A.* No, sir.
Q. Do you know how many States there are in the Union? *A.* No, sir.

Q. How much is twelve times five? *A.* I never learned that; we never went that far in our school.

Q. How much is twice eight? *A.* Sixteen.

Q. Do you know the multiplication table. *A.* No, sir, I never learned that.

Q. What do they teach in the schools? *A.* Fourth reader.

Q. Reading and writing? *A.* Yes, sir; and spelling and figuring.

Q. Can you spell Albany? *A.* Yes, sir; A-l-b-a-n-y.

Q. How long have you worked in the mills? *A.* Three years.

Q. How old are you? *A.* I will be fourteen on the 13th of February.

Q. How long have you been in school? *A.* I was in the fourth reader when I left.

Q. Yes, but how long did you go to school? *A.* Five years.

Q. Have you ever been to school since you went into the mills? *A.* Yes, sir; night school.

Q. What do they teach there? *A.* Reading, writing and figuring.

Q. Do they teach geography? *A.* No, sir.

Q. Nor history? *A.* No, sir.

Q. You can read and write? *A.* Yes, sir.

Q. Do you know the multiplication table? *A.* Yes, sir.

Q. How much is seven times nine? *A.* Sixty-three.

Q. Do you work in the mills? *A.* Yes, sir.

Q. How old are you? *A.* Eleven years old.

Q. How long have you worked there? *A.* Six or seven months.

Q. Did you go to school before that? *A.* Yes, sir; ever since I was five years old.

Q. You have been to school then most five years? *A.* Yes, sir.

Q. Can you read and write? *A.* Yes, sir.

Q. Can you read writing? *A.* Yes, sir.

Q. Did you ever attend night school? *A.* I used to go to select night school.

Q. What county do you live in? *A.* Albany county.

Q. What State? *A.* New York State.

Q. Do you know the capital of New York? *A.* Albany is the capital.

Q. What is the capital of the United States? *A.* I have never been as far as that.

Q. Is it Washington? *A.* I do not know.

Q. Do you know who the President of the United States is? *A.* No, sir.

Q. Do you know who the Governor of the State is? *A.* Cleveland.

Q. How long have you worked in the mills? *A.* About seven months.

Q. How old are you? *A.* Thirteen years old.
Q. Did you go to school before going to work in the mills? *A.* Yes, sir.
Q. Can you read and write? *A.* Yes, sir.
Q. Your work is not very hard, is it? *A.* No, sir.
Q. Had you rather work than go to school? *A.* I guess I had.
Q. Are you obliged to work here? *A.* Yes, sir.
Q. Have you a father? *A.* Yes, sir.
Q. Does he work? *A.* Yes, sir.
Q. Can't your parents get along without your working? *A.* I don't have to work.
Q. How much do you earn a month? *A.* Ten dollars.

Q. How old are you? *A.* Thirteen years old.
Q. Have you ever been to school? *A.* Yes, sir.
Q. How long have you worked in the mills? *A.* A year and a half.
Q. Can you read and write? *A.* I can't read English.
Q. What State do you live in? *A.* I do not know.
Q. Do you know what county you live in? *A.* No, sir.

Q. How old are you? *A.* Ten years old.
Q. How long have you worked in the mills? *A.* I do not know.
Q. Have you ever been to school? *A.* Yes, sir.
Q. Before you went into the mills? *A.* Yes, sir.
Q. Did you go to night school? *A.* Yes, sir.
Q. Can you read and write? *A.* Yes, sir.
Q. Do you know what county you live in? *A.* No, sir.
Q. Do you know the capital of this State or of the United States? *A.* No, sir.
Q. Do you know the name of the Governor of the State? *A.* No, sir.
Q. Who is the President of the United States? *A.* I don't know.
Q. Do you know how many States there are in the Union? *A.* No, sir.

Q. Do you work in the mills? *A.* Yes, sir.
Q. How old are you? *A.* Twelve years old.
Q. How long have you worked there? *A.* A good while—more than a year.
Q. Did you go to school before that? *A.* No, sir.
Q. Have you ever been to school at all? *A.* Not much.
Q. Can you read and write? *A.* I can read, but not write.
Q. Can you read writing? *A.* No, sir.
Q. Do you know what State you live in? *A.* No, sir.
Q. Do you know what county you live in? *A.* Essex.
Q. Do you know the capital of the State? *A.* Albany.

Q. Do you know the capital of the United States? *A.* No, sir.
Q. Do you know the multiplication table? *A.* No, sir; I never learned that.

Q. Do you work in the mills? *A.* Yes, sir.
Q. How old are you? *A.* Twelve years old.
Q. How long have you worked in the mills? *A.* Three years.
Q. Did you go to school before that? *A.* Yes, sir; a year.
Q. Can you read and write? *A.* Yes, sir.
Q. Can you read writing? *A.* Yes, sir.
Q. Do you know what State you live in? *A.* New York State.
Q. What is the capital of New York State? *A.* Albany.
Q. What county is this? *A.* Albany county.
Q. What is the capital of the United States? *A.* I do not know.

Q. Do you work in the mills? *A.* Yes, sir.
Q. How old are you? *A.* Going on eleven.
Q. How long have you worked in the mills? *A.* I don't know.
Q. Have you worked there a year? *A.* No, sir.
Q. Did you go to school before you went into the mills? *A.* Yes, sir.
Q. How long did you go to school? *A.* Three or four months.
Q. Can you read and write? *A.* No, sir.
Q. Do you know what State you live in? *A.* No, sir.
Q. Do you know the county? *A.* No, sir.
Q. Do you know the name of the capital city of the State? *A.* No, sir.
Q. Do you know what county this is? *A.* No, sir.
Q. Do you know the name of the capital of the United States? *A.* No, sir.

Q. How old are you? *A.* Ten years old.
Q. How long have you worked in the mills? *A.* Not a year.
Q. Did you go to school before that? *A.* Yes, sir.
Q. How long did you go to school? *A.* About eight months.
Q. Can you read and write? *A.* I can't write much.
Q. Can you read? *A.* Yes, sir.
Q. Can you read writing? *A.* I don't know.
Q. Do you know what State you live in? *A.* No, sir.
Q. Do you know what county? *A.* No, sir.
Q. Do you know the name of the capital of the State of New York? *A.* No, sir.
Q. Do you know the name of the Governor? *A.* No, sir.
Q. Do you know the name of the President of the United States? *A.* No, sir.

Q. Can you tell who the President of the United States is? *A.* I don't know.

Q. How long have you worked in the mills? *A.* A good while.

Q. How old are you? *A.* Ten years.

Q. Have you ever been to school? *A.* Yes, sir.

Q. How long? *A.* About a week.

Q. Didn't you go longer than that? *A.* No, sir.

Q. Can you tell the State you live in? *A.* No, sir.

Q. Do you know the name of the capital? *A.* No, sir.

Q. Who is the Governor of New York State? *A.* Blaine and Logan.

Q. Do you know what the capital of the United States is? *A.* No, sir.

UTICA, N. Y.

On the question of average intelligence, small children were called out of the mill and gave the following testimony:

Q. How old are you? *A.* Thirteen years old.

Q. Have you ever been to school? *A.* I went to school when I was six years of age.

Q. Can you read and write? *A.* Yes, sir; and figure, too.

Q. How old are you? *A.* Will be fourteen the 13th of December.

Q. Have you ever been to school? *A.* Yes, sir; five years; I started when I was six years of age.

Q. What did you study? *A.* Reading and spelling.

Q. How far did you get advanced? *A.* Into the third reader; that is as high as they went.

Q. How long have you worked in the mills? *A.* Two years.

Q. Have you been to school since you have been to work? *A.* No, sir.

Q. You never went to school while working in the mill? *A.* No, sir.

Q. How much do you get a month? *A.* Seventeen dollars.

Q. How far do you live from here? *A.* The other side of the canal.

Q. What time do you have to get up in the morning? *A.* Six o'clock.

Q. And get to work at six-thirty? *A.* Yes, sir.

Q. Do you know what the capital of the State is? *A.* No, sir.

Q. Do you know what county Utica is in? *A.* Oneida county.

Q. Do you know what the capital of the United States is? *A.* I never studied geography.

Q. How far did you get in arithmetic? *A.* I went through the

lowest arithmetic three or four times and my reader three or four times, and I can write as good as my big sister.

Q. Can you read writing? *A.* Yes, sir.

Q. How old are you? *A.* Thirteen.
Q. How long have you worked here? *A.* Over a year.
Q. Have you ever been to school? *A.* Yes, sir; six years.
Q. What did you study? *A.* English.
Q. Reading and writing? *A.* Yes, sir.
Q. Arithmetic? *A.* Yes, sir.
Q. Geography? *A.* Yes, sir.
Q. And spelling? *A.* Yes, sir.
Q. Can you read writing? *A.* Yes, sir.
Q. What is the capital of this State? *A.* New York City.
Q. When does the Legislature meet? *A.* I don't know.
Q. Who is the Governor of New York State? *A.* Cleveland.
Q. Where does the Governor live? *A.* Washington.
Q. What county is Utica in? *A.* Oneida.
Q. Where do you live? *A.* Francis street.
Q. How far away is that? *A.* I cannot tell.
Q. What time do you have to get up in the morning in order to get to work by six-thirty? *A.* I start from home twenty minutes after six.
Q. What time do you get up in the morning? *A.* Six o'clock.
Q. Do you take breakfast before you go to the mill? *A.* Yes, sir.
Q. Have you a father and a mother living? *A.* Yes, sir.
Q. Is your father at work? *A.* Yes, sir; but he does not have work all the time—only spring and fall.
Q. How many are there in your family? *A.* Five.
Q. Father and mother and three children? *A.* Yes, sir; father and mother and two brothers.
Q. Are your brothers older than you? *A.* No, sir; they are younger.

Q. How old are you? *A.* Thirteen years.
Q. How long have you worked here? *A.* About a year.
Q. Did you ever go to school? *A.* Yes, sir; seven years.
Q. How old were you when you commenced to go to school? *A.* Five years.
Q. What did you study? *A.* German and English.
Q. Did you study reading, writing, spelling, arithmetic and geography? *A.* Yes, sir.
Q. What is the capital of this State? *A.* I do not know.
Q. Do you know what the capital of the United States is? *A.* I know, but I have forgotten; I have studied all that.
Q. Where do you live? *A.* 22 Bissell street.

Q. How far is that from here? *A.* Two streets.
Q. What time do you have to get up in the morning? *A.* A quarter before six.
Q. Do you like to work in the mills? *A.* Yes, sir.
Q. Do you feel tired at night? *A.* No, sir.
Q. Had you rather work than go to school? *A.* Yes, sir.

Q. How old are you? *A.* Fourteen years.
Q. How long have you worked here? *A.* About two years.
Q. Ever been to school? *A.* Yes, sir.
Q. How long did you go? *A.* Three or four years.
Q. What did you study? *A.* The third reader.
Q. Did you ever study arithmetic? *A.* Yes, sir.
Q. How much is seven times six? *A.* I don't know much now since I went to school.
Q. How much is three times seven? *A.* Twenty-one.
Q. How much is four times eight? *A.* Thirty-two.
Q. What is the capital of New York State? *A.* I never learned geography.
Q. Where do you live? *A.* Canal street.
Q. How far is that from here? *A.* Right across the car track.
Q. What time do you get up in the morning? *A.* About five o'clock.
Q. What time do you leave home for the mill? *A.* A quarter after six.
Q. Do you get your breakfast before coming to the mill? *A.* Yes, sir.
Q. Wouldn't you like to go to school? *A.* I didn't like it much when I was going.
Q. Would you like to go now? *A.* Yes, sir.
Q. How much time do you have for dinner? *A.* Half an hour.
Q. Would you like to have an hour for dinner? *A.* Yes, sir.
Q. And wouldn't you like to work less hours a day? *A.* Yes, sir; but this is good for me.
Q. But wouldn't you rather have more time outside? *A.* Yes, sir.

Q. How old are you? *A.* Thirteen.
Q. How long have you worked here? *A.* Two years.
Q. Ever been to school? *A.* Yes, sir; five years.
Q. What did you study? *A.* Geography, arithmetic, reading and spelling.
Q. How much is eight times five? *A.* I do not know.
Q. How much is four times seven? *A.* Twenty-eight.
Q. What is the capital of this State? *A.* I don't know.
Q. What county do you live in? *A.* Oneida.
Q. Where do you live? *A.* Saratoga street.
Q. How far is that? *A.* Not but a little ways.

Q. What time do you get up in the morning to get to work. *A.* Six o'clock.

Q. Can you read and write? *A.* Not very well.

Q. How much do you get a month here? *A.* Ten or eleven dollars.

Q. How much is that a day? *A.* Forty-two cents.

Q. Do you live to far to go to dinner? *A.* No.

Q. Do you stay in the mills at noon? *A.* Yes, sir.

Q. Why do you do that? *A.* Cause I don't like to go alone.

Q. Would you like an hour for dinner? *A.* Yes, sir.

Q. Would you rather go to work at seven in the morning, and quit at six in the evening, than the way you work now? *A.* Yes, sir.

TESTIMONY OF CHILDREN, CHADWICKS MILLS.

Q. How old are you? *A.* Going on eleven.

Q. How long have you worked in the mills? *A.* A year.

Q. Have you ever been to school? *A.* No, sir.

Q. Do you know what county you live in? *A.* Yes, sir.

Q. Well, what county do you live in? *A.* Chadwicks.

Q. What town do you live in? *A.* I don't know.

Q. Do you know what the capital of this State is? *A.* No, sir.

Q. Can you read? *A.* I am in the first reader, now.

Q. Can you write? *A.* No, sir.

Q. Can you tell how many seven times three is? *A.* No, sir.

Q. Can you tell how many twice five is? *A.* Yes, sir.

Q. How many is it? *A.* Ten.

Q. How many is five times two? *A.* Twenty.

Q. How old are you? *A.* Twelve.

Q. How long have you been employed in the mills? *A.* One year and two months.

Q. Have you ever been to school? *A.* Yes, sir.

Q. Can you read and write? *A.* Yes, sir.

Q. What did they teach you at school? *A.* Fourth reader, arithmetic, geography, writing and spelling.

Q. Did you learn to write? *A.* Yes, sir.

Q. Can you read writing? *A.* Yes, sir.

Q. Do you know what county you live in? *A.* Oneida county.

Q. What is the capital of this State? *A.* Washington.

Q. What is the capital of the United States? *A.* Don't know.

Q. Do you know who the Governor is? *A.* Cleveland.

Q. Have you ever attended school while working in the mill—night school? *A.* Yes, sir; I went to day school; I stayed out a year to go.

Q. You never attended night school while working at the mill, did you? *A.* No, sir.

Q. How old are you? *A.* Fourteen.
Q. How long have you worked in the mills? *A.* Three weeks.
Q. Have you ever been to school? *A.* Yes, sir.
Q. How long did you go to school? *A.* Ever since I was five years old.
Q. Can you read and write? *A.* Yes, sir.
Q. What did you study at school? *A.* Fourth reader, geography, spelling, writing and arithmetic.

Q. How old are you? *A.* I am twelve years old.
Q. How long have you worked in these mills? *A.* About four years.
Q. Have you ever been to school? *A.* Yes, sir.
Q. How long did you go? *A.* I guess I went about four years.
Q. Can you read and write? *A.* Yes, sir.
Q. What did you study when you were in school? *A.* Writing, arithmetic, third reader, spelling and geography.
Q. Do you know what county you live in? *A.* Yes, sir; Oneida.
Q. What State? *A.* New York.
Q. Do you know who the Governor of New York is? *A.* No, sir.

Q. How old are you? *A.* Going on eleven.
Q. How long have you worked here in this mill? *A.* A little over a year.
Q. Did you go to school before you came into the mill? *A.* Yes, but not very long.
Q. Did you learn to read and write? *A.* No, sir.
Q. Do you know what county you live in? *A.* No.
Q. Do you know what the capital of this State is? *A.* No, sir.

Q. How old are you? *A.* Ten years old.
Q. How long have you worked in these mills? *A.* I don't know.
Q. Have you ever been to school? *A.* No, sir.
Q. Do you know how to read and write? *A.* Yes, sir.
Q. Can you read writing? *A.* I can't read English at all; I am a Polander.

Q. How old are you? *A.* Eleven.
Q. How long have you been employed in these mills? *A.* Two years, I guess.
Q. Have you ever been to school? *A.* Yes, sir.
Q. Can you read? *A.* A little.
Q. Can you write? *A.* No, mam.
Q. Do you know what county you live in? *A.* No, mam.

Q. Do you know what the capital of this State is? *A.* No, mam.

Q. Do you know what the capital of the United States is? *A.* No, mam.

Q. What time do you have to get up in the morning in order to get to work in the mills by half-past six? *A.* Six o'clock.

Q. Have you a father? *A.* Yes, sir.

Q. Does he work? *A.* Yes, sir; he does.

OFFICIAL WORK OF THE PAST YEAR.

A review of the operations of this department during the past official year, while gratifying in many essential respects, is by no means so satisfactory as it should be, or as it would be if the services of efficient Deputy Inspectors had been retained by the State. During the months of November and December, 1884, and January, 1885, this department had the valuable assistance of Messrs. McDonnell and Craigie, the Deputy Inspectors, and a vast amount of important work was accomplished; but since the expiration of their terms, the entire work provided by the laws of 1883 and 1884, and the additional work imposed by the Factory and Education Laws of 1885, has fallen upon the shoulders of the Chief Inspector. Too much praise cannot be given to the Deputies for the efficient manner in which they performed their duties, from the date of my last report to the expiration of their terms.

It was found necessary to confine Mr. Craigie's labors to Essex county. It is estimated that there are in that county nearly 2,000 manufacturing establishments, more, in fact, than any one man properly could inspect in two years, without devoting any attention whatsoever to the examination of children and to the other duties of a State Inspector. But Mr. Craigie showed diligence and fidelity, and did the best he could under the circumstances to promote the objects of the law. He inspected over one hundred and fifty factories, examined several hundred children in places set aside especially for the purpose, granted permits in extreme cases and contributed largely to the promotion of the general objects of the law. The following letter from Principal Musgrave, of the Kearny Avenue Public School, Newark, bears testimony not only to the efficiency of the Deputy Inspectors, but to the wholesomeness of the law itself and the necessity of inspectors:

"KEARNY AVENUE PUBLIC SCHOOL,
"No. 40 BISHOP ST., EAST NEWARK,
"January 16th, 1885.

"*John C. Craigie, Esq.:*

"I congratulate you on your promptness in attending to your official duty.

"The 'boys' prided themselves by saying they would not attend school, and the Inspector could not find out anything about it.

"The matter surprised them, and they could not understand how you found them out.

"They were all there the next night, and many of their parents with them, offering apologies for their absence.

"I highly appreciate your earnest work; you are doing much good.

"Respectfully,

"A. MUSGRAVE, *Prin.*"

Applications from all other parts of the State for inspection and "permits" were attended to by me and Deputy Inspector McDonnell. These applications were so numerous that it was not possible for us to attend to half of them. Examinations and inspections were made in all the manufacturing localities, but in no case were we able to complete either the inspections or the examinations, owing to the demand for our presence in other places. In his own county of Passaic, Deputy McDonnell had enough work awaiting his attention to occupy all his time, but it was not possible to leave him there, without entirely neglecting other districts. Notwithstanding the difficulty of the situation, we inspected nearly 500 factories during the three months, made numerous investigations, granted permits in all proper cases, and had the pleasure of crowding the schools with children. In this connection, I desire to draw attention to the unpleasantness of the position in which Inspectors find themselves when called upon to perform duties which are beyond their reach. Manufacturers and working people are both, alike, prone to find fault with the Inspectors for not doing this, that and the other at a moment's notice, when, in reality, it is not possible for the Inspectors to do so, and the fault lies entirely with the law, which has failed to provide a sufficient number of Inspectors to perform the work. In the enforcement of the labor laws of this State there is ample work for half a dozen Inspectors, and it is, therefore, not possible for one, two or three Inspectors to make frequent inspections, or to give that attention to their duties which is so essential in promoting obedience to the laws of the State.

The inspections made by the Deputies before the expiration of their terms, and by myself, before and since, fully justified the State Federation of Trades and Labor Unions in introducing the General Factory Act, some parts of which were passed into law by the Legislature of 1885, and it is to be regretted that the bill was not passed in its entirety.

The failure of the Legislature of 1885 to provide for Deputy Inspectors placed this department in a very trying position. The work of the office was greatly increased by the provisions of the General Factory Act and the Compulsory Education Law. The duties were already more than three Inspectors could faithfully perform. With a reduced force and increased work, and only one officer to do it, the obstacles in my way became insurmountable. I resolved, however, to make the best of a bad situation, and by flying inspections,

correspondence and other efforts, to arouse popular sentiment to the necessity of obeying the Labor Laws. Since last February, I have inspected over 400 factories and work-shops. My correspondence with factory-owners and workers has been sufficiently large to occupy the entire time of a clerk, when my presence could not be obtained. I have been requested to answer questions of all kinds regarding provisions of the Labor Laws. I have not been able, unless in very few instances, to give personal attention to applications for permits, and have attended to almost all such matters by mail. I held communication with all mayors of cities, superintendents of schools, church dignitaries, newspaper men, labor representatives and others interested in popular education, for the purpose of securing their coöperation in enforcing the Compulsory Education Law.

On the first day of August, I issued the following circular and sent copies of it, with the laws of 1883 and 1884, and the laws of 1885, which follow the circular, to manufacturers and all others who were affected, directly or indirectly, by their provisions:

"STATE OF NEW JERSEY,
"OFFICE OF
"INSPECTOR OF FACTORIES AND WORKSHOPS.

"ORANGE, N. J., August 1st, 1885.

"*To Manufacturers, Mayors of Cities, Town and Village Committees, School Superintendents, Police Authorities, Wage Workers, and all Citizens whom it may concern:*

"The State Legislature of 1883 passed an act entitled "An act to limit the age and employment hours of children, minors and women," approved March 5th, 1883.

"The Legislature of 1885, passed a supplement to an act to establish a system of public instruction, approved April 20th, 1885. Also a general act relating to factories and workshops, and the employment, safety, health and work hours of operatives, approved April 7th, 1885.

"I beg leave to call the attention of all to the provisions of the laws which are herewith enclosed.

"As I will have the co-operation of the State Board of Education, and others interested in the protection and education of children, all persons are warned against the violation of any of the provisions of said laws.

"There will be a systematic and thorough supervision of factories and schools, and any person violating any of the laws will be held to a strict accountability.

"Very respectfully,

"L. T. FELL,
"*Inspector.*

"Please put this legal notice and accompanying laws in a prominent part of your establishment."

GENERAL FACTORY ACT.

"A GENERAL ACT relating to factories and workshops, and the employment, safety, health and work hours of operatives.

"1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey,* That any person or corporation engaged in manufacturing which

requires from persons in his or its employ, under penalty of forfeiture of a part of the wages earned by them, a notice of intention to leave such employ, shall be liable to the payment of a like forfeiture if he or it discharges without similar notice a person in such employ, unless in case of a general suspension of labor in his or its shop or factory.

2. *And be it enacted*, That all accidents in workshops, factories or mines which result in death, shall be reported at once by the occupier to the inspector of workshops at Trenton, and the city or district physician, where one is employed as such, which notice may be given by mail.

"3. *And be it enacted*, That the belting, shafting, gearing and drums in all factories and workshops, when so placed as to be dangerous to persons employed therein while engaged in their ordinary duties, shall be securely guarded when practicable [possible]; if otherwise, then a notice of its danger shall be conspicuously posted in the factory or workshop.

"4. *And be it enacted*, That no minor under eighteen years of age, or woman, shall be required to clean any part of the mill gearing or machinery in any factory or workshop while the same is in motion, or work between the fixed or traversing part of any machine while it is in motion by the action of steam, water or other mechanical power.

"5. *And be it enacted*, That the openings of all hoistways, hatchways, elevators and well holes upon every floor of a factory or mercantile or public building, shall be protected by good and sufficient trap-doors or self-closing hatches and safety catches, or strong guard rails at least three feet high, and all due diligence shall be used to keep such trap-doors closed at all times, except when in actual use by the occupant of the building having the use and control of the same.

"6. *And be it enacted*, That no explosive or inflammable compound shall be used in any factory, in such place or manner as to obstruct or render hazardous the egress of operatives in case of fire.

"7. *And be it enacted*, That no minor under the age of sixteen shall be employed in any manufacturing, mercantile or mechanical establishment more than ten hours a day or sixty hours a week.

"8. *And be it enacted*, That suitable places shall be provided in all factories and workshops where girls or women are employed, where unclean work of any kind has to be performed, for such girls or women to wash and dress, and that stairs in use by female employes in all factories and workshops be properly screened.

"9. *And be it enacted*, That separate water-closets be provided for the use of employes of either sex in all manufacturing, mercantile and mechanical establishments where persons of both sexes are employed.

"10. *And be it enacted*, That where the factories or workshops appear so overcrowded, that in the opinion of the inspectors of factories there is danger to health, the inspectors shall have power, after being supported in their opinion by some reputable resident physician, to prohibit such overcrowding.

"11. *And be it enacted*, That the inspectors of factories shall have power to order a fan or other mechanical means of proper construction, if practicable, for the purpose of preventing the inhalation of dust in establishments where any process is carried on by which dust is generated and inhaled by the workers to an injurious extent.

"12. *And be it enacted*, That all factories and mines be ventilated so as to render harmless all impurities as near as may be.

"13. *And be it enacted*, That no cellar, room or place shall be occupied as a bake house, which is less than one-half of its height above the level of the street, footway or ground adjoining the same, unless the following regulations are complied with: First, no water-closet, earth-closet, privy or ash pit shall be within or communicate directly with the bake house; second, no drain or pipe for carrying off sewage or other impure matter shall have

an opening within a bake house, unless such drain or pipe be trapped with a six-inch water-seal, both within and without the wall of the bake house, and have a ventilating pipe of one-half the size of drain pipe between the wall and the outer trap, and which ventilating pipe shall run two feet above the roof of building.

"14. *And be it enacted*, That the sleeping places for workmen and others employed in bake houses shall be separate and distinct from the places used for the making of bread.

"15. *And be it enacted*, That any person or corporation, being the owner, lessee or occupant of any manufacturing establishment, factory, mine, workshop or store, or owning or controlling the use of any building or room, shall for the willful violation of any provision of this act, except sections one and two, be liable to a penalty of fifty dollars for each offence, to be recovered in an action of debt in any district court in any city, or before any justice of the peace having due jurisdiction, and that any employe who shall be guilty of any violation of the provisions of this act shall be liable in a like action to a penalty of fifty dollars, that such action shall be prosecuted by and in the name of the inspector of factories; the trial shall proceed as in other actions of debt, and the first process shall be a summons returnable in not less than five days or more than ten after issue, and it shall not be necessary to indorse the same as in *qui tam* actions; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court on application, after notice to the defendant, may award an execution to take the body of the defendant, and in case such defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the State, but shall only be discharged by the court making the order for the body execution, or one of the justices of the supreme court, when such court or justice shall be satisfied that further confinement will not accomplish the payment of the judgment and costs; *provided*, nothing herein shall subject any owner of a building or premises to any penalty unless he shall be the proprietor of the business conducted therein.

"16. *And be it enacted*, That all acts or parts of acts inconsistent with the provisions of this act be and are hereby repealed.

"Approved April 7, 1885."

COMPULSORY EDUCATION LAW.

"A SUPPLEMENT to an act to establish a system of public instruction, approved April ninth, one thousand eight hundred and seventy-five.

"1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all parents, and those who have the care of children, shall instruct them or cause them to be instructed in spelling, reading, writing, English grammar, geography and arithmetic, and every parent, guardian or other person having control and charge of any child or children, between the ages of seven and twelve years, shall be required to send any such child or children to a public day school for a period of at least twenty weeks in each year, eight weeks, at least, of which attendance shall be consecutive, unless such child or children are excused from such attendance by the board of the school district in which such parents or guardians reside, upon its being shown to their satisfaction that the bodily or mental condition of such child or children has been such as to prevent his, her or their attendance at school, or that such child or children are taught in a private school, or at home, by some qualified person or persons in such branches as are usually taught in primary schools.

"2. *And be it enacted*, That no child under the age of fifteen years shall

be employed by any person, company or corporation to labor in any business whatever, 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 or her parents or guardian shall have complied with the provisions of the act approved March fifth, eighteen hundred and eighty-three, limiting the employment hours of the labor of children.

"3. *And be it enacted*, That every parent, guardian or other person having charge or control of any child, from twelve to sixteen years of age, who has been temporarily discharged from employment in any business in order to be afforded an opportunity to receive instruction or schooling, shall send such child to some public or private day school for the period for which such child shall have been discharged, unless such child shall have been excused from such attendance by the inspectors of factories and workshops, or by the board of the school district for reasons as stated in section one hereof.

"4. *And be it enacted*, That in case any parent, guardian or other person shall fail to comply with the provisions of sections one and three of this act, such parent, guardian or other person shall be deemed guilty of a misdemeanor, and shall, on conviction, be liable to a fine of not less than ten dollars nor more than twenty-five dollars for the first offence, and of not less than twenty-five dollars for each subsequent offence, or to imprisonment for not less than one month nor more than three; the said fines, when paid, to be added to the public school money of said school district in which the offence occurred.

"5. *And be it enacted*, That all children between the ages of seven and fifteen years, who are habitual truants from school, or who, while in attendance at any public school, are incorrigible, vicious or immoral in conduct, and all children between the said ages who absent themselves habitually from school, and habitually wander about streets and public places during school hours, having no business or lawful occupation, shall be deemed juvenile disorderly persons and subject to the provisions of this act.

"6. *And be it enacted*, That in all cities having a duly organized police force, it shall be the duty of the police authority, at the request of the inspectors of factories and workshops, or of the school authority, to detail one or more members of said force to assist in the enforcement of this act, and in districts having no regular police force, subject to this act, it shall be the duty of the board of education, or the school district officers to designate one or more constables of said city, township or village, whose duty it shall be to assist in the enforcement of this act, as occasion may require, and said board of education shall fix and determine the compensation to be paid such police officer or constable for the performance of his duties under the act; members of any police force or any constable designated to assist in the enforcement of this act, as provided in this section, shall be known as truant officers; *provided*, that in districts where no constable resides the said board shall have power to appoint some other suitable person as truant officer.

"7. *And be it enacted*, That it shall be the duty of any such truant officer or officers detailed to enforce the provisions of this act to examine into all cases of truancy, when requested so to do by the inspectors of factories and workshops, or by a district school board, and to warn such truants, their parents or guardians, in writing, of the final consequences of truancy, if persisted in, and also to notify the parents, guardian or other person having the legal charge and control of any juvenile disorderly person, that the said person is not attending any school, and to require said parent,

guardian or other person to cause the said child to attend some recognized school within five days from said notice, and it shall be the duty of said parent, guardian or other person having the legal charge and control of said child, to cause the attendance of said child at some recognized school; if said parent, guardian or other person having the legal charge and control of said child, shall willfully refuse, fail or neglect to cause said child to attend some recognized school, it shall be the duty of said officer to make or cause to be made a complaint against said parent, guardian or other person having the legal control and charge of such child, in any court of competent jurisdiction in the school district in which the offence occurred, for such refusal or neglect, and upon conviction thereof said parent, guardian or other person, as the case may be, shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars, or the court may, in its discretion, require the person so convicted to give bond in the penal sum of one hundred dollars, with one or more sureties, to be approved by said court, conditioned that said person so convicted shall cause the child or children under his or her legal charge or control to attend some recognized school within five days thereafter, and to remain at said school during the term prescribed by law; *provided*, that if said parent or guardian, or other person in charge of said child, shall prove inability to cause said child to attend said recognized school, then said parent or guardian, or other person, shall be discharged, and said court shall, upon complaint of said truant officer or other person that said child is a juvenile disorderly person, as described in section five of this act, proceed to hear such complaint, and if said court shall determine that said child is a juvenile disorderly person within the meaning of this act, then said court shall thereupon sentence said child to a juvenile reformatory until such child shall arrive at the age of sixteen years, unless sooner discharged by the board of control of said juvenile reformatory; *provided, however*, that such sentence may be suspended in the discretion of said court for such time as the child shall regularly attend school and properly deport himself or herself; *it is further provided*, that if for any cause the parent or guardian, or other person having charge of any juvenile disorderly person as defined in this act, shall fail to cause such juvenile disorderly person to attend said recognized school, then complaint against such juvenile disorderly person may be made, heard, tried and determined, in the same manner as is provided for in case the parent pleads inability to cause said juvenile disorderly person to attend said recognized school; *and it is further provided*, that no child under the age of nine years shall be sent to a juvenile reformatory under the provisions of this act.

"8. *And be it enacted*, That it shall be the duty of the officers empowered, detailed or appointed under the provisions of this act to assist in the enforcement thereof, to institute or cause to be instituted proceedings against any parent, guardian or other person having legal charge and control of any child or any person, company or corporation violating any of the provisions of the sections of this act; *provided*, this law shall not be operative in those school districts of the State where there are not sufficient accommodations to seat the children compelled to attend school under the provisions of this act; and that no prosecution shall be instituted against any parent, guardian or child unless they have received due notification from an officer empowered under this act that they are acting in violation of the provisions of this act.

"9. *And be it enacted*, That when there is not within the distance of two miles from the factory or shop in which a child under the age of fifteen years is employed, or from the residence of the child, a recognized efficient school, attendance at a school temporarily approved by an inspector of factories and workshops shall for the purposes of this act be deemed attendance at a recognized efficient school, and the inspector of factories shall

immediately report to the education department every case of the approval of a school by him under this section.

"10. *And be it enacted*, That two weeks' attendance of children between twelve and fifteen years of age at a recognized half-time or evening school shall for all purposes of this act be counted as one week at a day school.

"11. *And be it enacted*, That when any of the provisions of this act are violated by a corporation, proceedings may be had against any of the officers or agents of said corporation who in any way participate in or are cognizant of such violation by the corporation of which they are the officers or agents, and said officers or agents shall be subject to the same penalties as individuals similarly offending.

"12. *And be it enacted*, That all acts and parts of acts inconsistent with this act are hereby repealed, and that this act shall take effect on the first day of September, one thousand eight hundred and eighty-five.

"Approved April 20, 1885."

Recognizing the difficulties of my position, I used every effort to engage the friendly co-operation of both employers and workers, and it pleases me to state that I met with more success in this respect than I anticipated. Many of the most prosperous manufacturers in the State expressed their gratification at the passage of the Compulsory Education Law, and their approval of the General Factory Act. The Trades Assemblies of Essex, Passaic and Hudson counties, and the workingmen in other industrial districts, gave a cheerful response to my request for co-operation, and to them is largely due whatever success I have been able to make.

So far as my inspection went, I noticed a marked improvement in the youthful employes. There was evidently a decrease in the number of wan little faces which I met so often during my earlier inspections. The school attendance provision in the Child Labor Law, which went into effect in July, 1884, had clearly accomplished some good. I found many children who had not attended school in years, who had attended night-school regularly last winter, and in whom a thirst had been created for more knowledge. In other cases I met girls and boys who had been sent home by me or the Deputy Inspectors in 1883 or 1884 because they were under age, who had only recently returned to work, after an attendance at school of one or two years. It is almost needless to say that the schooling received by these little ones, slight though it was, had been of benefit to them. On the part of the small percentage of New Jersey manufacturers with whom I came in contact, I was glad to notice, as a rule, a disposition to obey the labor laws. They seemed to have made up their minds that these laws "had come to stay," and not a few amongst them expressed a hope that my visits would be made frequently, so that their superintendents and employes would become convinced that these laws were a reality, and not a sham. They further said that frequent visits would tend to keep mothers, fathers and guardians from forcing their children into work under misrepresentation. That there are such mothers, fathers and guardians, ready at all times to sell the lives of their little ones, is too true. Some of them are

goaded to do so by the monster, poverty, while others do so through greed, dissipation and other vices born of poverty.

The manufacturers, whom I found to be well-disposed towards the labor laws, took much pains, in many cases, to impress the importance of obedience to the laws upon their employes. The following blank form, issued by the Washington Manufacturing Company, of Gloucester City, is a pleasing evidence of an honest desire to meet the requirements of the labor laws:

"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 kind 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 names 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.

"*Gloucester City, N. J.*.....*188*

"*To the WASHINGTON MANUFACTURING CO.,*

"THIS IS TO CERTIFY, *that*.....

was born.....*18*.....*and is now*.....*years of age.*

".....*Parent.*

".....*hereby certify that the above-named child* .....

has regularly attended school for a period of.....*weeks, as required by law relating to the employment of children.*

".....*Teacher.*"

Other evidences of a desire to take a friendly interest in the welfare of employes, such as the starting of reading-rooms, etc., were not wanting to show a good spirit on the part of some large employers of labor.

There are other manufacturers who only obey the law when under close surveillance. I have heard of manufacturers who have boasted that the labor laws would never amount to anything; that as soon as

the Inspector turns his back the children will all be at work again, as there is no possibility of the Inspector being around all the time. One of these manufacturers, I am informed, said that he felt safe so long as the State appointed no Deputy Inspectors, and another shrewdly observed that he could drive a coach and four through the General Factory Act so long as it provided only punishment for the WILLFUL violation of its provisions. This class of employers are small, and can only be reached by the watchfulness and sternness of the law. Their willingness to evade the labor laws, and to play into the hands of parents and others, who, to gain work for their young, make false declarations, makes prosecution extremely difficult. It also suggests the necessity of compulsory registration in all parts of the State, so that the exact age of every child born in New Jersey can be ascertained when necessary for legal purposes.

The disposition on the part of greedy parents to deceive, and on the part of overseers and foremen to be deceived, the latter feeling that false certificates relieve them of responsibility, can only be prevented by constant inspection, until both employers and employes become thoroughly educated and moulded for the new order of things.

My examinations showed that the manufacturers whose factories I visited were more careful than they had been in employing children and filing their school and age certificates. It further elicited the pleasing information that hundreds of children had been refused work and told to go to school. I found the overwork system in as little favor as ever with employes, and especially with women. In many cases the latter do overwork until a late hour in heated and unwholesome atmospheres, where they have toiled from early morning. The evils of this system, from a moral and physical standpoint, are dreadful. Heaven and earth protest against them. It is to be hoped that our law-makers will protect our workingwomen by a Ten Hour Law, and thus afford the same opportunities to female operatives that Massachusetts and other States of the Union, and even some Monarchial countries, offer. The seventh section of the General Factory Act, which provides that no minor under the age of sixteen shall be employed more than ten hours a day, or sixty hours a week, is not likely, judging from my observations, to give the protection desired. In the first place, the section should provide that it would be illegal for any minor or woman to work, or to be employed, and, in the second place, the "sixty hours a week" should be stricken out.

The provision in its present form is worthless and can be violated with impunity. The section should provide that no minor or woman should work or be employed more than ten hours any day in any manufacturing, mercantile or mechanical establishment. This is the only way to reach the real object of the section. Cases come under my observation where minors worked sixty-five hours per week through overtime, but the difficulties of proving a case put prosecution out of the question. The minor will hesitate to testify against

the employer, and the employer can shirk the responsibility of the employment; and, if no other means of escape remains, he can plead that he did not do so willfully, and there the matter ends. The law, surely, in this case needs amendment.

The other provisions of the General Factory Act are partially obeyed by some and totally ignored by others whose factories I have inspected. The second section provides that all accidents which result in death shall be reported to the Factory Inspector. This does not, I believe, cover the point aimed at by the law. The accidents which result in death are few, compared with the accidents which maim and mutilate. The object of the provision is to find a way of stopping such accidents, but this will never be attained until the section is amended, and hundreds of fingers and legs and arms will continue to be lost through some form of criminal negligence. Numerous accidents have been brought to my notice by employes, cases of young persons caught by moving machinery, of one kind or another, and seriously injured. It is generally claimed by employers that all such accidents are the result of carelessness on the part of the employes; but close observation and investigation prove to the contrary. A slight expenditure of money will provide all the protection necessary to save employes from injury through unprotected machinery or their own carelessness. The number of accidents occurring in the United States daily through unprotected machinery is really frightful. It is estimated that from fifty to sixty persons are killed or injured daily in the United States through accidents occurring by operating buzz saws. We frequently read of young girls having their scalps torn off, boys having their fingers and arms cut off or injured, death by being carried around shafting and so on, and yet almost all these frightful occurrences might be prevented by the strong arm of the law. It may be asked why some of the owners of factories, in which accidents occurred through violation of the third section of the General Factory Act, and which came to my knowledge, were not prosecuted. A brief answer can be given: Because they could not be convicted. The prosecutor must prove their violation to have been willful, and that he cannot do. The fifth section of the General Factory Act provides that all hatchways and elevators shall be properly protected. A case was brought to my attention of a small boy who had fallen through a hatchway in a certain factory and been badly injured. I saw the boy at his home. He said he was between ten and eleven years of age, and that he was employed at the mill where he met the accident. His mother and father worked at the same mill, and were at work when I saw the boy. When I spoke to the mother she said that the boy was over twelve years, and that he was not employed at the mill where he met the accident. The occupier of the factory said the boy was not an employe when he met with the accident. In this case, the boy would not have met with the accident, and there could have been no evasion of the law, if the law provided

that any persons found in factories, except during meal hours, should be deemed employes. The British Factory and Workshop Act, 1878, 41 Vict., Chap. 16–92, declares: "If a person is found in a factory, except at meal times, or while the machinery of the factory is stopped, or for the sole purpose of bringing food to persons employed in the factory between the hours of four and five in the afternoon, such person shall, until the contrary is proved, be deemed for the purpose of this act to have been then employed in the factory. Provided, that yards, play-grounds and places open to the public view, school-rooms, waiting-rooms, and other rooms belonging to the factory in which no machinery is used, or manufacturing process is carried on, shall not be taken to be any part of the factory or workshop to which the provisions of this act with respect to the affixing of notices apply. Where a child or young person is, in the opinion of the court, apparently of the age alleged by the informant, it shall lie on the defendant to prove that the child or young person is not of the age."

The phraseology of the other sections of the General Factory Act renders them useless. One section provides that no minor or woman shall be required to clean any machinery or part thereof while in motion, but they continue to do so nevertheless, because the law does not prohibit them doing so, and few of them can be found who are prepared to risk their employment by testifying that they have been required to do so. The law has, however, accomplished good, notwithstanding its many manifest defects. It has established a principle of justice towards the workers which all fair employers seem disposed to approve, and it has broken the way for better legislation.

My inspections and examinations strongly impressed me with the necessity of additional legislation for the protection of employes in factories and workshops. The want of adequate fire-escapes is painfully apparent. In many factories there is no possible means of escape for hundreds of men, women and children in the event of fire. New Jersey should not wait for a Granite mill disaster to arouse her to the danger in which her producers are placed by this neglect. Better make provision against all such dangers than await some dreadful catastrophy. Numerous precious lives are lost every year through this neglect. Only a few weeks ago in a neighboring State a large mill was burned to the ground. On the third floor of the burning mill there were about sixty employes—girls and young boys. When the cry of fire was raised a panic ensued and the greatest confusion prevailed. The door-ways leading to the exits kept barred during working hours, could not be unfastened, and every avenue of escape seemed cut off. The terrified girls rushed for a window, with the idea of jumping to the ground, but were fought back. Fortunately the rear end of the mill adjoined another low building. To jump upon the roof of this building from the windows of the burning room was the only hope left. There was a stampede to the windows, and the terrified girls and boys were rescued by being

dropped from the windows to the adjoining roof. Providentially no lives were lost, but many were severely scorched by the flames. A similar fire in very many of the factories of this State would inevitably result in great loss of human life.

In many of our factories great improvements may be made in the sanitary conditions. This is demanded in the interest of the health not only of employes but the entire community. Great Britain, over three-quarters of a century ago, legislated for the sanitary improvement of work places. Amongst the improvements needed, I might mention lime-washing or painting of factories where women and children are employed.

I noticed, with regret, that thousands of children are employed in stores and as messenger boys. Many of these work twelve and fourteen hours a day, and are thus deprived of all the advantages of home culture and pleasure. There seems to me to be no good reason to exclude these youngsters from the provisions of the Child Labor Law.

It is pleasing to know that the inspections, limited as they have necessarily been, have accomplished much good, but it is well to remember that this is largely due to the disinterested efforts of workingmen and business men throughout the State, who have generously given me their co-operation.

The labor laws and their partial enforcement have so far helped to overcrowd our schools, and render necessary the immediate erection of more schools. They have helped to protect the weak against the strong, and have been a barrier between the greed of the parent and the heartlessness of the employer, on the one side, and the safety of the children on the other. They affect the mental, moral and physical life of tens of thousands of our rising generation, and, are, therefore, of the greatest importance to the perpetuation of free, republican institutions. But the inspection must be adequate. At least four Deputy Inspectors are needed. Without them the laws will be ridiculed and evaded.

THE COMPULSORY EDUCATION LAW.

It has been truly said that education perpetuates a free State, decreases pauperism and crime and doubles the value of the citizen. Official statistics show that it costs more to support police and police courts to restrain and punish a few thousand criminals, most of whom became such from want of education, than to educate hundreds of thousands of children. They show that in Europe an ignorant person, on the average, commits seven times the number of crimes that one not ignorant does; that in the New England States, a person without education commits fifty-three times as many crimes as one with education; that in New York and Pennsylvania, an ignorant person commits, on the average, seven times the number of crimes that one

who can read and write commits, and that in the United States the illiterate person ten times the number of crimes that the educated one does. Statistics further show that as education increases, pauperism decreases, and *vice versa*. Such evil results of ignorance must have been foreseen by our revolutionary fathers, who, on July 13th, 1787, in the Continental Congress, passed the following: "Article 3. Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged." With the evil results of ignorance staring them daily in the face, the Legislative Committee of the State Federation of Trades and Labor Unions, incorporated an important school provision in the Child Labor Law of 1883, and supplemented that action by preparing, and getting passed by the Legislature of 1885, a most important and comprehensive Compulsory Education Law. In doing this they must have been actuated by the belief that the American remedy for ignorance is not a curtailment of rights or privileges, but an enlargement of intelligence, and that it pays for a nation to give all its children a perfect education.

Immediately after the passage and publication of the Compulsory Education Law of 1885, public interest became centered in it. My first act was to enter into communication with Hon. E. O. Chapman, State Superintendent of Public Instruction, to whom I forwarded the following communication:

"STATE OF NEW JERSEY,
"OFFICE OF
"INSPECTOR OF FACTORIES AND WORKSHOPS.

"ORANGE, N. J., June 25th, 1885.

"*Hon. E. O. Chapman, State Superintendent Public Instruction:*

"DEAR SIR—I beg leave to call your attention to provisions of an act approved March fifth, eighteen hundred and eighty-three, and a supplement to an act to establish a system of public instruction, approved April the ninth, eighteen hundred and seventy-five, approved April the twentieth, eighteen hundred and eighty-five, and ask the co-operation of the State Board of Public Instruction for the enforcement of the provisions of the same. The act of March fifth, eighteen hundred and eighty-three, forbids the employment in any manufacturing establishment of boys under twelve years of age and girls under fourteen; second, the employment in any manufacturing establishment of children of either sex between twelve and fifteen years without a certain prescribed attendance at day or night school. The act approved April twentieth, eighteen hundred and eighty-five, prescribes:

"Section 1. That every parent, guardian or other person having control and charge of any child or children between the age of seven and twelve shall be required to send any such child or children to a public or private school for at least twenty weeks in each year.

"Section 2. Provides that no child under the age of fifteen shall be employed by any person, company or corporation, to labor in any business whatever, 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.

"I deem it important that the law, or the essential parts of it, be placed in the hands of every school teacher in the State, as my experience has been that great injury has been done to the schools and to many children by thoughtless parents, who take them out of school during the term. With the law in the hands of the teacher, whenever one or more of the scholars are absent, by referring to said laws, they can see whether the child or children come under the provisions of either the factory or school laws, and if they do, report their absence to the nearest truant officer or the Inspector of Factories and Workshops.

"Yours respectfully,

"L. T. FELL,
"*Inspector.*"

To this communication I received the following reply:

"STATE OF NEW JERSEY,
"DEPARTMENT OF PUBLIC INSTRUCTION.

"TRENTON, N. J., June 29th, 1885.

"*L. T. Fell, Esq., Inspector of Factories and Workshops:*

"DEAR SIR—Your favor of the twenty-sixth is received, and I beg to assure you that you shall have my hearty co-operation in carrying out the laws you cite. When the schools open in September, I will call the attention of every teacher in the State to them, and will also urge Boards of Education and School Trustees to take such action as may be necessary to enforce the laws. In the meantime I hope to have a conference with you and talk over the whole matter.

"Yours truly,

"E. O. CHAPMAN,
"*State Supt.*"

State Superintendent Chapman had a copy of the law sent to each school principal, in addition to the copies sent by this department, and in every possible way showed his interest and desire to assist, for which I, as Inspector, feel called on to officially tender him my thanks.

I then addressed the following communications to the Right Rev. Dr. Wigger, of the Diocese of Newark, and the Right Rev. Dr. O'Farrell, of the Diocese of Trenton:

"STATE OF NEW JERSEY,
"OFFICE OF
"INSPECTOR OF FACTORIES AND WORKSHOPS.

"ORANGE, N. J., June 25th, 1885.

"*Rt. Rev. W. M. Wigger, D.D.,*
"*Seton Hall, South Orange, N. J.:*

"DEAR SIR—Statistics show that there is an enrollment of over twenty thousand children in the Roman Catholic Parochial Schools of the Diocese of Newark, of which you have the care.

"This alone is evidence of the deep interest you take in the education of the youth of your diocese; therefore, I beg leave to ask your co-operation, through the teachers of said schools, in the enforcement of the following acts of the Legislature of the State of New Jersey:

"An act approved March 5th, 1883, forbids the employment in any

manufacturing establishment of boys under twelve years of age and of girls under fourteen; it also forbids the employment in any manufacturing establishment of children of either sex between twelve and fifteen years of age without a certain prescribed attendance at day or night school.

"An act approved April 20th, 1885, prescribes: Section 1. That every parent, guardian or other person having control or charge of any child or children between the ages of seven and twelve years, shall be required to send any such child or children to a public or private school for at least twenty weeks in each year. Section 2 provides: That no child under the age of fifteen shall be employed by any person, company or corporation to labor in any business whatever, unless such child shall have attended, within twelve months immediately preceding such employment, some public day or night school, or some recognized private school, such attendance to be for five days or evenings every week during a period of at least twelve consecutive weeks.

"If this meets with your approval, it will give me great pleasure to place in the hands of each teacher in your schools, on or before the 1st of September next, a copy of the law, and I will be always ready to assist in keeping the children in attendance at school during the time prescribed by law.

"Very respectfully yours,

"L. T. FELL,

"*Inspector of Factories and Workshops.*"

"STATE OF NEW JERSEY,
"OFFICE OF
"INSPECTOR OF FACTORIES AND WORKSHOPS.

ORANGE, N. J., June 25th, 1885.

"*Bishop O'Farrell, Trenton, N. J.:*

"DEAR SIR—Knowing the large number of children under your care in the parochial schools in the Diocese of Trenton, and your great interest in their education, I respectfully ask your co-operation and that of your assistants in the enforcement of the following acts of the Legislature of the State of New Jersey:

"An act approved March 5th, 1883, forbids the employment in any manufacturing establishment of boys under twelve and of girls under fourteen years of age.

"It also forbids the employment in any manufacturing establishment of children of either sex, between twelve and fifteen years of age, without a certain prescribed attendance at day or night school.

"An act approved April 20th, 1885, prescribes:

"Section 1. That every parent, guardian, or other person having control or charge of any child or children between the ages of seven and twelve years, shall be required to send any such child or children to a public or private school for at least twenty weeks in each year.

"Section 2. Provides that no child under the age of fifteen shall be employed by any person, company or corporation, to labor in any business whatever, unless such child shall have attended, within twelve months immediately preceding such employment, some public day or night school, or some recognized private school, such attendance to be for five days or evenings every week during a period of at least twelve consecutive weeks.

"Few have a better opportunity than yourself of knowing the irreparable injury that is done to children by thoughtless or avaricious parents who take their children from school at a tender age to toil their lives away in a factory.

"This can only be prevented by a strict enforcement of the eminently wise law passed by the State Legislature.

"If these suggestions meet with your approval, it will give me pleasure

to place in the hands of each teacher in your diocese a copy of the law before the first of September next, in order that they may be able to report to the nearest truant officer or the Inspector of Factories and Workshops any violation of the same. I remain

"Very respectfully yours,
"L. T. FELL,
"*Inspector.*"

In reply, I had the pleasure of a personal assurance from the Right Rev. Gentlemen of their sympathy with the laws and their willingness to aid in their enforcement. On the twelfth of August I addressed the following letter to the Mayors of all our New Jersey cities:

"STATE OF NEW JERSEY,
"OFFICE OF
"INSPECTOR OF FACTORIES AND WORKSHOPS.

"ORANGE, N. J., August 12th, 1885.

"*To the Mayor of*.....

"DEAR SIR—Enclosed you will please find a copy of a supplement to an act to establish a system of public instruction, approved April 9th, 1875, supplement approved April 20th, 1885.

"I desire to call your attention to Section 6, and request a compliance with the provisions of said section, and I beg leave to suggest that you confer with the school authorities of your city in regard to the enforcement of the law.

"If one or more officers are detailed as special truant officers, it would be of great assistance to them if all police officers on day duty would report to them all children on the streets in violation of the following section:

"'5. *And be it enacted*, That all children between the ages of seven and fifteen years, who are habitual truants from school, or who, while in attendance at any public school, are incorrigible, vicious or immoral in conduct, and all children between the said ages who absent themselves habitually from school, and habitually wander about streets and public places during school hours, having no business or lawful occupation, shall be deemed juvenile disorderly persons and subject to the provisions of this act.'

"Very respectfully yours,
"L. T. FELL,
"*Inspector.*"

In reply to this communication, I received several letters expressing sympathy and promising all possible help. In some cases no answers were vouchsafed. The Mayor of Bridgeton expressed regret that the police force of his city was inadequate for the purposes of the Compulsory Education Law. The Mayors of other cities complained of the want of school accommodation. This was the great trouble in Newark, Jersey City, Paterson, Trenton, and almost all other cities in the State. Mayor Beckwith of Paterson expressed strong approval of the law, and said he was willing to have every police officer on the force a truant officer. A committee of the Passaic County Trades Assembly, which waited upon Mayor Beckwith, pointed out the necessity of increased school accommodation, and suggested that in order to create accommodation for all, pending the erection of more

schools, half-day sessions be declared for all children between seven and ten years of age. This suggestion seemed to me to be excellent and one which might be acted on with advantage in all parts of the State.

On the twenty-ninth of August I sent the following letter to every City Superintendent of Schools in the State:

"STATE OF NEW JERSEY,
"OFFICE OF
"INSPECTOR OF FACTORIES AND WORKSHOPS.

"ORANGE, N. J., August 29th, 1885.

"*To the City Superintendent of Public Schools:*

"DEAR SIR—I mail you this day copies of 'Compulsory Education Law,' approved April 20th, 1885, and laws relating to the employment of children.

"If the same are placed in the hands of school principals, and they become acquainted with the provisions of the law, it will aid in the enforcement of said laws.

"Yours truly,
"L. T. FELL,
"*Inspector.*"

The replies from School Superintendents were of a very flattering and encouraging nature. They promised to use their best efforts for the success of the law in their respective localities, and by their cheerful and valuable assistance have placed me under much obligation. I here desire to make a few remarks regarding troublesome and ill-conducted boys in our public schools. While our present system of public instruction affords opportunities to the rising generation which were unknown to their fathers; while it is true that earnest effort and generous expenditures on the part of the State have simplified and rendered practicable the road to education; while the avenues to education are numerous and attractive to ordinary children, there is yet a class of children who from mental indolence or vicious propensities, or both, fail to receive that benefit from our public schools which is designed for all the children of the State. I refer to children who play truant from school. I submit that there should be a department for such delinquents specially set aside. Under our school system as at present organized, children who absent themselves or play truant are expelled. Would it not facilitate the beneficent objects of the Child Labor Law to create such a department of public instruction, and would it not aid parents and superiors in the performance of their duty to these truant children, to empower police officers to arrest and take them to this school when found loitering about the streets? Is it not a contradiction to compel by law the attendance of children, and yet allow the rules of the school to permit the expulsion of those most in need of instruction?

Since the first of September, when the Compulsory Education Law went into force, I have received numerous applications for copies of the law, information regarding it, etc., from employers and workmen.

To all these I have given due attention. The law has so far filled all our day and evening schools to repletion, and has created an agitation in favor of immediate school accommodation that cannot fail to bring about the desired result. In every New Jersey city there is a cry for more schools. The people of the State will not rest satisfied with a condition of things under which thousands of their children, who seek the fountains of knowledge, are turned away. Adequate school accommodation and adequate means of enforcement are alone needed to make the Compulsory Education Law of New Jersey a blessing to her rising generation.

VIEWS OF EMINENT PERSONS.

In my previous reports I pointed out at length the many evils resulting from child labor, and their effects upon society at large. I also quoted the opinions of eminent Americans on the subject, and showed conclusively that the spirit of this republic favors child education and condemns child drudgery. In further proof of this, I submit the opinions of others, some workers, some philosophers and some statesmen, upon this vital question.

Factory Inspector Henry Dorn, of Ohio, in his annual report, says that through the absence of adequate means of enforcing the Child Labor Law in Ohio, the law is persistently violated; and that to carry on the office so as to do justice to all interests there should be at least three Deputy Inspectors. Speaking of the Cincinnati factories, he says that there are about 1,000 of them, and that to properly inspect their sanitary condition it would take the Inspector over a year. This official statement should make it clear that in New Jersey, in which there are over 8,000 factories, scattered all over the State, it is not possible for one Inspector to inspect 1,000 factories and look after the enforcement of the Child Labor and Education Laws in one year.

Commissioner Peck, of New York, says that a significant fact in connection with the enforcement of the Compulsory Education Law has been developed, which is a gradual decrease in the number of arrests of children between the ages of eight and fourteen. Speaking of his visits to the factories and workshops, he says:

"I was impressed with the necessity for a factory law and inspectors, authorized and qualified to enforce it, on behalf of the women and children. Many places were disgracefully dirty, and badly ventilated; many had dangerous staircases and unprotected machinery; many were unprovided with fire-escapes, and many were foul with the stench of sewer gas."

Mr. Charles Loring Brace, in his work, "The Dangerous Classes of New York," treats the child labor question from an educational standpoint, as follows:

"In our educational movements, we early opened night schools for the poor children. During the winter of 1870–71, we had some eleven in operation, reaching a most interesting class of children, those working hard from eight to ten hours a day, and then coming with passionate eagerness for schooling in the evening.

"The experience gained in these schools still further developed the fact, already known to us, of the great number of children of tender years in New York employed in factories, shops, trades, and other regular occupations. A child put at hard work in this way is, as is well known, stunted in growth or enfeebled in health. He fails also to get what is considered as indispensable in this country for the safety of the State, a common school education. He grows up weak in body and ignorant or untrained in mind. The parent or relative wants his wages, and insists on his laboring in a factory when he ought to be in an infant-school. The employer is in the habit of getting labor where he can find it, and does not much consider whether he is allowing his little employes the time and leisure sufficient for preparing themselves for life. He excuses himself, too, by the plea that the child would be half-starved or thrown on the poor-house but for this employment.

"The universal experience is, that neither the benevolence of the manufacturer nor the conscience of the parent will prevent the steady employment of children of tender years in factory work, provided sufficient wages be offered. Probably, if the employer were approached by a reasonable person, and it was represented what a wrong he was doing to so young a laborer, or the parent were warned of his responsibility to educate a child he had brought in the world, they would both agree to the reasonableness of the position, and attempt to reform their ways. But the necessities of capital on the one side, and the wants of poverty on the other, soon put the children again at the loom, the machine, and the bench, and the result is masses of little ones, bent and wan with early trial, and growing up mere machines of labor. England has found the evil terrible, and, during the past ten or fifteen years, has been legislating incessantly against it; protecting helpless infancy from the tyranny of capital and the greed of poverty, and securing a fair growth of body and mind for the children of the laboring poor.

"There is something extremely touching in these night schools, in the eagerness of the needy boys and girls who have been toiling all day, to pick up a morsel of knowledge or gain a practical mental accomplishment. Their occupations are legion."

Governor Claflin, of Massachusetts, in an inaugural address, said:

"The condition of labor demands our earnest attention. The skill and energy which produce the material results which we witness everywhere should not be overlooked or forgotten. Though favorably

located for commerce and manufactures, our position would be valueless but for the untiring industry which makes use of these opportunities. Our future success in manufacturing depends upon the intelligence and faithfulness of our laborers."

Dr. Roger S. Tracy, Sanitary Inspector of the New York Board of Health, in an article on the "Hygiene of Occupation," writes as follows:

"But although the sanitary surroundings of the workmen, as regards ventilation and light, together with the hours of labor, wages, and, consequently, food and clothing, are gradually growing better, certain new dangers have been introduced by the new processes of manufacture, which have not yet been fully met. Striking examples of these are seen in the manufacture of matches, and of chemicals, such as potassium, bichromate, quinine, etc., and the use of such agents as carbon, bisulphide and the brilliant colors produced by various compounds of arsenic.

"Since the dangers due to various occupations have been brought to public notice, it has become a grave question how far the employment of women and children in factories should be allowed. Women are certainly more delicately organized than men, less capable of sustained muscular exertion, and more susceptible to many of the poisons used in the arts and manufactures. As the physical condition of women has such an important bearing on the welfare of the race, and on the health of future generations, it becomes fairly a question of government control.

"The same is true in regard to children. They are soon to be men and women and constitute the sinew of the country. It is of supreme importance for the existence of any nation that the physical and mental condition of its children and youth should be carefully guarded and kept at its highest possible point. But in the formative period of life, constant and powerful impressions of any kind leave their mark when they fail in any way to alter the iron frame of the adult. In England, in past times, little creatures of six have been made to work all day in factories, and the distortion of the limbs produced by the constrained attitude they were obliged to assume was so great and so universal as to give rise to the term 'factory-leg,' a form of bandy-leg, with a partial subluxation of the tibia on the femur. It is to be remembered that many of the epiphyses are not united with the bony shaft until the fourteenth or sixteenth year, that the substance of the bone is so yielding that 'greenstick' fractures occur, and that the function of hematosis is so imperfectly established that comparatively small losses of blood in children produce serious results, and that lack of fresh air and exercise produce anæmia and debility in them much sooner than in adults. According to Hirt, the curves of the spine even, which are so pronounced in adults are lacking at

birth, and do not appear until the seventh year, and really result from muscular exertion and the weight of the body. One might certainly infer from this, that if a human being lay on his back from birth these curves would never appear; but they are, notwithstanding, plainly indicated in the fœtus or new-born child, as may be seen from the photographs of frozen sections in Plates XI. and XIII. of Part 1 of Rudinger's Topographisch-chirurgische Anatomie. Some interesting figures are given by Layet (p. 59), showing quite clearly the influence of factory labor on the health of the young. Out of 10,000 conscripts from ten agricultural departments of France, 4,029 were rejected on account of small stature, rachitism, various infirmities or feebleness of constitution, while in the Marne, the Seine-Inferieure, the Eure, etc., manufacturing districts, there were 14,451 rejected to 10,000 found fit for the service.

"Such considerations as the above have induced most governments to frame laws for the protection of children against the rapacity of parents and employers, and to prescribe quite in detail the time and manner in which their labor may be availed of. Legislation of this kind has been most extensive and complete in England, and her example has been followed to a greater or less degree by many other countries of Europe and some of the United States. The first Factory Act was passed in 1833, and additions and emendations have been made at intervals—ten in all, up to the last act of 1878. The act of 1874 provides that no child under ten shall be employed in a factory regularly, excepting in textile industries and small shops with less than fifty employes, where they may be employed at eight years of age. Children from nine to thirteen, youths up to eighteen and women of every age over eighteen can be employed only from 6 to 6, or from 7 to 7. Children, young people and women are forbidden to eat their meals in the work-rooms and must have two hours for meals, one of them at least being before 3 P. M. Children, young people and women must not work longer than four and a half hours on a stretch, without a pause of at least half an hour. On Saturdays they are allowed to work only till 12:30 or 1 o'clock, or if a recess is allowed until 1:30. Children who work under these rules all day long must have every other day free. If they work every day they must be employed from 6 to 1, or from 12 to 6, *i. e.*, half the day. They must not be made to work Saturdays, Sundays or by night. Inspectors are appointed by the government, whose duty it is to visit all factories in their districts and see that these provisions are carried out and the legal penalties enforced against employers who disregard them. The act of 1878 facilitates such inspection and regulation.

"In France, only children over twelve can be employed regularly in factories, excepting in certain special trades, which are named, at which those of ten years of age may work, but only six hours a day. Night work is only allowed to those over sixteen and to girls over

twenty-one; with few exceptions, children under thirteen, girls and women, cannot be employed in subterranean labor.

"In Germany, the age at which children may be set at work in factories is fixed at twelve years, and in Switzerland, at fourteen.

"In the United States similar laws exist, so far as I have been able to learn, in only three States. In Massachusetts, children under ten are forbidden to be employed regularly in factories, while in Rhode Island, the limit is fixed at twelve, and Pennsylvania, at thirteen.

"All of the laws hitherto passed on this subject seem to be merely tentative. It has been observed that the quality of the national body and mind was being injured by the stunting effect of work on those of tender years, and so law-givers have tried to regulate the matter empirically, without consideration of the physiological principles involved. Instead of saying, 'this child began factory work at eight and was injured thereby, and so, hereafter, no child shall work until he is nine,' it should be considered that just previous to puberty occurs the most rapid growth of any age, and that during this time, say from eleven to fourteen, and while the the sexual evolution is in progress, the stamina of the child is taxed to the utmost. He or she should at such time be engaged in the most healthful occupation of body and mind—not subjected to great fatigue, and should be so employed that whenever it seems advisable, the habitual occupation can be intermitted. This intermission is possible if the child is only employed at home or in school, but not under the inexorable discipline of the factory. I think, therefore, that eventually the laws will be so framed as to either prevent the employment of children in factories before the age of puberty or render their employment under that age liable to irregular interruptions, and therefore a well-recognized commercial risk. The age at which they may first be employed will either be fixed arbitrarily at fourteen or fifteen, or will left to the judgment of a medical inspector. Between fourteen and twenty, the youth is still immature, although capable of considerable endurance, and he or she should not be allowed to work more than eight hours a day at the most. After this age the hours and methods of labor may safely be left to be determined by the law of competition.

"In all cases growing persons and women should not be allowed to work in places where they are subjected to the influence of poisons, such as lead, mercury, phosphorus, etc. Beside their deleterious effect upon the growing body, they are peculiarly injurious to the sexual health of women, and produce menstrual irregularities and abortions. This has been abundantly proved in the case of lead and mercury, and possibly of tobacco.

"All factories should certainly be under sanitary supervision, and all laws for the protection of women and children in this regard rigidly enforced. Hirt thinks that every workman in a factory should undergo medical examination, and those unfitted for particular

trades should be forbidden to work at them. A narrow-chested man, for example, with phthisical tendencies, should not be allowed to work at dry-grinding, but only the robust and vigorous. This advice seems of doubtful value. If carried out it would certainly result in putting the best physical material in the nation into the most destructive occupations, and end in a pronounced deterioration of the national stamina. This very thing has been long practiced in the military service, and political economists have bewailed the fact that war weeded out just the flesh and blood that the nation most needed, and left all the consumptives and imbeciles at home to propagate their species. In the army such rules, however, are imperatively necessary, for consumptives are no more fit for soldiers than for fathers; but to choose such method for depreciating the stock deliberately, where it is not necessary, would seem to be very undesirable to say the least. The contrary would better serve the interests of the race, viz.: to encourage the weakly to work at the injurious trades and discourage the vigorous. A certain amount of selection in this respect is brought about even now by natural laws, and we find the feeble taking of their own accord to sedentary and confining occupations, while the giants alone can carry on the operations of a great forge or smithy."

Dr. Adolph Douai, in his work on "Better Times," refers to the child employment question in the following language:

"It is one of the most disgraceful features of capitalistic production that one of the means to make labor cheap is the employment of women and children, who are satisfied with less wages, in the place of men who are thereby superseded. It frequently happens that while the wife and children from their ninth year upward are toiling for ten, twelve or more hours in the close atmosphere and at the exhausting treadmill of the factory, the husband and father is out of employment and supported by the labor of his family. He is forced by dire need to sell his wife and children into a slavery that in some respects is worse than negro slavery ever was. Family life, paternal education, conjugal purity, the chastity of the rising generation of girls, are sure to be ruined by degrees, while public schooling ceases to benefit factory children. If this is not robbery, robbery protected by law, it is certainly more diabolical than robbery."

Child labor, compulsory education, industrial schools and the regulation of female labor, have been the subjects of careful consideration during the past ten years in nearly all States and nations in which modern industry has been developed. The State of Illinois, in 1879, appointed a special committee to fully investigate these subjects. In their report to the Legislature they bring the following:

"PROHIBITION OF CHILD LABOR, COMPULSORY EDUCATION AND INDUSTRIAL SCHOOLS.—One of the main blemishes upon modern society, with all its boasts of humane and civilizing tendencies, is the habitual use of children's labor in the present mode of production.

"The property-owning class of citizens do not allow their children to labor for money, for they know that all the time of their offspring ought to be utilized towards their physical as well as their mental improvement.

"Why then does anybody assume to rob the children of the poor not only of their educational opportunities, but also of the innocent pleasures of childhood?

"Is it that there are not adult laborers in the world sufficient to fill all necessary demands? No! For there is a superabundance of them, and many grown-up workingmen remain in forced idleness.

"Why then are these children employed? Because child's labor is cheaper; because a child can readily be utilized at a machine; because it is feasible to replace the father by his boy, and the mother or the spinster by the infant girl.

"Child's labor depresses the wages of adults. Producers after the present system are only too well aware of this fact, and it is for this reason mainly that they do employ children.

"Free competition pants for cheap labor at all hazards, even though it robs children of their vitality, even though it throws the young man just beyond the years of boyhood, whom it has left ignorant and probably frivolous and tired of the efforts of life, upon the heartless world without mercy or scruples, even though it educate half-grown girls for the purposes of the brothel.

"The very fact that childen are employed in manufacturing and other industrial pursuits at a time when thousands of adults vainly seek for work, is the worst imaginable taunt to our vaunted civilization.

"For these reasons, a law should be passed to prohibit the habitual employment of children below the age of fourteen years.

"Children below the age of fourteen should not be allowed to perform regular work for wages in the service of persons not belonging to their families, for children ought to be in school instead of the factory.

"Violaters of the law prohibiting children's labor should be punished by a fine of $50 for the first transgression. The repetition of the offense ought to be punished by imprisonment.

"There should be 'Inspectors of Manufactories' to ascertain all the facts concerning such law and to report the trangressor to the competent authorities.

"Such prohibition of children's labor would serve a three-fold purpose, namely:

"1st. The rising generation would be enabled to get a better educa-

tion than they are enabled to acquire under the system of children's labor.

"2d. It would be an improved generation in physical as well as mental and moral attainments.

"3d. Adults would not be forced to compete with children's labor and would more readily find employment themselves.

"The prohibition of children's labor for wages ought to be accompanied by a law establishing compulsory education, and to make the mass of the citizens both intelligent and versatile as to their occupation. Industrial schools ought also to be established.

"Such schools should make it their purpose to impart to young persons of from twelve to sixteen years of age, an adequate knowledge of the use of all sorts of machinery, and also to develop in their pupils the skill necessary for the performance of useful labor. Such schools furnished with tools, machines and other technical apparatus have lately been established in various parts of Europe, and have everywhere achieved the most distinguished success. Not only did the pupils without efforts, as it were, acquire a useful knowledge of the application of the technical sciences, but they also universally distinguished themselves in their chosen branch of work by zeal as well as skillful work, so that a large part of the cost of maintaining such schools could be realized from the sale of the products manufactured by their pupils.

"At any rate nobody will doubt the wholesome moral influence exercised upon children by a stimulating self-chosen, useful and voluntary occupation.

"REGULATION OF WOMEN'S LABOR.—A legal regulation of the employment of women in manufactories has become a pressing necessity in the interest of justice and humanity.

"As regards protective measures in the case of young persons between fourteen and eighteen years of age, as well as in the case of pregnant women, the authority of the government of the State is a matter of course. In this connection, it is necessary, in the first place, to pass a law to prohibit the employment of women in manufactories between the hours of 8 P. M. and 6 A. M., under all circumstances.

"Furthermore, young women between the ages of from fourteen and eighteen, ought not, under any circumstances, to be allowed to work more than eight hours a day, exclusive of a pause at noon-time to last an hour and a half.

"A law should be passed prohibiting the employment of pregnant women, at least four weeks before confinement; the prohibition to be in force until six weeks after confinement.

"Women ought not to be allowed to work in chemical or other establishments using poisonous or unwholesome materials, nor at public works, in quarries, mines, or at other occupations detrimental to their moral and physical welfare.

"The Inspectors of manufactories above mentioned, should watch over the execution of such legal enactments.

"The unrestricted power of private producers over the laborers in their employ is stimulated to the worst by the system of free competition, for in the competitive struggle, which is war to the knife, the cutting down of wages is a most effective weapon. In the endeavor to utilize the latter, producers have decreed the arrant injustice of confining female labor to a much smaller standard of wages than that of men employed in the same pursuits.

"Not only is the pay for the kinds of labor almost exclusively performed by women most miserably low, but women are also paid less for work in which they compete with men, and which, in the open markets of the world, is of exactly the same value.

"All of this proves that under the system of free competition there is never a question of justice, and that the present mode of production, by private capital in its relation to labor, is nothing but an overconfident speculation upon the inability of the laboring masses to resist."

An investigation held last year in Cohoes, N. Y., and other manufacturing centers in New York State, brought forth many important statements which are well worth the consideration of law-makers and statesmen whose patriotic desire is to promote the greatness of our republic by protecting the interests of the producing class. Mayor Le Roy, of Cohoes, who is not a radical by any means, testified that if eight hours could be made a national law he would favor it, and that he was opposed to overwork. An overseer in the Harmony mills testified that he favored compulsory education, but thought its enforcement depended as much on parents as on employers. He told some parents who brought their children to the mills that if they took them in their cradles should be brought with them. He also testified that he knew of many strong healthy parents who depended on their children for support. It was further testified that personal violence was used to the young, that children had been mutilated by cleaning machinery while in motion; that they often suffered from severe headache; that children were too tired to attend night school; that there was a disposition on the part of some parents to get all the work they could out of their children, regardless of their educational advancement. One of the proprietors of the Pioneer mills testified that, in his belief, no child under fourteen should be in the mills; he thought ten hours a day enough for any mill operative. Several others gave similar testimony. The Rev. Dr. J. P. McIncron, testified that employment in mills had a tendency to corrupt the morals of children. He was opposed to the employment of children of both sexes under fourteen years of age, and strongly favored a ten hour law for women and children. He would hold employers more responsible for the conduct of their employes, and would not leave

employes so much at the mercy of overseers and bosses. He strongly advocated fire-escapes, legal protection for employes, and the strict enforcement of all labor laws. Other witnesses testified that children represented themselves as being fifteen and sixteen years of age when they were only twelve or thirteen, for the purpose of securing employment, and that they did this at the instigation and under the instructions of parents or guardians. Mr. Stephen Sandford, of the firm of Stephen Sandford & Sons, Amsterdam, N. Y., testified that he would not, under any circumstances, employ children under fourteen years. This mill was amply provided with means of escape in case of fire, and he kept men regularly employed, whose duty it was to go from room to room and whitewash them for the purpose of keeping them fresh and healthy. Police Justice Dasey, of Little Falls, N. Y., testified that the means of escape, in the event of fire, was bad, and that loss of life would ensue. He complainad that the Compulsory Education Law was not enforced, and expressed the belief that the children, who work in the mills from youth, grow up in ignorance. The Chief of Police of the same place, who had lived there twenty-eight years, testified that child labor tended to make bad citizens of people put in the mills when young. Dr. Gledden, the town physician, testified that the employes of the mills were not as healthy as those outside, and this he fairly attributed to the long hours of labor. He considered it wrong to employ girls or boys under fourteen years of age, and strongly favored compulsory education. The book-keeper in the Shenandoah cotton mills, testified that the children "get a finger crushed once in a while from carelessness." He thought that fewer hours would not do them any harm. Several witnesses testified that they did not consider children capable of attending night school after working hours. A witness being asked what effect he thought it would have upon the wages of the operatives in the cotton mills if children under fourteen were prevented from working, and the rest only worked ten hours a day, replied that he thought it would improve the wages of the fathers, brothers and mothers, and, in fact, it would give employment to larger help. He said that boys were doing men's work and that the men were idle.

The numerous examinations made by the Labor Commissioner went to show that the interests of the producing classes have been very much neglected in the Empire State, and that child labor and close confinement have been detrimental to the mental and physical development of the young of both sexes. The testimony given regarding the employment of women and children at cigar-making, in the tenement-houses of New York City—known as the tenement-house system—was revolting in the extreme, and lead us to hope, with all sincerity, that this infamous system will never be permitted to gain a legal foothold in New Jersey.

LABOR LAWS IN OTHER STATES.

The laws affecting the employment of young persons in other States are more numerous than is generally supposed, and in many cases they are excellent. In Massachusetts there are School and Child Labor Laws, and a Ten Hour Law for women and minors, and a severe penalty for violation—not willful violation. No child can be employed under 14 years of age who cannot read and write well, and Factory Inspectors see to the enforcement of the laws.

At the coming session of the Massachusetts Legislature, a bill will be introduced in the Senate by Robert Howard, the able Secretary of the Fall River Spinners' Union, making fifty-six and one-half hours a legal week's work for all women and minors, in manufacturing, mechanical and mercantile establishments.

In Maryland, no minor under 16 years of age can be employed over ten hours a day. Michigan has a Compulsory Education Law. Minnesota has a Ten Hour Law. New Hampshire forbids the employment of minors under 16 years of age who cannot read and write well. Ohio prohibits the employment of children under 14 years of age who have not complied with the provisions of the Compulsory Education Law, and protects women and minors by a Ten Hour Enactment. Pennsylvania has recently driven her children from the mines into the schools. Wisconsin has an Eight Hour Law for women and minors. Vermont compels all her children, under 14 years, to receive an education. Connecticut follows the example of Vermont. Indiana protects all her minors against more than ten hours' work per day. Iowa gives legal protection to her young under 12 years of age. The factory ordinance of Chicago provides against the overcrowding of work-rooms; for ventilators; that at least 500 cubic feet of air space be allowed each person in a work-room; for sufficient doors, stairways and fire-escapes; safeguards for vats, pans and other structures with molten metal or hot liquid; the fencing of shafting, etc.; that walls, doors, roofs and windows be kept in good repair. New York has a Compulsory Education Law for all children under 14 years of age, and, judging from appearances, will have a faultless Child Labor Law ere long. Rhode Island prohibits the employment of children under 14 years of age who have not attended school a specified period. Should it not be the glory of New Jersey to be in advance of all other States in legislation for the benefit of her bone and sinew?

RECOMMENDATIONS.

The recommendations made by me at the end of this report are the result of experience and earnest consideration. They appeal to the patriotism of our law-makers, regardless of party. They are in the

interest of all men, women and children—of the entire community. The rich and poor will be alike benefited by their passage into law.

My previous reports treated so fully upon the child labor question and the necessity of adequate inspection that it is unnecessary for me to pursue the subject further here. But I desire to appeal to all the noblest feelings of our representatives in the Legislature to make the Child Labor Law perfect, and to provide for its adequate enforcement. Tens of thousands are passing from the cradle to childhood and it is for the Legislature to say whether these children shall grow up with stunted forms, in ignorance and drudgery, or enjoy the Heaven-sent blessings of the school. The Legislature has it in its power to decide whether the tens of thousands who are growing into boyhood and girlhood shall make honest, honorable and useful citizens or members of the of unhappy criminal class which is a detriment to society and a discredit to the country. The appointment of at least four Deputy Inspectors, and the amendment of the General Factory Act, making ten hours a legal day's work for all women and minors, are of the highest importance. And the striking out of the word "WILLFUL" from the penal section of the General Factory Act is necessary if the law is to be worth more than the paper it is written on. This word, "willful," was kept in the penal section of the Massachusetts Ten Hour Law for five years, during which time it rendered the law inoperative, but was finally stricken out by the Legislature of that State.

Affixed to this report will be found the labor laws of other States and of Great Britain. They are submitted in the hope that they may promote the study and solution of the great problem that affects the well-being of the working class. The collection of laws is not a perfect one; in several cases they have been amended and improved since their passage in the form herewith submitted.

Before concluding this report, I desire to express my thanks to the workingmen of the State and to many eminent citizens for the sympathy and help they have extended, but to no one more so than ex-Deputy J. P. McDonnell, of Paterson, who, since the expiration of his term, has freely given time and attention to the hundreds of applicants in Passaic county who have besieged his office in quest of information, etc. He has aided me greatly in making the law work satisfactorily, and has thus rendered valuable assistance to very many poor persons.

I have the honor to submit the following recommendations:

That four Deputy Inspectors of Factories and Workshops be appointed for the better enforcement of the laws under the jurisdiction of the factory department.

That the General Factory Act of 1885 be amended so as to provide that it shall be unlawful for any woman or minor to work or to be employed in any manufacturing, mercantile or mechanical establishment more than ten hours a day.

That the fifteenth section of the General Factory Act of 1885 be

amended by striking out the word "willful," where it applies to the violation of the provisions of the act.

That the enforcement of the Compulsory Education Law of 1885 be made practicable by providing adequate school accommodation wherever it is needed in New Jersey.

That the Child Labor Law of 1883 be amended so as to include all boys under twelve years of age, and girls under fourteen years of age, who are employed in stores or as district telegraph messengers.

That all persons starting new factories be compelled by law to notify the Factory Inspector of their occupancy.

That owners of all buildings over two stories high, in which workpeople congregate or are employed, be compelled to erect adequate fire-escapes upon all such buildings.

That the doors of workshops and other places where there are assemblages of adults or minors be constructed to open outwardly, and that the locking of outside or inside doors be prohibited during the hours of labor in buildings where operatives are employed.

That all minors shall be entitled by law to at least one hour for dinner, and that said hour shall be between 12 noon and 1 P. M.

That the occupiers of factories and workshops be compelled to report to the nearest Factory Inspector all accidents that may occur in their factories or workshops.

That it shall be unlawful for any woman or minor to clean mill gearing or machinery while the same is in motion.

That persons found in any part of a factory or workshop where any manufacturing process is carried on, unless there during the regular meal hours for the purpose of bringing food to persons employed in the factory, shall be deemed to be employes in the factory.

All of which is respectfully submitted,

L. T. FELL,

Inspector of Factories and Workshops.

LABOR LAWS OF OTHER STATES.

STATE OF NEW YORK.

LAWS OF 1883, CHAPTER 83.

AN ACT to amend chapter 253 of the laws of 1877, entitled "An act to amend chapter 107 of the laws of 1877, entitled 'An act in relation to the superintendent of State prisons, and for the more efficient and economical management of said prisons.'"

The Manufacture of Hats in State Prisons Prohibited.

Section 1 of chapter 253 of the laws of 1877, entitled "An act to amend chapter 107 of the laws of 1877, entitled 'An act in relation to the superintendent of State prisons, and for the more efficient and economical management of State prisons,'" is hereby amended so as to read as follows:

SECTION 1. Section 8 of chapter 107 of the laws of 1877, entitled "An act in relation to the superintendent of State prisons, and for the more efficient and economical management of such prisons," is hereby amended so as to read as follows:

Contracts to be made by Agent and Warden—Proviso as to Manufacture of Hats.

§ 8. Contracts for purchase of materials and supplies for the prisons and for convict labor at any kind of work or trade which shall be approved by the superintendent, and for the sale of property manufactured at the prisons may be entered into by the agent and warden, subject to the approval of the superintendent; *provided*, that no contract for convict labor to be used for the manufacture of finishing of fur or wool hats shall be made or entered into by the agent or warden of any prison in the State of New York, or by any other person or persons acting as the agent or agents of said State; *and provided further*, that it shall not be lawful for any person or persons confined in any prison in said State to be employed in the making or finishing of fur or wool hats, excepting they are so employed under a contract made and entered into before the passage of this act.

§ 2. All acts and parts of acts inconsistent with the foregoing are hereby repealed.

§ 3. This act shall take effect immediately.

LAWS OF 1884, CHAPTER 21.

AN ACT in relation to convict labor.

Preventing the Renewal of Contracts for Prison Labor.

SECTION 1. The superintendent of State prisons shall not, nor shall any other authority whatsoever, renew or extend any existing or pending contract, or make any new contract for the employment of any convicts in any of the prisons, penitentiaries, or reformatories within this State.

§ 2. This act shall take effect immediately.

LAWS OF 1884, CHAPTER 272.

AN ACT to improve the public health by prohibiting the manufacture of cigars and preparation of tobacco in any form in tenement-houses in certain cases, and regulating the use of tenement-houses in certain cases.

Prohibiting the Manufacturing of Cigars in Tenement-Houses.

SECTION 1. The manufacture of cigars or preparation of tobacco in any form on any floor, or in any part of any floor, or in any tenement-house is hereby prohibited, if such floor or any part of such floor is by any person occupied as a home or residence for the purpose of living, sleeping, cooking, or doing any household work therein.

Tenement-House Defined.

§ 2. Any house, building or portion thereof, occupied as the home or residence of more than three families living independently of one another, and doing their cooking upon the premises, is a tenement-house within the meaning of this act.

Exemption.

§ 3. The first floor of said tenement-house on which there is a store for the sale of cigars and tobacco shall be exempt from the prohibition provided in section one of this act.

Sanitary Inspectors to Report Violations.

§ 4. It shall be the duty of every sanitary inspector of any city to which this act is applicable, to report any violation of this act coming

to his knowledge, forthwith to a police magistrate, and to procure the punishment of the person or persons having committed such violation; but this provision shall not be construed to preclude any other citizen from performing the duty herein assigned to said sanitary inspector.

Penalty.

§ 5. Every person who shall be found guilty of a violation of this act, or of having caused another to commit such violation, shall be deemed guilty of a misdemeanor and shall be punished for every offense by a fine of not less than ten dollars and not more than one hundred dollars, or by imprisonment for not less than ten days and not more than six months, or both such fine and imprisonment.

Only to Apply to Cities having over 500,000 Population.

§ 6. This act shall apply only to cities having over five hundred thousand inhabitants.

§ 7. All acts or parts of acts inconsistent with this act are hereby repealed.

§ 8. This act shall take effect immediately.

LAWS OF 1884, CHAPTER 328.

AN ACT to amend chapter 466, of the laws of 1877, entitled "An act in relation to the assignments of the estates of debtors for the benefit of creditors."

Securing the Wages of Employes in Cases of Assignments.

SECTION 1. Section 29 of chapter 466 of the laws of 1877, entitled "An act in relation to assignments of the estates of debtors for the benefit of creditors," is hereby amended to read as follows:

Wages Owing Employes to be Preferred.

§ 29. In all assignments made in pursuance of this act the wages or salaries actually owing to the employes of the assignor or assignors at the time of the execution of the assignment shall be preferred before any other debt; and should the assets of the assignor or assignors not be sufficient to pay in full all the claims preferred, pursuant to this section, they shall be applied to payment at the same pro rata to the amount of each such claim.

§ 2. This act shall take effect immediately.

LAWS OF 1884, CHAPTER 448.

AN ACT to provide for a commission to inquire into the character of tenement-houses in the city of New York.

To Improve the Sanitary Condition of Tenement-Houses; Commissions to Investigate, etc., Tenement-Houses.

SECTION 1. Alexander Shaler, Joseph W. Drexel, S. O. Vanderpoel, Felix Adler, O. Ottendorfer, Moreau Morris, Anthony Reichardt, J. J. O'Donohue, Abbot Hodgeman, Charles F. Wingate and William P. Easterbroke are hereby appointed a commission to investigate and inquire into the character and condition of tenement-houses, lodging-houses and cellars in the city of New York.

Powers.

§ 2. The said commission shall have power and are hereby authorized to subpœna witnesses and compel their attendance, and to require the production of any books, papers or documents in the possession or under the control of any person subpœnaed to appear before them. And the chairman shall have power to administer oaths to the witnesses before said commission. A refusal to obey the subpœna of the commission is hereby made a misdemeanor.

Stenographer, etc.

§ 3. The commission shall have power to employ a stenographer. No member of the commission shall receive any compensation for his services; any vacancy or vacancies occurring in said commission shall be filled by election by the balance of the commission. The commission shall report the evidence, together with their recommendation, to the Legislature on or before January 15th, 1885. The sum of $5,000 is hereby appropriated to pay the expenses of the commission hereby created.

§ 4. This act shall take effect immediately.

LAWS OF 1884, CHAPTER 470.

AN ACT relating to the employment of children by contract in houses of refuge, reformatories or other correctional institutions.

Unlawful to Employ Children in Correctional Institutions.

SECTION 1. It shall be unlawful for the trustees or managers of any house of refuge, reformatory or other correctional institution, to con-

tract, hire or let by the day, week or month, or any longer period, the services or labor of any child or children under, now or hereafter committed to or inmates of such institutions.

LAWS OF 1850, CHAPTER 266.

AN ACT relative to the payment of wages to minors.

Minors' Wages; Notice of Claim to be given or Payment to Minor Valid.

SECTION 1. It shall be necessary for the parents or guardians of such minor children as may be in service, to notify the party employing such minor, within thirty days after the commencement of such service, that said parent or guardian claim the wages of such minor, and in default of such notice payment to such minor shall be valid.

LAWS OF 1871, CHAPTER 934.

Apprentices and Employers; Consent of Legal Guardian before taking Minor as Apprentice; Indentures in Writing; by Whom Executed.

SECTION 1. On and after the passage of this act, it shall not be lawful for any person or persons in this State to employ or take as an apprentice any minor person to learn the art or mystery of any trade or craft, without first having obtained the consent of such person's legal guardian or guardians; nor shall any minor person be taken as an apprentice aforesaid unless an agreement or indenture be drawn up in writing, in accordance with the provisions of this act, and duly executed under seal by the person or persons employing said apprentice, and also by the parents or parent, if any be living, or by the guardian or guardians of said apprentice, and likewise by said minor person so becoming an apprentice.

Contents of Indentures.

§ 2. Said agreement or indenture, in order to make the law valid, shall contain the following covenants and provisions:

Must be Bound for a Term of Years.

1. That said minor person shall be bound to serve his employer or employers for a term of not less than three nor more than five years.

Shall not Leave during Term of Apprenticeship; May Compel Return of Apprentice.

2. That said minor person so indentured shall not leave his said employer or employers during the term for which he shall be indentured, and if any said apprentice so indentured as aforesaid shall leave his said employer or employers, except as hereinafter provided, the said employer or employers may compel the return of the said apprentice under the penalties of this act.

Agreement of Employer in Indentures; must give Certificate in Writing Stating full Service of Apprenticeship.

3. That said employer or employers shall covenant and agree in said indenture to provide at all times during the continuance of the same, suitable and proper board, lodging and medical attendance for said apprentice, and said employer or employers shall also further covenant and agree to teach or cause to be carefully and skillfully taught to his or their said apprentice every branch of his or their business to which said apprentice may be indentured, and said employer or employers shall be further bound, at the expiration of said apprenticeship, to give to said apprentice a certificate in writing stating that said apprentice has served a full term of apprenticeship of not less than three nor more than five years at such trade or craft, as may be specified in said indenture.

Non-Compliance Deemed a Misdemeanor; Penalty.

§ 3. Any person or persons taking an apprentice without complying with the provisions of this act shall be deemed guilty of a misdemeanor; and on conviction thereof in the court of sessions of general or special sessions, held in and for the county in which the business of said employer or employers may be conducted, shall be subject to a fine of not less than $500, the fine to be paid to the treasurer of said county for the use and benefit of said county.

Indentures, how Canceled; Proceedings in case of Violation on part of Apprentice; Punishment for Leaving Employer; or Neglect of Apprentice to Perform his Contract, Indenture may be Canceled.

§ 4. Any and all indentures made under and in pursuance of the provisions of this act shall not be canceled or annulled before the expiration of the term of said indentures, except in case of death; or by the order of, or judgment of the county or supreme court of this State for good cause, and any apprentice so indentured who shall leave his employer or employers without his or their consent, or

without sufficient cause, and shall refuse to return, may be arrested upon the complaint of said employer or employers, and taken before any magistrate having jurisdiction of misdemeanors, who may cancel said indentures, and on conviction may commit said apprentice to the house of correction, house of refuge or county jail, in and for said county, for such length of time as such magistrate may deem just, or until said apprentice shall have attained the age of twenty-one years; and in case said apprentice, so indentured, shall willfully neglect or refuse to perform his portion of the contract as specified in said indenture, then said indenture may be canceled in the manner aforesaid, and said apprentice so violating said indentures shall forfeit all back pay and all claims against said employer or employers, and said indentures shall be canceled.

May bring Action on Failure of Employer to Provide for and Teach Apprentices; and if Proven Indentures to be Canceled and fine Imposed.

§ 5. Should any employer or employers neglect or refuse to teach, or cause to be taught to said apprentice the art or mystery of the trade or craft to which said apprentice has been indentured, or fail at any time to provide suitable and proper board, lodging and medical attendance, said apprentice individually, or his parent or parents, guardian or guardians, may bring an action against said employer or employers, to recover damages sustained by reason of said neglect or refusal; and if proved to the satisfaction of the court, said court shall direct said indentures to be canceled, and may impose a fine of said employer or employers, not exceeding $1,000 and not less than $100, and said fine shall be collected and paid over to said apprentice or his parent or guardian, for his sole use and benefit.

Indentures Conflicting with this Act Invalid.

§ 6. Any indenture made and executed, wherein parts conflict with, or are not in accordance with the provisions of this act, shall be invalid, and without any binding effect.

Repeal.

§ 7. All acts or parts of acts inconsistent herewith are hereby repealed.

REVISED STATUTES, PART II., CHAPTER 8, ARTICLE 3.

Indentures, when Invalid.

§ 26. No indenture or contract for the service of any apprentice shall be valid as against the person whose services may be claimed, unless made in the manner before prescribed in this title.

Duties of County Superintendents and Overseers of the Poor.

§ 27. The county superintendents of the poor, and the overseers of the poor of the respective cities or towns, shall be the guardians of every person bound or held in service, in their respective cities or towns, to take care that the terms of the contract of service be fulfilled, and that such person be properly used; and it is hereby made their especial duty to inquire into the treatment of every such person, and redress any grievance in the manner prescribed by law.

Penalty on Apprentices Absenting Themselves from Service.

§ 28. If any person lawfully bound to service under either of the preceding articles of this title shall willfully absent himself from such service without the leave of his master, he shall be compelled to serve double the time of such absence, unless he shall otherwise make satisfaction for the loss and injury sustained by such absence; but such additional term of service shall not extend beyond three years next after the end of the original term of service.

Apprentices, etc., How Compelled to Serve.

§ 29. If any such person shall refuse to serve according to the provisions of this title, or the terms of his contract or indentures, his master may apply to any justice of the peace of the county, or to the mayor, recorder or any alderman of the city where he shall reside, who shall be authorized by warrant or otherwise, to send for the person so refusing, and if such refusal be persisted in, to commit such person by warrant to the bridewell, house of correction or common jail, of the city or county, there to remain until such person will consent to serve according to law.

Journeyman and Apprentices not to be Restrained in Using their Trade.

§ 39. No person shall accept from any journeyman or apprentice any contract or agreement, nor cause him to be bound by oath or otherwise, that after his term of service expired, such journeyman or

apprentice shall not set up his trade, profession or employment in any particular place, shop, house or cellar; nor shall any person exact from any journeyman or apprentice, after his term of service expired, any money or other thing for using and exercising his trade, profession or employment in any place.

Penalties.

§ 40. Every security given contrary to the provisions contained in the last section shall be void; any money paid or valuable thing delivered for the consideration in part or in whole of any such agreement or exaction, may be recovered back by the person paying the same, with interest; and every person accepting such agreement, causing such obligation to be entered into or exacting money or other thing as aforesaid, shall forfeit one hundred dollars to the apprentice or journeyman from whom the same shall have been received.

Application of this Title to Females.

§ 43. The provisions of this title shall apply as well to mistresses, female guardians, apprentices and wards, respectively, as to masters, male guardians, apprentices and wards.

LAWS OF 1867, CHAPTER 516.

AN ACT for the further protection of female employes in the city of New York.

No Property Exempt from Levy and Sale.

SECTION 1. No property now exempt by law shall be exempt from levy or sale under an execution issued upon a judgment obtained in any court in the city of New York, for work, labor or services done or performed by any female employe when such amount does not exceed the sum of fifteen dollars exclusive of cost.

Defendant to be Arrested.

§ 2. Whenever any execution issued upon a judgment as aforesaid shall be returned unsatisfied, the clerk of the court wherein such judgment was obtained shall issue a further execution to any marshal of the city of New York, commanding him to collect the amount due upon such judgment, or, in default of payment thereof, to arrest the defendant in such execution, and him safely convey to the jail or debtors' prison of the county of New York, and commanding the jailer of said jail to keep the said defendant without benefit of jail

limits until the said defendant shall pay the said judgment or be discharged according to law; but such imprisonment shall in no case extend beyond the period of five days.

§ 3. This act shall take effect immediately.

(NOTE.—This law is amended by chap. 33, laws of 1878.)

LAWS OF 1871, CHAPTER 936.

AN ACT to allow further costs in suits brought by working women.

Costs in Suits Brought by Workingwomen—(Additional Costs to be allowed in New York and Brooklyn).

SECTION 1. In any action hereafter brought in the district court for any judicial district in the city of New York, or in any justice's court in the city of Brroklyn, by or on behalf of any female employe, or by the parent or guardian of any such female employe, for the recovery of any sum of money for wages earned or materials furnished, by such employe to any person or persons, there shall be allowed to the plaintiffs, in addition to the costs now allowed by law, the sum of five dollars in addition to the amount recovered in said action; and in case the amount recovered by the plaintiffs shall exceed ten dollars, there shall be allowed the plaintiff in addition to the costs now allowed by law, the sum of ten dollors. If any action brought by any female employe shall be settled, the plaintiff shall be entitled to the sums above mentioned in addition to the costs, the same as though such action had been tried; but this act shall not be construed so as to apply to any action brought by any person employed as a domestic or servant.

§ 2. The clerks of said several courts shall tax said sums as costs, and shall thereupon insert the same in the judgment.

§ 3. This act shall take effect immediately.

LAWS OF 1878, CHAPTER 33.

AN ACT to amend chapter 516 of the laws of 1867, entitled "An act for the further protection of female employes in the city of New York."

Protecting Female Employes—When Property not Exempt from Levy and Sale.

SECTION 1. Section one of chapter 516 of the laws of 1867, entitled "An act for the further protection of female employes in the city of New York," is hereby amended so as to read as follows:

§ 1. No property now exempt by law shall be exempt from levy or sale, under an execution, issued upon a judgment obtained in any court in the city of New York for work, labor or services done or performed by any female employe when the amount of such judgment does not exceed the sum of $50, exclusive of costs.

§ 2. Section two of said act is hereby amended so as to read as follows:

§ 2. Whenever any execution issued upon a judgment as aforesaid shall be returned unsatisfied, the clerk of the court wherein such judgment was obtained shall issue a further execution to any marshal of the city of New York, commanding him to collect the amount due upon such judgment, or, in default of judgment thereof, to arrest the defendant in such execution and him safely convey to the jail or debtors' prison of the county of New York, and commanding the jailer of said jail to keep the said defendant without benefit of jail limits until the said defendant shall pay the said judgment or be discharged according to law, but such imprisonment shall in no case extend beyond the period of fifteen days.

[This section is amended by chapter 175, Laws 1878.]

§ 3. This act shall not apply to any action or proceeding already commenced.

§ 4. This act shall take effect immediately.

LAWS OF 1878, CHAPTER 175.

AN ACT to amend section two, chapter thirty-three of the laws of 1878, entitled "An act to amend chapter 516 of the laws of 1867, entitled 'An act for the further protection of female employes in the city of New York."

Amendment to the Law Protecting Female Employes.

SECTION 1. Section two of chapter thirty-three of the laws of eighteen hundred and seventy-eight, entitled "An act to amend chapter five hundred and sixteen of the laws of eighteen hundred and sixty-seven, entitled 'An act for the further protection of female employes in the city of New York,'" is hereby amended so as to read as follows:

Arrest—Limit of Imprisonment.

§ 2. Whenever any execution issued upon a judgment as aforesaid, shall be returned unsatisfied, the clerk of the court wherein such judgment was obtained shall issue a further execution to any marshal of the city of New York, commanding him to collect the amount due upon such judgment, or, in default of payment thereof, to arrest the defendant in such execution, and him safely convey to the jail or

debtors' prison of the county of New York, and commanding the jailer of said jail to keep the said defendant without benefit of jail limits until the said defendant shall pay the said judgment, or be discharged according to law, but such imprisonment shall in no case extend beyond the period of fifteen days.

§ 2. This act shall not apply to any action or proceeding already commenced.

§ 3. This act shall take effect immediately.

LAWS OF 1881, CHAPTER 298.

AN ACT for the preservation of the health of female employes.

Provision for the Health of Female Employes.

SECTION 1. It shall be the duty of all employers of females in any mercantile or manufacturing business or occupation to provide and maintain suitable seats for the use of such female employes, and to permit the use of such seats by such employes to such an extent as may be reasonable for the preservation of their health.

§ 2. Any violation of this act by any employer shall be deemed a misdemeanor.

§ 3. This act shall take effect immediately.

LAWS OF 1882, CHAPTER 18.

Lien Rights of Female Employes.

SECTION 1086. No property now exempt by law shall be exempt from levy or sale, under an execution issued upon a judgment obtained in any court in the city of New York for work, labor or services done or performed by any female employe, when the amount of such judgment does not exceed the sum of fifty dollars, exclusive of costs. Whenever any execution issued upon such a judgment shall be returned unsatisfied, the clerk of the court wherein such judgment was obtained shall issue a further execution to any marshal of the city of New York, commanding him to collect the amount due upon such judgment, or in default of payment thereof, to arrest the defendant in such execution, and him safely convey to the jail or debtors' prison of the county of New York, and commanding the jailer of said jail to keep the said defendant, without the benefit of jail limits, until the said defendant shall pay the said judgment, or be discharged according to law, but such imprisonment shall in no case extend beyond the period of fifteen days.

LAWS OF 1883, CHAPTER 156.

Amending section 1397 of the code of civil procedure.

Exempt Homesteads.

SECTION 1397. A lot of land, with one or more buildings thereon, not exceeding in value $1,000, owned and occupied as a residence by a householder having a family, and heretofore designated as an exempt homestead, as prescribed by law, or hereafter designated for that purpose, as prescribed in the next section, is exempt from sale by virtue of an execution issued upon a judgment recovered for a debt contracted after the 30th day April, 1850, unless the judgment was recovered wholly for a debt or debts contracted before the designation of the property, or for the purchase-money thereof. But no property heretofore or hereafter designated as an exempt homestead, as prescribed by law or by the next section, shall be exempt from taxation, or from sale for non-payment of taxes or assessments.

REVISED STATUTES, LAWS OF 1871, CHAPTER 669.

Wages of Railroad Employes—Railroads—Liability for Laborers' Wages.

SECTION 12. As often as any contractor for the construction of any part of a railroad which is in process of construction shall be indebted to any laborer for thirty or less number of days' labor performed in constructing said road, such laborer may give notice of such indebtedness to said company in the manner herein provided; and said company shall thereupon become liable to pay such laborer the amount so due him for such labor, and an action may be maintained against said company therefor. Such notice shall be given by said laborer to said company within twenty days after the performance of the number of days' labor for which the claim is made. Such notice shall be in writing and shall state the month and particular days of the month on which labor was performed and remains unpaid for, the price per day, the amount due, with the name of the contractor from whom due, the section of the road performed, and shall be signed by such laborer or his attorney, to which notice an affidavit shall be annexed, made by such laborer or his attorney, to the effect that of his own knowledge the statements contained in such notice are in all respects true. Such notice so verified shall be served on an engineer, agent or superintendent employed by said company, having charge of the section of

the road on which such labor was performed, personally, or by leavin the same at the office or usual place of business of such engineer, agent or superintendent, with some person of suitable age. But no action shall be maintained against any company, under the provisions of this section, unless the same is commenced after ten and within thirty days after notice is given to the company by such laborer, as above provided.

LAWS OF 1870, CHAPTER 385.

AN ACT to regulate the hours of mechanics, workingmen and laborers in the employ of the State, or otherwise engaged on public works.

Eight-Hour Law—Hours to Constitute a Day's Work; Overwork Permitted.

SECTION 1. On and after the passage of this act, eight hours shall constitute a legal day's work for all classes of mechanics, workingmen and laborers, excepting those engaged in farm and domestic labor; but overwork, for extra compensation, by agreement between employer and employe, is hereby permitted.

Act, to Whom to Apply.

§ 2. This act shall apply to all mechanics, workingmen and laborers now or hereafter employed by the State, or any municipal corporation therein, through its agents or officers, or in the employ of persons contracting with the State or such corporation for performance of public works.

Violations, how Punished.

§ 3. Any officer or officers, or agents of this State, or of such corporation, who shall openly violate or otherwise evade the provisions of this act, shall be deemed guilty of malfeasance in office and be liable to suspension or removal accordingly by the governor or head of the department to which such officer is attached.

Evasion, how Punished.

§ 4. Any party or parties contracting with the State, or any such corporation, who shall fail to comply with, or secretly evade the provisions hereof, by exacting and requiring more hours of labor, for the compensation agreed to be paid per day, than is herein fixed, shall on conviction thereof be deemed guilty of a misdemeanor, and be punished by a fine not less than one hundred dollars, and in addition thereto shall forfeit such contract at the option of the State.

LAWS OF 1867, CHAPTER 971 [amended by the Laws of 1878, Chapter 85].

AN ACT for the Incorporation of Co-operative and Industrial Unions.

Incorporation of Co-operative and Industrial Unions—Power to form Co-operative Companies.

SECTION 1. Any number of persons, not less than three, may associate and form an incorporation or company for the purpose of uniting their labor, capital and patronage, in any business or occupation upon the co-operative plan, upon filing in the office of the secretary of State, a declaration signed by the corporators, expressing their intention to form such a company, together with a copy of the charter proposed to be adopted by them.

Charter.

§ 2. The charter so filed shall set forth the name of the company, the town and county wherein the same shall be located, the mode and manner in the corporate powers granted by this act or to be exercised, the duration of the charter, which shall not exceed twenty-five years, the number of trustees or directors, and the mode and manner of electing them, and of filling vacancies, the period for the commencement and termination of its fiscal year, and the amount of capital to be employed in the transaction of its business; but no company shall be organized under this act with a capital of less than $5,000, nor shall the declaration or charter of any company proposed to be formed be filed as required by the first section of this act, except upon due and sufficient proof to be made to the secretary of State, upon the oath of at least two of the corporators, that the whole amount of said capital has been subscribed in good faith, and at least ten per cent. thereof actually paid in in cash. [This section is amended by chapter 85, Laws of 1878, § 2.]

Charters to be filed in County Clerk's Office.

§ 3. A copy of said declaration and charter shall also be filed in the office of the clerk of the county wherein the said company shall be located, and a notice of the intention to form such company shall be published once in each week, for at least four weeks, in a newspaper printed in said county.

§ 4. Upon filing a declaration and charter as aforesaid, the persons who have signed the declaration, and their associates and successors, shall thereupon, by virtue of this act, be a body politic and corporate, and by the name stated in such charter, and by that name they and their successors shall and may have succession, and shall be capable of suing and being sued, and they and their successors may have and use

a common seal, and the same alter and change at pleasure, and they and their successors, by their corporate name, shall in law be capable of taking, receiving, purchasing and holding real estate, for the purpose of their incorporation and business, not exceeding $200,000 in value, and of mortgaging, selling and conveying or otherwise disposing of the same, as the interests and objects of the company may require.

Officers.

§ 5. The business of the association shall be managed and conducted by a president, a board of not less than three directors, and a treasurer, who shall be chosen annually by the stockholders, and shall hold their offices until others are chosen and qualified in their stead, and shall have such other officers as they may prescribe by their by-laws, and the mode of electing the same.

Power of Corporators.

§ 6. The corporators, or trustees, or directors, as the case may be, of any company organized under this act, shall have power to make such by-laws, not inconsistent with the laws of this State, as may be deemed necessary for the government of its officers and the conducting of its affairs, and the same to alter and amend at pleasure; and they may, also, by such by-laws, provide as to the manner of paying in the capital stock, and the manner of issuing certificates thereof, as to the manner of conducting elections in said company, and the number of votes each stockholder shall have as to the control of its affairs, that each officer shall have as to equalizing the stock amongst the stockholders, and limiting the number of shares each stockholder may hold, as to the manner of compelling the transfer of any exchange of stock any one stockholder may acquire, as to the manner of distributing the profits and in such proportions as may be thought proper upon the capital stock of said company, and the labor and patronage in the business of said company, as to the amount and time for which debts may be contracted, and as to the times and manner in which the trustees or directors shall make reports, and render accounts as to the condition of the company and its affairs.

Indebtedness.

§ 7. The indebtedness of any such company shall not, at any time, exceed one-half the amount of its capital stock, and any director or trustee assenting thereto shall be personally and individually liable for such excess to the creditors of said company.

Liabilities of Stockholders.

§ 8. All the stockholders of every company, under this act, shall be severally individually liable to the creditors of the company in which

they are stockholders, to the amount of stock held by them respectively, for all debts and contracts made by said company.

§ 9. Every corporation created under this act shall possess the general powers, privileges, and be subject to the liabilities and the restrictions contained in title third, chapter eighteen, of the first part of the Revised Statutes, and the provisions of section six, article first, title two, chapter thirteen, of the first part of the Revised Statutes, shall apply to every such corporation.

§ 10. This act shall take effect immediately.

LAWS OF 1871, CHAPTER 875.

Trades Unions and Workingmen's Societies—Right to Incorporate into Unions and Societies.

SECTION 1. The workingmen of the State of New York may incorporate themselves into unions and societies under and by virtue of the provisions of the act of the Legislature of this State, passed April twelfth, eighteen hundred and forty-eight, entitled "An act for the incorporation of benevolent, charitable, scientific, and missionary societies," and the several acts amendatory thereof; and the provisions and restrictions of said acts shall apply to the formation and incorporation of said unions and societies in all respects.

§ 2. This act shall take effect immediately.

LAWS OF 1878, CHAPTER 85.

AN ACT to amend Chapter 971 of the Laws of 1867, entitled "An act for the incorporation of co-operative and industrial unions," and to amend the title of said act.

Amendments to the Law Incorporating Co-operative Companies.

SECTION I. Section two of chapter nine hundred and seventy-one of the laws of eighteen hundred and sixty-seven, entitled "An act for the incorporation of co-operative and industrial unions," is hereby amended so as to read as follows:

§ 2. The charter so filed shall set forth the name of the company, the town and county, the mode and manner in which the corporate powers granted by this act are to be exercised, the duration of the charter, which shall not exceed twenty-five years, the number of trustees or directors, and the mode and manner of electing them for the first year, and of filling vacancies, the period for the commencement and

termination of its fiscal year, and the amount of capital to be employed in the transaction of its business; but no company shall be organized under this act with a capital of less than one thousand dollars, nor shall the declaration or charter of any company proposed to be formed be filed as required by the first section of this act except upon due and sufficient proof to be made to the secretary of State, upon the oath of at least two of the corporators, that the whole amount of said capital has been subscribed in good faith, and at least ten per cent. thereof actually paid in in cash.

§ 2. Section five of said act is hereby amended so as to read as follows:

§ 5. The business of the companies incorporated under this act shall be managed and conducted by a president, a board of not less than three directors and a treasurer, who shall be chosen annually by the stockholders, and shall hold their offices until others are chosen and qualified in their stead, and by such other officers as they may prescribe by their by-laws. At elections of officers and at all other meetings each stockholder shall have one vote and no more. Companies organized under this act shall have the word "co-operative," as a part of their corporate or business name, wherever used, either in advertising or transacting their business.

§ 3. Section six of said act is hereby amended so as to read as follows:

§ 6. The corporators or trustees or directors, as the case may be, of any company organized under this act shall have power to make such by-laws not inconsistent with the laws of this State, as may be deemed necessary for the government of its officers and the conducting of its affairs, and the same to alter and amend at pleasure; and they may also, by such by-laws, provide as to the manner of paying in the capital stock, and the manner of issuing certificates thereof, as to the manner of conducting the elections in said company, as to the control of its affairs that each officer shall have, as to the number of shares each stockholder may hold, as to the manner of compelling the transfer or exchange of stock any one stockholder may acquire in excess of such number of shares, as to the manner of distributing the profits, and in such proportion as may be thought proper upon the labor and patronage in the business of said company; as to the amount and time for which debts may be contracted, and as to the time and manner in which the trustees or directors shall make reports and render accounts, as to the condition of the company and its affairs. But every such company shall, at the beginning of each fiscal year, fix and determine the maximum per cent. of dividend which may be apportioned upon the stock out of the profits which may accrue during the year.

§ 4. The title of said act is hereby amended so as to read, "An act incorporating co-operative companies."

§ 5. All acts or parts of acts, so far as they are in conflict herewith, are hereby repealed.

LAWS OF 1882, CHAPTER 384, AMENDING PENAL CODE.

Unlawful Assemblages.

SECTION 451. Whenever three or more persons,

1. Assemble with intent to commit any unlawful act by force, or,

2. Assembly with intent to carry out any purpose in such a manner as to disturb the public peace, or,

3. Being assembled, attempt or threaten any act tending toward a breach of the peace, or an injury to person or property, or any unlawful act, such an assembly is unlawful, and every person participating therein by his presence, aid or instigation, is guilty of a misdemeanor.

But this section shall not be so construed as to prevent the peaceable assembling of persons for lawful purposes of protest or petition.

LAWS OF 1882, CHAPTER 384, AMENDING PENAL CODE.

Conspiracy Law.

SECTION 170. No conspiracy is punishable criminally, unless it is one of those enumerated in the last two sections. And the orderly and peaceable assembling or co-operation of persons employed in any calling, trade or handicraft for the purpose of obtaining an advance in the rate of wages or compensation, or of maintaining such rate, is not a conspiracy.

CONNECTICUT.

REVISED STATUTES, 1875, TITLE XI., CHAPTER 1.

Instruction of Children—Duty of Parents and Guardians.

SECTION 1. All parents, and those who have the care of children, shall bring them up in some honest and lawful calling or employment; and shall instruct them, or cause them to be instructed, in reading, writing, English grammar, geography and arithmetic. And every parent, guardian, or other person having control and charge of any child between eight and fourteen years of age, shall cause such child to attend some public or private day school at least three months in

each year, six weeks, at least, of which attendance shall be consecutive; or to be instructed at home at least three months in each year in the branches of education required to be taught in the public schools; unless the physical or mental condition of the child is such as to render such attention or instruction inexpedient or impracticable.

Employing Children Without Having Them Instructed.

§ 2. No child under the age of fourteen years shall be employed by any person to labor in any business, unless such child shall have attended some public or private day school, where instruction was given by a teacher qualified to instruct in orthography, reading, writing. English grammar, geography and arithmetic, at least three months of the twelve next preceding any year in which such child shall be so employed; and any person who shall employ any child contrary to the provisions of this section shall forfeit $100 to the State for each offense.

Children Discharged from Employment to go to School Must be Sent to School.

§ 3. Every parent, guardian, or other person having control and charge of any child between eight and fourteen years of age, who has been temporarily discharged from employment in any business in order to be afforded an opportunity to receive instruction or schooling, shall send such child to some public or private day school for the period for which such child may have been so discharged; unless the physical or mental condition of the child is such as to render such attendance inexpedient or impracticable.

Informing Officers—Penalty.

§ 4. State's attorneys in their respective counties, and grand jurors in their respective towns, shall inquire after and make presentment of all offenses against the provisions of the preceding sections; and any person who shall violate any provision of the first or third section shall be fined five dollars, for the use of the town in which he resides, for every week (not exceeding thirteen weeks in any one year), during which he shall have failed to comply with any of said provisions.

School Visitors to Inspect Factories.

§ 5. The school visitors in every town shall, once or more in every year, examine into the situation of the children employed in all its manufacturing establishments, and ascertain whether all the provisions of this chapter are duly observed, and report all violations thereof to one of the grand jurors of the town.

State Agent.

§ 6. The State Board of Education may take such action as it may deem proper to secure the due observance of all the provisions of this chapter, and may appoint an agent for that purpose.

Duties of Selectmen.

§ 7. The selectmen in every town shall inspect the conduct of the heads of families, and if they find any who neglect the education of the children under their care, may admonish them to attend to their duty; and if they continue to be negligent, whereby the children grow rude, stubborn and unruly, they shall, with the advice of a justice of the peace, take such children from their parents, or those who have the charge of them, and bind them out to some proper master, or to some charitable institution or society incorporated in this State for the care and instruction of such children, males till twenty-one, and females till eighteen years of age, that they may be properly educated, and brought up in some lawful calling.

Town Regulations Respecting Truants and Vagrant Children.

§ 8. Each city and town may make regulations concerning habitual truants from school, and any children wandering about its streets or public places, having no lawful occupation or business, nor attending school, and growing up in ignorance, between the ages of seven and sixteen years; and such by-laws, also respecting such children, as shall conduce to their welfare and to public order, imposing suitable penalties, not exceeding twenty dollars for any one breach thereof, but no such town by-laws shall be valid until approved by the Superior Court in any county.

Who may Prosecute—Jurisdiction of Prosecutions..

§ 9. Every town, and the mayor and aldermen of every city, having such by-laws, shall annually appoint three or more persons, who alone shall be authorized to prosecute for violations thereof. All warrants issued upon such prosecutions shall be returnable before any justice of the peace, or judge in the city or police court of the town or city; who shall receive such compensation as the city or town shall determine.

Arrest of Truants Without Warrant.

§ 10. The police in any city, and bailiffs, constables, sheriffs and deputy sheriffs in their respective precincts, shall arrest all boys supposed by them to be truants from school, between eight and sixteen years of age, who habitually wander or loiter about the streets or

public places, or anywhere beyond the proper control of their parents or guardians, during the usual school hours of the school term; and may stop any boy under sixteen years of age, during such hours, and ascertain whether he is a truant from school; and if he be, shall send him to such school.

Mode of Prosecution.

§ 11. Any truant arrested a third time under the provisions of the preceding section, shall be taken, if not immediately returned to such school, before the judge of the criminal or police court, or any justice of the peace in the city, borough or town where such arrest is made; and if it shall appear that such boy has no lawful occupation, or is not attending school, or is growing up in habits of idleness or immorality, or is an habitual truant, he may be committed to any institution of instruction, or of correction, or house of reformation in said city, borough or town, or, with the approval of the selectmen, to the State Reform School, for not more than three years.

Warrant and Hearing—Fees.

§ 12. In all cases arising under the provisions of the two preceding sections, a proper warrant shall be issued by the judge of the criminal court of the city, or by a justice of the peace in the borough or town where such arrest is made; and if the father, if living, or if not, the mother or guardian of such boy, shall be notified, if such parent or guardian can be found, of the day and time of hearing. The fees of the judge or justice shall be $2 for such hearing; and all expenses shall be paid by the city, borough or town in and for which he exercises such jurisdiction.

Suspending Judgment.

§ 13. After the hearing in any such case, such judge or justice of the peace may, at his discretion, indefinitely suspend the rendition of judgment.

Arrest of Vagrant Girls.

§ 14. Upon the request of the parent or guardian of any girl between eight and fifteen years of age, a warrant may be issued for her arrest in the same manner and on the same conditions as is provided in the preceding sections with respect to boys; and thereupon the same proceedings may be had, as are above provided, except that said girls may be committed to the Connecticut Industrial School for Girls.

CHAPTER 37.

AN ACT concerning the employment of children.

Be it Enacted by the Senate and House of Representatives in General Assembly Convened:

It shall be the duty of every parent, guardian or other person having control and charge of any child under fourteen years of age, to furnish the employer of such child a certificate signed by the teacher, school visitor or committee of the school which the child has attended, showing that the child has attended school as required by law; and the employer shall keep said certificate at his place of business during the time the child is in his employment, and show the same when demanded during the usual hours of business to any school visitor of the town where the child is employed, or the secretary or agent of the state board of education. Such certificate shall be evidence that the child has attended school as the law requires.

Approved March 18, 1880.

CHAPTER 16.

AN ACT in addition to an act concerning education.

Be it Enacted by the Senate and House of Representatives in General Assembly Convened:

Public schools shall be maintained for at least thirty-six weeks in each year in every school district in which the number of persons between four and sixteen years of age at the last preceding enumeration was 110, or more; and no town shall receive any money from the State treasury for any such district unless the school therein has been kept during the time required by this act.

Approved March 9, 1880.

CHAPTER 17.

AN ACT concerning the instruction of children.

Be it Enacted by the Senate and House of Representatives in General Assembly Convened:

Section one of chapter first, title eleven of the general statutes, is hereby amended to read as follows:

SECTION 1. All parents, and those who have the care of children, shall bring them up in some honest and lawful calling or employment; and instruct them, or cause them to be instructed, in reading, writing, English grammar, geography and arithmetic. And every parent, guardian or other person, having control and charge of any child between eight and fourteen years of age, shall cause such child to attend a public day school, or other day school, in which instruction is regularly and thoroughly given in the branches of education required to be taught in the public schools, for at least sixty days in each consecutive twelve months, six weeks at least of which attendance shall be consecutive, or to be otherwise properly instructed for a like period of time in each consecutive twelve months in said branches of education, unless the physical or mental condition of the child is such as to render such attendance or instruction inexpedient or impracticable.

Approved March 9, 1880.

CHAPTER 80.

AN ACT concerning the instruction of children.

Be it Enacted by the Senate and House of Representatives in General Assembly Convened:

Children to be Educated.

SECTION 1. All parents, and those who have the care of children, shall bring them up in some honest and lawful calling or employment; and instruct them, or cause them to be instructed, in reading, writing, English grammar, geography and arithmetic.

How long in each Year to Attend School.

§ 2. Except in cases where, owing to the physical or mental condition of a child, the instruction of such child is inexpedient or impracticable, every parent or other person having control of a child over eight and under fourteen years of age shall cause such child to attend a public day school or to elsewhere receive regular and thorough instruction in the above named studies during at least twelve weeks, or sixty full school days, in any consecutive twelve months, six weeks at least of which attendance or instruction must be consecutive.

Penalty.

Each week's failure on the part of any person to comply with the provisions of this section shall be a distinct offense, punishable with

a fine not exceeding five dollars. All offenses concerning the same child shall be charged in separate counts joined in one complaint. When a complaint contains more than one count, the court may give sentence on one or more counts and suspend sentence on the remaining counts. If at the end of twelve weeks from the date of the sentence it shall appear that the child concerned has attended school regularly during that time, then judgment on such remaining counts shall not be executed.

Employment of a Child Under Fourteen.

§ 3. No child under the age of fourteen years who has resided in the United Seates nine months shall be employed in labor, unless such child shall have attended a public day school or other day school in which instruction has been regularly and thoroughly given in the branches of education required in the public schools, during at least twelve weeks, or sixty full school days, of the twelve months next preceding any month in which such child shall be so employed, nor unless at least six weeks of this attendance have been consecutive. Any person who shall employ a child contrary to the provisions of this section shall be fined not more than sixty dollars.

Certificate of School Attendance.

§ 4. It shall be the duty of every parent or other person having control of a child under fourteen years of age to furnish the employer of such child a certificate signed by the teacher, school visitor, or committee of the school which the child attended, showing that the child has attended school as required by the preceding section. The employer of any child under fourteen years of age shall require such certificate, shall keep it at his place of business during the time the child is in his employment, and shall show the same when demanded, during the usual business hours, to any school visitor of the town where the child is employed, or to the secretary or agent of the state board of education. Such certificate shall be evidence that the child has attended school as the law requires.

Penalty for False Statement.

§ 5. Any parent, or other person having control of a child, who, with intent to evade the provisions of this act, shall make any false statement concerning the age of such child or concerning the time such child has resided in the United States, or shall instruct such child to make any such false statement, shall be fined not more than seven dollars or be imprisoned not more than thirty days.

General Statute Page 126.

§ 6. All the provisions of chapter one, title eleven of the general statutes for securing due observance of the provisions of said chapter, shall apply to this act.

Repeal.

§ 7. Sections one, two, three and four, of chapter one, title eleven of the general statutes, and chapter one hundred and twelve of the public acts of 1877, and chapters seventeen and thirty-seven of the public acts of 1880, are hereby repealed.

Approved April 12, 1882.

CHAPTER 48.

AN ACT concerning the enumeration of children.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Any parent, guardian, or other persons having control of a child over four and under sixteen years of age, who shall willfully refuse to give to the school committee or other person employed to make the enumeration required by chapter eleven, title eleven, of the general statutes (page 143), the name and age of such child and such information concerning the school attendance of such child as is required by said chapter, shall be fined three dollars.

Approved March 20, 1884.

CHAPTER 99.

AN ACT relating to the care of children.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Any person having the care, custody, or control of any child under the age of twelve years, who shall exhibit, use or employ, or who shall, in any manner, or under any pretense, apprentice, give away, let out, or otherwise dispose of any such child to any person, in or for the vocation, occupation, service, or purpose of rope or wire walking, dancing, skating, begging or peddling, or as a gymnast, contortionist, rider, or acrobat, in any place whatsoever; or for or in any

obscene, indecent or immoral purpose, exhibition, or practice whatsoever; or for or in any business, exhibition, or vocation injurious to the health or dangerous to the life or limb of such child; or who shall cause, procure, or encourage any such child to engage therein, shall be fined not more than two hundred and fifty dollars, or suffer imprisonment in a county jail for a period of not less than thirty days, nor more than one year, or both such fine and imprisonment. Nothing in this act shall apply to or affect the employment or use of any such child as a singer or musician in any church, school or academy, or the teaching or learning the science or practice of music.

Approved April 4, 1884.

ILLINOIS.

Concerning the employment of children, approved May 17th, 1877.

Certain Employments of Children Forbidden.

SECTION 53a. Be it enacted by the people of the State of Illinois, represented in the General Assembly. It shall be unlawful for any person having the care, custody or control of any child under the age of fourteen years, to exhibit, use or employ, or in any manner, or under any pretense, sell, apprentice, give away, let out, or otherwise dispose of any such child to any person in or for the vocation or occupation, service or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging or peddling, or as a gymnast, contortionist, rider or acrobat in any place whatsoever, or for any obscene, indecent or immoral purpose, exhibition or practice whatsover, or for or in any business, exhibition or vocation injurious to the health or dangerous to the life or limb of such child, or cause, procure or encourage any such child to engage therein. Nothing in this section contained, shall apply to or affect the employment or use of any such child as a singer or musician in any church, school or academy, or at any respectable entertainment, or the teaching or learning the science or practice of music.

Unlawful to Exhibit.

53b, § 2. It shall be also unlawful for any person to take, receive, hire, employ, use, exhibit or have in custody any child under the age and for the purposes prohibited in the first section of this act.

Order as to Custody.

53c. § 3. When upon examination before any court or magistrate it shall appear that any child within the age previously mentioned in this act was engaged or used for or in any business, or exhibition or vocation, or purpose prohibited in this act; and when upon the conviction of any person of a criminal assault upon a child in his or her custody, the court or magistrate before whom such conviction is had shall deem it desirable for the welfare of such child that the person so convicted should be deprived of its custody, thereafter such child shall be deemed to be in the custody of the court, and such court or magistrate may in its discretion make such order as to the custody thereof as now is or hereafter may be provided by law in cases of vagrant, truant, disorderly, pauper or destitute children.

Endangering Life or Health.

53d. § 4. It shall be unlawful for any person having the care or custody of any child, willfully to cause or permit the life of such child to be endangered, or the health of such child to be injured, or willfully cause or permit such child to be placed in such a situation that its life or health may be endangered.

Penalty.

53e. § 5. Any person convicted under the provisions of the preceding sections shall for the first offense be fined not exceeding one hundred dollars ($100) or imprisonment in the county jail not exceeding three months, or both, in the discretion of the court; and upon conviction for a second or any subsequent offense, shall be fined in any sum not exceeding five hundred dollars ($500), or imprisonment in the penitentiary for a term not exceding two years, or both, in the discretion of the court.

LAWS OF 1867, CHAPTER 48.

Eight Hour Law—Eight Hours a Legal Day's Work, Except, etc.

SECTION 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly, that on and after the first day of May, 1867, eight hours of labor between the rising and the setting of the sun, in all mechanical trades, arts and employments, and other cases of labor and service by the day, except in farm employments, shall constitute and be a legal day's work, where there is no special contract or agreement to the contrary.

When Act does not Apply.

§ 2. This act shall not apply to or in any way affect labor or services by the year, month or week; nor shall any person be prevented by anything herein contained from working as many hours over-time or extra hours as he or she may agree, and shall not, in any sense, be held to apply to farm labor.

FEMALE LABOR.

AN ACT to secure to all persons freedom in the selection of an occupation, profession or employment, laws of 1872.

Sex no bar to any Profession, Occupation, etc.

SECTION 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly, that no person shall be precluded or debarred from any occupation, profession or employment (except military) on account of sex; *provided*, that this act shall not be construed to affect the eligibility of any person to an elective office.

Females not to Work on Streets, etc.

§ 2. Nothing in this act shall be construed as requiring any female to work on streets or roads, or serve on juries.

Repeal.

§ 3. All laws inconsistent with this act are hereby repealed.

LAWS OF 1872, CHAPTER 93.

§ 6. No person under the age of fourteen years, or females of any age, shall be permitted to enter any mine to work therein.

COMPULSORY EDUCATION.

AN ACT to secure to all children the benefit of an elementary education, approved June 23, 1883.

Children Must be Sent to School Three Months Each Year.

SECTION 1. Be it enacted by the people of the State of Illinois, represented in the General Assembly, that every person having the

control and charge of any child or children, between the ages of eight and fourteen years, shall send such child or children to a public or private school for a period of not less than twelve weeks in each school year, unless such child or children are excused from attending school by the board of education, or school directors of the city, town or school district in which such child or children reside. Such excuse may be given by said board of education or school directors for any good cause shown why said child or children shall not be required to attend school in conformity with this act.

What a Good Defense.

§ 2. It shall be a good defense to any suit brought under this act if the person under whose control such child or children are can show that the mental or bodily condition of such child or children is such as to prevent its attendance at school or application to study for the period required by this act, or that such child or children has been taught in a private school or at home, for the time specified in this act, in such branches as are ordinarily taught in primary or other schools, or has acquired the branches of learning ordinarily taught in public sch ols, or that no public school has been taught within two miles by the nearest traveled road of the residence of such child or children within the school district in which said child or children reside, for twelve weeks during the year.

Penalty for not Complying with Act.

§ 3. If any person having the control and charge of any child or children shall fail or neglect to comply with the provisions of this act, said person shall pay a fine of not less than $5 nor more than $20. Suit for the recovery of the fine and costs shall be brought by any director, or member of any board of education of the district in which such person resided at the time of the committal of the offense, before any justice of the peace of said township. Jurisdiction is hereby conferred on all justices of the peace in this State for the enforcing of this act. Such fine shall be paid, when collected, to the school treasurer of said township, to be accounted for by him as other school money raised for school purposes.

Duty to Prosecute—Penalty.

§ 4. It is hereby made the duty of school directors and members of the boards of education to prosecute offenses occurring under this act. The neglect so to prosecute by any school director, or member of any board of education, within twenty days after written notice has been served on such director or member of such board of education, by any tax-payer residing in such district, that any person has

violated this act, shall subject him or them to a fine of $10, to be sued for by any tax-payer residing in the school district where the the violation of this act occurred, before any justice of the peace in the township where the said school district may be located; and when such fine is collected it shall be reported by said treasurer, and accounted for as other money raised for school purposes, and become a part of the school fund of said township.

LAWS OF 1874, CHAPTER 9.

Apprentices—What Age may be Bound.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, that children under the age of sixteen years may be bound as apprentices, clerks or servants, until they arrive at that age, with or without their consent.

Who May Bind.

§ 2. A minor may be bound as aforesaid by the father with the consent of the mother, or, in case of death, habitual drunkenness, prostitution, imprisonment in the penitentiary, or incapacity of the mother, or her willful desertion of the family for six months, without her consent; or, in case of the death, habitual drunkenness, imprisonment in the penitentiary or in capacity of the father or his desertion of the family for the space of six months, by the mother; or, in case neither father nor mother is living and fail from said objections, by the guardian; or, if the minor has no parent or guardian, by the judge of the county or circuit court of the county in which the minor resides. An illegitimate minor may be bound by his or her mother, during the life-time of the putative father, as well as after his decease.

Finding of Drunkenness, etc.

§ 3. The fact of such habitual drunkenness, prostitution, imprisonment, incapacity or desertion may be tried and found by a jury to be impaneled for that purpose by the county or circuit court of the county in which the minor resides, upon such reasonable notice to the parties interested, by personal service or advertisement, as the court shall direct.

Finding Indorsed.

§ 4. The finding of the jury shall be indorsed upon the indenture by the judge, attested by the clerk, under the seal of the court, and shall be deemed sufficient evidence of the facts found.

Power of Executors, etc.

§ 5. The executor or executors who are, or shall be, by the last will and testament of a father, directed to bring up his child to some trade or calling, shall have power to bind such child by indenture in like manner as the father, if living, might have done; or shall raise such child according to such directions. *Provided*, this section shall not be so construed as to deprive the mother of the custody and tuition of her child without her consent, if she be a fit and competent person to have such custody and tuition.

Beggars—Paupers.

§ 6. Any child under the age of sixteen who habitually begs for alms, or who is, or either of whose parents is chargeable to the county or town as having a lawful settlement therein, whereby the child has also to be supported, or who is supported there, in whole or in part, at the charge of the county or town, may be bound as an apprentice, clerk or servant until he arrives at that age, by the county board or overseers of the poor, as the case may be, with the approval of the judge of the county or circuit court.

Arrest of such Minor.

§ 7. The court may, on the application of the county board or overseers of the poor, issue a writ requiring the sheriff, coroner, or any constable of the county, to bring such minor before it, for the purpose of being so bound.

Indentures.

§ 8. No minor shall be bound, unless by an indenture of two parts sealed and delivered by both parties, and when the consent of any person or court is required, the same shall be signified, in writing, in or upon the indenture, and signed by the person or judge whose consent is required.

Age and Time of Service Specified.

§ 9. The age and time of service of every apprentice or servant shall be inserted in such indentures; but if the age is unknown, then it shall be inserted according to the best information, which age shall, in relation to the term of service, be taken as the true age of such minor.

What Indenture shall Provide.

§ 10. In all indentures it shall be provided that the master shall cause such clerk, apprentice or servant to be taught to read and write, and the ground rules of arithmetic; and also, that at the expiration of such term of service, the master shall give to such apprentice a new

bible, and two complete suits of new wearing apparel suitable to his or her condition in life, and twenty dollars in money, in all cases where the term of service has been one year or more.

Compensation to be Specified and Secured to.

§ 11. Every sum of money paid or agreed for, with or in relation to the binding of any clerk, apprentice or servant, as a compensation for his services, shall be inserted in the indentures, and all money or property so paid or agreed to be paid shall be secured to and for the sole use and benefit of the minor.

Removing Apprentice, etc.

§ 16. It shall not be lawful for any master to remove any clerk, apprentice or servant, bound to him as aforesaid, out of this State, without the consent of the county court.

Enticing away Apprentice, etc.—Penalty.

§ 19. Every person who shall counsel, persuade or entice any clerk, apprentice or servant to run away or to absent himself from the service of his master, or to rebel against or to assault his master, shall forfeit and pay a sum not less than $20, nor more than $500, to be sued for and recovered by action on the case, with costs, by such master, in any court of competent jurisdiction.

CHICAGO FACTORY LAW.

SECTION 1. Whoever employs, or causes to be employed, any person or persons, in any factory, workshop, store, warehouse, yard, grain elevator or other place of service or employment where hired service or any manual labor is performed, shall not be permitted to put at work more persons in any one room or place than the laws of health shall warrant; all such rooms or places of employment shall have a ventilator or ventilators, or other appliances sufficiently large to carry off all foul or impure air, and to reduce the air of such room or place of employment to the standard of fresh air, and there shall be allowed to each person in a work room at least five hundred (500) cubic feet of air space. Such places shall also have sufficient doors and stairways and fire-escapes for the escape of the employes in case of fire or other accidents. All such places of two or more stories high shall have, for every twenty feet of frontage, one front stairway and one rear stairway, not less than fifty feet apart.

§ 2. Every vat, pan or other structure with molten metal or hot liquid, shall be surrounded with proper safeguards for preventing accidents or injury for those employed at or near them. All belting, shafting, gearing, hoists, fly-wheels, elevators and drums of manufac-

turing establishments, so located as to be dangerous to employes when engaged in their ordinary duties, shall be securely guarded or fenced so as to be safe to every verson employed in the place of employment where such things are used.

§ 3. All such places of employment or service shall be kept in a cleanly condition, free from the effluvia of a sewer, drain, privy, stable, or other nuisance, also from gases, vapors, dust or other impurities generated by manufacturing processes or otherwise, and injurious to health. Sufficient and separate privies and urinals shall be provided for male and female employes, and such privies shall be ventilated.

§ 4. The walls and roofs, doors and windows shall be kept in good repair, so as to keep out rain, wind and snow.

§ 5. The commissioner of health shall visit or cause to be visited by an officer, all such places of employment or service within the city, at least once a month, to see that the provisions of this ordinance are complied with, and shall have such arrangements made as may be deemed necessary for the safety and health of the employes, pursuant to the terms of this ordinance, and such laws as may be in force concerning health and sanitary measures.

§ 6. The commissioner of health shall, annually, during the first quarter of each and every fiscal year, place full and detailed statistical reports of the work of the inspectors before the city council. The reports shall specify the following:

1. Number of males and females of all ages employed; also, number of boys and girls under fifteen years of age employed.

2. The number of violations of this ordinance and the number of abatements, with detailed accounts of improvements effected.

3. General and special sanitary condition of all people in labor or service in factories, workshops, stores, warehouses, elevators, yards and domestic work-rooms.

4. Number and kind of dangerous and unhealthy employments, and diseases of the several trades and occupations.

Such reports shall be printed as public documents for the information of the people.

§ 7. There shall be affixed at the entrance of each place of employment, and in such other place as the inspector may for the time direct, a copy of this ordinance in large type, on card paper. Any corporation, manufacturer, employer, agent, or other person refusing permission to enter his or her factory, workshop, store, or other place of employment or service, to the commissioner of health or other officer, or refusing to comply with the provisions of this ordinance, shall be fined not less than fifty dollars, and not more than two hundred dollars, for each offense. All fines to be recovered in the name of the city, and when collected to be paid into the treasury.

§ 8. The ordinance for the regulation and inspection of factories and workshops, passed October 27th, 1879, and all other ordinances or parts of ordinances in conflict herewith, are hereby repealed.

INDIANA.

THE HOURS OF LABOR OF CHILDREN IN FACTORIES —CRIMINAL CODE OF 1881.

SECTION 215. Whoever, being the owner, agent, overseer or foreman of any cotton or woolen factory in this State, employs or permits to be employed, in any cotton or woolen factory of which he is the owner, agent, overseer or foreman, any person, male or female, under the age of eighteen years, for a longer period than ten hours in any day, shall be fined not more than one hundred dollars nor less than fifty dollars.

IOWA.

CHILDREN NOT PERMITTED TO WORK IN MINES.

SECTION 13. No boy under twelve years of age shall be permitted to work in any mine; and parents or guardians of boys shall be required to furnish an affidavit as to the ages of their boys when there is any doubt in regard to their age, and in all cases of minors applying for work the agent or owner of the mines shall see that the provisions of this section are not violated.

MAINE.

SCHOOL LAWS AND CHILD LABOR.

Children Under Fifteen Years of Age not to be Employed Without Proof of Schooling.

§ 13. No child shall be employed or suffered to work in a cotton or woolen manufactory without having attended a public school, or a private school taught by a person qualified to be a public teacher; if

under twelve years of age, for four months; if over twelve and under fifteen, for three months, of the year preceding such employment. A certificate, under oath of such teacher, filed with the clerk or agent before employment, is the proof of such schooling.

Penalty for Violation of Preceding Section (1883, Chap. 221)—Duty of School Committees and County Attorney.

§ 14. Any owner, agent or superintendent of such manufactory, for each violation of the preceding section, forfeits $100, to be recovered by indictment, half to the prosecutor and half to the town where the offense was committed, to be added to its school money. Superintending school committees shall inquire into such violations and report them to the county attorney, who shall prosecute therefor.

No Person Under Sixteen Years of Age to be Employed more than Ten Hours a Day.

§ 15. No person under the age of sixteen years shall be employed by any corporation for more than ten hours a day. Whoever violates this provision forfeits $100, half to the town where the offense is committed and half to the person employed; to be recovered by indictment.

MARYLAND.

HOURS OF LABOR FOR MINORS—CODE OF PUBLIC GENERAL LAWS.

Hours of Labor for Minors Under Sixteen.

§ 172. No child under the age of sixteen shall be employed in laboring by any person, firm or corporation, in any cotton, woolen or other manufacturing establishment in this State more than ten hours in any one day.

Penalty for Compelling Such Minors to Labor More than Ten Hours.

§ 173. Any such person, firm or corporation, which shall employ any child under sixteen years of age, contrary to the provisions of the preceding section, and any superintendent, overseer or other agent of any such person, firm or corporation, and any parent or guardian of such minor, who permits such minor to work or to be so employed

contrary to the provisions of the preceding section shall, for each offense, be punished by a fine not exceeding fifty dollars for each and every case, to be recovered on complaint in any court of competent jurisdiction, and all prosecutions for offenses under this act shall be begun within one year from the commission thereof.

To What Employments Not to Apply.

§ 174. No part of the two preceding sections shall apply to children engaged in agriculture, household or mercantile pursuits.

MASSACHUSETTS.

CHAPTER XLVIII.—REGULATING THE EMPLOYMENT OF CHILDREN.

Of the employment of children and regulations respecting them, schooling and limit of labor of children employed in manufactories and other establishments.

Child Under ten Years not to be Employed in Manufacturing, etc., Establishments—Penalty.

SECTION 1. No child under ten years of age shall be employed in any manufacturing, mechanical or mercantile establishment in this commonwealth; and any parent or guardian who permits such employment shall for such offense forfeit not less than twenty nor more than fifty dollars, for the use of the public schools of the city or town.

Under Fourteen Years not to be so Employed, Except in Vacation, Unless Attending School Twenty Weeks During the Previous Year—Employment not to Continue Unless, etc.—Proviso.

§ 2. No child under fourteen years of age shall be so employed except during the vacations of the public schools, unless during the year next preceding such employment he has for at least twenty weeks attended some public or private day school, under teachers approved under section two of chapter forty-seven by the school committee of the place where such school is kept, which time may be divided, so far as the arrangements of school terms will allow, into two terms, each of ten consecutive weeks; nor shall such employment continue unless such child in each and every year attends school as herein pro-

vided; and no child shall be so employed who does not present a certificate, made by or under the direction of said school committee, of his compliance with the requirements of this section; *provided*, that a regular attendance during the continuance of such employment in any school known as a half-time day school may be accepted by said school committee as a substitute for the attendance herein required.

Owners of Such Establishments to Keep on File Certificates of Age, etc., of Children Under Sixteen Years, etc.

§ 3. Every owner, superintendent or overseer of any such establishment shall require and keep on file a certificate of the age and place of birth of every child under sixteen years of age employed therein, so long as such child is so employed, which certificate shall also state, in the case of a child under the age of fourteen years, the amount of his school attendance during the year next preceding such employment. Said certificate shall be signed by a member of the school committee of the place where such attendance has been had, or by some one authorized by such committee, and the form of said certificate shall be furnished by the secretary of the board of education, and shall be approved by the attorney-general.

Penalty on Superintendents, Overseers, Parents and Guardians.

§ 4. Every owner, superintendent or overseer of any such establishment who employs, or permits to be employed, any child in violation of either of the two preceding sections, and every parent or guardian who permits such employment, shall forfeit not less than twenty nor more than fifty dollars, for the use of the public schools of of such city or town.

Truant Officers to Visit Establishments and Report Violations.

§ 5. The truant officers shall, at least once in every school term, and as often as the school committee require, visit the establishments described in section one, in their several cities and towns, and inquire into the situation of the children employed therein, and ascertain whether the provisions of the four preceding sections are duly observed, and report all violations thereof to the school committee.

Truant Officers May Require Production of Certificates for Inspection.

§ 6. The truant officers may demand the names of the children under sixteen years of age employed in such establishments in their several cities and towns, and may require that the certificates of age and school attendance, prescribed in section three, shall be produced for their inspection; and a failure to produce the same shall be *prima facie* evidence that the employment of such child is illegal.

Penalty for Employment of Children Under Fourteen Years, While Public Schools are in Session, Unless They Can Read and Write.

§ 7. Every owner, superintendent or overseer in any such establishment who employs or permits to be employed therein, a child under fourteen years of age who cannot read and write, while the public schools in the city or town where such child lives are in session, and every parent or guardian who permits such employment, shall, for every such offense, forfeit not less than twenty nor more than fifty dollars, for the use of the public schools of such city or town.

Children Under Fifteen Years not to be Employed in Circus, etc.—Penalties—Proviso as to Education of Children in Music, etc.

§ 8. Any person who employs or exhibits, or who sells, apprentices or gives away for the purpose of employing or exhibiting a child under fifteen years of age, in dancing, playing on musical instruments, singing, walking on a wire or rope, or riding or performing as a gymnast, contortionist or acrobat, in any circus or theatrical exhibition, or in any public place whatsoever, or who causes, procures or encourages any such child to engage therein, shall be punished by a fine not exceeding $200, or by imprisonment in the county jail not exceeding six months; *provided*, that nothing in this section shall be construed to prevent the education of children in vocal and instrumental music, or their employment as musicians in any church, chapel or school, or school exhibition, or to prevent their taking part in any concert or musical exhibition on the special written permission of the mayor and aldermen of a city, or of the selectmen of a town.

License Not to be Granted to Public Shows in Which Children Under Fifteen Years of Age are Employed—Schooling and Limit of Labor of Children Employed in Manufacturing and Other Establishments.

§ 9. No license shall be granted for a theatrical exhibition or public show in which children under fifteen years of age are employed as acrobats, contortionists, or in any feats of gymnastics or equestrianism, or in which such children belonging to the public schools are employed or allowed to take part as performers on the stage in any capacity, or where, in the opinion of the board authorized to grant licenses, such children are employed in such a manner as to corrupt their morals or impair their physical health; but nothing herein contained shall prevent the giving of special permission, as provided by the preceding section.

CHAPTER 74.

EMPLOYMENT OF LABOR.

Persons Employed in Factories to Receive Forfeitures, if Discharged without Notice, when, etc.

§ 1. Any person or corporation engaged in manufacturing, which requires from persons in his or its employ, under penalty of a forfeiture of a part of the wages earned by them, a notice of intention to leave such employ, shall be liable to the payment of a like forfeiture if he or it discharges without similar notice a person in such employ except for incapacity or misconduct, unless in case of a general suspension of labor in his or its shop or factory.

Penalty for Intimidating Laborers, etc.

§ 2. Whoever by intimidation or force prevents or seeks to prevent a person from entering into or continuing in the employment of a person or corporation, shall be punished by a fine of not more than $100.

Employers of Labor not to Contract for Exemption from Liability for Injuries.

§ 3. No person or corporation shall, by a special contract with persons in his or its employ, exempt himself or itself from any liability which he or it might otherwise be under to such persons for injuries suffered by them in their employment, and which result from the employer's own negligence or from the negligence of other persons in his or its employ.

Minors under eighteen and Women not to be Employed in Manufacturing Establishments more than ten hours a day, except, etc.

§ 4. No minor under eighteen years of age, and no woman shall be employed in laboring in any manufacturing establishment more than ten hours in any one day, except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed sixty in a week. Every employer shall post in a conspicuous place in every room where such persons are employed, a printed notice stating the number of hours' work required of them on each day of the week; and the employment of any such person for a longer time in any day

than that so stated shall be deemed a violation of this section, unless it appears that such employment is to make up for time lost on some previous day of the same week in consequence of the stopping of machinery upon which such person was employed or dependent for employment.

Penalty for Violation of the Preceding Section.

§ 5. Whoever, either for himself, or as superintendent, overseer or other agent of another, employs or has in his employment any person in violation of the provisions of the preceding section, and every parent or guardian who permits any minor to be so employed, shall be punished by a fine of not less than $50 nor more than $100 for each offense. Said penalty shall extend to corporations. A certificate of the age of a minor made by him and by his parent or guardian at the time of his employment in a manufacturing establishment shall be conclusive evidence of his age upon any trial for a violation of the preceding section.

CHAPTER 103.

DISTRICT AND OTHER POLICE OFFICERS.

[The only sections of this chapter directly relating to the interest of wage-laborers are the following:]

§ 9. The governor shall appoint two or more of the district police to act as inspectors of factories and public buildings. In a district where a district police officer is appointed to act as such inspector, the governor may appoint an additional district police officer; but the whole district police force shall not exceed sixteen men.

§ 10. Such inspectors shall enforce the provisions of sections thirteen to twenty-two inclusive of chapter 104, except as therein specified, and the various provisions of law relating to the employment of women and minors in manufacturing and mercantile establishments; and for this purpose may enter all buildings used for public or manufacturing purposes, examine the methods of protection from accident, the means of escape from fire, and make investigations as to the employment of women and children.

§ 11. The chief of the district police shall report in print to the governor on or before the first day of January of each year, in relation to factories and public buildings, with such remarks, suggestions and recommendations as he may deem necessary.

MICHIGAN.

LAWS OF 1883, ACT No. 144.

Compulsory Education of Children in certain Cases.

SECTION 1. *The People of the State of Michigan enact,* That every parent, guardian, or other person in the State of Michigan, having control and charge of any child or children between the ages of eight and fourteen years, shall be required to send such child or children to a public school for a period of at least four months in each school year, commencing on the first Monday of September in the year 1883, at least six weeks of which shall be consecutive, unless such child or children are excused from such attendance by the board of the school district in which such parents or guardians reside, upon its being shown to their satisfaction that his bodily or mental condition has been such as to prevent his attendance at school, or application to study for the period required, or that such child or children are taught in a private school, or at home, in such branches as are usually taught in primary schools, or have already acquired the ordinary branches of learning taught in public schools; *provided,* in case a public school shall not be taught for four months during the year within two miles, by the nearest traveled road, of the residence of any person within the school district, he shall not be liable to the provisions of this act.

§ 2. No child under the age of fourteen years shall be employed by any person, company or corporation, to labor in any business, unless such child shall have attended some public or private day school where instruction was given by a teacher qualified to instruct in such branches as are usually taught in primary schools, at least four months of the twelve months next preceding the month in which such child shall be so employed; *p ovided,* that a certificate from the director of the school district in which such child shall have attended school shall be evidence of a compliance with the provisions of this act.

§ 3. Every parent, guardian, or other person, having charge or control of any child from eight to fourteen years of age, who has been temporarily discharged from any business or employment, shall send such child to some public or private day school for the period for which such child shall have been discharged, unless such child shall have been excused from such attendance by the board of the school district, for reasons as stated in section one hereof.

§ 5. In case any parent, guardian or other person shall fail to

comply with the provisions of sections two, three or four of this act, such parent, guardian or other person shall be deemed guilty of a misdemeanor, and shall on conviction be liable to a fine of not less than five dollars nor more than ten dollars for the first offense, and of not less than ten dollars for each subsequent offense.

§ 13. When any of the provisions of this act are violated by a corporation, proceedings may be had against any of the officers or agents of said corporation, who in any way participate in or are cognizant of such violation by the corporation of which they are the officers or agents, and said officers or agents shall be subject to the same penalties as individuals similarly offending.

MINNESOTA.

CHAPTER 26.

Regulation of Labor—Ten-Hour Rule to Govern When.

SECTION 1. In all manufactories, workshops and other places used for mechanical and manufacturing purposes in this State, where children under the age of eighteen years and women are employed, the time of labor of the persons aforesaid shall not exceed ten hours for each day; and any owner, stockholder or overseer, employer, clerk or foreman who compels any woman or any child under eighteen years of age to labor in any day exceeding ten hours, or permits any child under the age of fourteen to labor in any factory, workshop or other place used for mechanical or manufacturing purposes for more than ten hours in any one day where such owner, stockholder, overseer, employer, clerk or foreman has control, such person so offending shall be liable to a prosecution in the name of the State of Minnesota, before any justice of the peace or court of competent jurisdiction, of the county wherein the same occurs, and upon conviction thereof shall be fined in any sum not less than ten or more than one hundred dollars.

Rule in Absence of Contract.

§ 2. In all engagements to labor in any mechanical or manufacturing business, a day's work, when the contract of labor is silent upon the subject, or when there is no express contract, shall consist of ten hours, and all agreements, contracts or engagements, in reference to such labor, shall be so construed.

NEW HAMPSHIRE.

LAWS OF 1878, CHAPTER 91.

Regulating the Employment of Children—Children not Employed in Factories Unless, etc.

SECTION 11. No child under fifteen years of age shall be employed in any manufacturing establishment, unless he has attended some public school, or private day school, where instruction was given by a teacher competent to instruct in the branches taught in common schools, at least twelve weeks during the year preceding.

Children Under Twelve.

§ 12. No child under the age of twelve years shall be employed as aforesaid, unless he has attended school as aforesaid at least six months during the year preceding, or has attended the school of the district in which he dwelled the whole time it was kept during such year.

Penalty for Employing Minors Under Fifteen.

§ 13. The owner, agent or superintendent of any manufacturing establishment, or any person connected therewith, who shall employ in such establishment any child under the age of fifteen years, without having a certificate signed by a majority of the school committee of the town or city in which the child resides, or by such person or persons as they may designate for that purpose, that such child has attended school, as required by sections eleven and twelve of this chapter, shall be fined not exceeding twenty dollars for each offense.

Duty of Parents, Guardians, etc.

§ 14. Every parent, guardian, master or other person having the custody, control or charge of any child between the ages of eight and fourteen years, residing in any school district in which a public school is annually taught for the period of twelve weeks or more, within two miles by the nearest traveled road from his residence, shall cause such child to attend such public school for twelve weeks at least in every year, six weeks at least of which attendance shall be consecutive, unless such child shall be excused from such attendance by the school committee of the town, or the board of education of such district, upon its being shown to their satisfaction that the physical or mental

condition of such child was such as to prevent his attendance at school for the period required, or that such child was instructed in a private school or at home for at least twelve weeks during such year in the branches of education required to be taught in the public schools, or having acquired those branches in other more advanced studies.

Notice Posted; by whom Furnished and Paid for.

§ 15. The committee of every town shall supply the prudential committee of every district with notices of the provisions of the preceding section, particularly calling the attention of parents, guardians, masters and others thereto; and it shall be the duty of said prudential committee to post and keep posted such notices, not exceeding three, in the most public places in such district, and the necessary expense of procuring such notices shall be paid by the town.

Penalties on Parents, Guardians, How Recovered.

§ 16. Any parent, guardian, master or other person violating the provisions of the fourteenth section of this chapter shall forfeit and pay the sum of ten dollars for the first offense and the sum of twenty dollars for the second and every subsequent offense, to be recovered in an action of debt in the name of the district within whose limits the penalty was incurred, by the school committee of the town or board of education of such district. All penalties recovered shall be paid to the district and added to the school money thereof.

Duty of School Committees as to Suits; Penalty for their Neglect.

§ 18. School committees and boards of education, respectively, shall sue for all penalties incurred under, and institute prosecutions for all violations of the provisions of this chapter; and any school committee or board of education upon whom a written notice has been served by any tax-payer, stating by whom, when and how such penalty has been incurred, who shall neglect for ten days after the service of such notice upon them to institute a suit for the recovery thereof, unless such penalty shall sooner be paid without suit, or unless upon investigation during that time they shall be satisfied that no penalty has actually been incurred, shall forfeit and pay the sum of twenty dollars for each neglect, to be recovered by the selectmen of the town, in an action of debt in the name of the town; such penalty, when recovered, to be paid to the district in which the original penalty was incurred, and added to the school money thereof. All necessary expenses arising from prosecutions instituted in enforcing the provisions of the chapter, shall be paid out of the town treasury.

LAWS OF 1879, CHAPTER 21.

AN ACT prohibiting the employment of children under ten years of age in manufacturing corporations.

Prohibiting the Employment of Children Under Ten Years in Factories—Penalty for Employing Children Under Ten.

SECTION 1. No child under the age of ten years shall be employed by any manufacturing corporation in this state; and any agent, superintendent or overseer in any corporation who willfully employs or permits to be employed, any child in violation of this act, shall, for such offense, be fined not less than twenty dollars, nor more than one hundred dollars.

Penalty for Employing Children.

§ 2. Such fine shall be paid, one-half to the complainant, and the other half to the use of the county where the offense was committed.

Limitation.

§ 3. No prosecution under this act shall be sustained one year after the offense is committed.

Takes Effect When.

§ 4. This act shall take effect on the first day of October next.
Approved July 16, 1879.

LAWS OF 1881, CHAPTER 42.

AN ACT authorizing school committees and boards of education to elect truant officers.

The Truant Laws—School Boards May Elect Truant Officers and Fix their Compensation.

SECTION 1. The superintending school committees and boards of education in the several towns and cities of the state are hereby authorized to elect truant officers for said towns and cities, and to fix their compensation at a reasonable rate, which compensation shall be paid by the respective towns and cities.

Tenure of Office.

§ 2. Said truant officers may be discharged by said committee for cause, but unless sooner discharged shall hold their offices for one year, or until their successors shall be appointed and qualified.

Their Duties in Regard to Truants.

§ 3. It shall be the duty of said truant officers, under the direction of said committees, to enforce the laws of the State and the ordinances of said towns and cities, and the regulations of said committees not repugnant to the law, in regard to truants and children between the ages of six and sixteen not attending school, and without any regular and lawful occupation, and to compel the attendance of such children at school in obedience to law and to the regulations of said committees.

In Regard to Children Employed in Manufacturing Establishments.

§ 4. Said truant officers shall, also, if required by said committees, enforce the laws in regard to children employed in manufacturing establishments, without attending school as required, and shall perform such service in that behalf as may be required by said committees.

Takes Effect When.

§ 5. This act takes effect from its passage.
Approved August 4th, 1881.

LAWS OF 1881, CHAPTER 56.

AN ACT in amendment of chapter 91 of the general laws relating to schools.

Amendments to the School Law—Children Under Sixteen Not to be Employed Unless.

SECTION 1. Section 11 of chapter 91 of the general laws shall be so amended as to read as follows:

§ 11. No child under sixteen years of age shall be employed in any manufacturing establishment unless he has attended some public school or private day school where instruction was given by a teacher competent to instruct in the branches taught in the common schools, at least twelve weeks during the year preceding; and no child under said age shall be so employed, except in vacation of the school in the district in which he resides, who cannot write legibly and read fluently in readers of the grade usually classed as third readers.

Children Under Fourteen Not to be Employed Unless.

§ 2. Section twelve of said chapter ninety-one shall be so amended as to read as follows:

§ 12. No child under the age of fourteen years shall be employed as aforesaid unless he has attended school as aforesaid at least six months during the year preceding, or has attended the school of the district in which he dwelled the whole time it was kept during such year, and no child under twelve years of age shall be so employed unless he has attended the school of the district in which he dwelled the whole time it was kept during the year preceding.

Penalty for Employing Minors Under Sixteen.

§ 3. Section thirteen of said chapter ninety-one shall be amended by striking out the word "fifteen" and inserting therefor the word "sixteen."

Takes Effect When.

§ 4. This act shall take effect January 1st, 1882.

Approved August 9th, 1881.

NEW JERSEY.

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.

Limiting the Age and Hours of Labor of Children—Boy or Girl Under Certain Age Not to be Employed in Factory.

SECTION 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.

Child Between Certain Age to Attend School for One Year Preceding Employment.

§ 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 kind 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.

Children Under Fourteen Years Not to be Employed Longer Than Ten Hours a Day.

§ 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.

Penalties.

§ 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 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 employment 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.

Inspector to be Appointed—Salary and Term of Office—Duties.

§ 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 or other courts of competent jurisdiction in the State.

Expenses, How Paid.

§ 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 for the same; *provided*, that not more than five hundred dollars shall be expended by him in any one year.

Fines, How Disposed of.

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

Repeals.

§ 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 5th, 1883.

LAWS OF 1884.

A SUPPLEMENT to an act entitled "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," approved March fifth, one thousand eight hundred and eighty-three.

Title of Inspector—Duty of Inspectors.

SECTION 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey,* That the title of the inspector under the act to which this act is a supplement and the duties hereinafter provided for shall be, respectively, "factory and workshop inspector" and "deputy inspectors," and it shall be their duty to enforce the provisions of this act, and all other laws relating to the sanitary condition of factories and workshops, and to the employment, safety, protection and compulsory attendance at school of minors, and to institute all suits or actions in the name of the inspector as in the fifth section hereof provided for the violation of any of the provisions of this act, or the act to which this act is a supplement, but no action shall be begun by any deputy inspector without the written direction of the inspector, and in case of judgment for the penalty in any such suit so instituted, the same shall be paid into the treasury of the State, to be used to defray the necessary expenses of the inspector and his deputies.

Deputy Inspectors—How Appointed; Terms of, Salary, etc.

§ 2. *And be it enacted,* That the inspector appointed under the act to which this act is a supplement, and his successors, shall have authority to appoint, with the approval of the Governor and Comptroller, two suitable persons, who shall be residents and citizens of this State, as deputy inspectors, who, when appointed, shall hold office until the first day of February next, unless sooner discharged by the inspector, and which deputy inspectors shall each receive, while acting as such, a salary at the rate of one thousand dollars, to be paid monthly, and shall have like power as the inspector under this act, but shall be governed by and be subject to the control and direction of and be liable to be discharged at any time by the inspector, and the salary of said inspector shall hereafter be eighteen hundred dollars, and said inspector and assistants shall have like right to free passage on all railroads in this State as other State officers now have by law.

Power of Inspectors to Prohibit Employment of Minors.

§ 3. *And be it enacted,* That the inspector and his deputies shall have power to demand a certificate of physical fitness from some

regular practicing physician in the case of minors who may seem to them physically unable to work, and shall have power to prohibit the employment of any minor that cannot obtain such a certificate.

Parents or Guardians to Furnish Certificates or Affidavits.

§ 4. *And be it enected*, That any parent or guardian, when so required by the inspector or one of his deputies, shall furnish to such inspector or deputy, a certificate from the office of registration of births, or in the absence of such certificate, an affidavit or affidavits of the age of such minor, and if any one shall knowingly swear falsely in any such affidavit, the person or persons so swearing shall be guilty of perjury and liable to indictment and punishment accordingly.

Section to be Amended.

§ 5. *And be it enacted*, That section four of the act to which this is a supplement shall be amended to read as follows:

Section Amended.

§ 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 liable to a penalty of fifty dollars for each offense, to be recovered in an action of debt in any district court in any city or before any justice of the peace having due jurisdiction, and that any parent or guardian, who knowingly permits the employment of such child or children, shall be liable in a like action to a penalty of not more than fifty dollars, as the court shall fix; that such action shall be prosecuted in the name of the inspector; the trial shall proceed as other actions of debt, and the first process shall be a summons returnable in not less than five days or more than ten after issue, and it shall not be necessary to indorse the same as in qui tam actions; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court on application, after notice to the defendant, may award an execution to take the body of the defendant, and in case such a defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the State, but shall only be discharged by the court making the order for the body execution, or one of the justices of the Supreme Court, when such court or justice shall be satisfied that further confinement will not accomplish the payment of the judgment and costs; an affidavit of the age of any minor made by its parent or guardian, at the time of its employment, shall be conclusive evidence of the age of such minor, upon any trial against a manufacturer or employer for the violation of this act, but any parent

or guardian that shall knowingly swear falsely in such affidavit shall be guilty of perjury, and the inspector or deputy inspector shall be authorized, in case they shall find any minor employed under any false affidavit given as aforesaid, to order and compel such minor to desist from work; the provisions of 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.

Section to be Amended.

§ 6. *And be it enacted,* That section six of the act to which this is a supplement be amended to read as follows:

Section Amended.

§ 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 presentation of proper vouchers of the same; *provided,* that not more than one thousand dollars shall be expended by him in any one year.

Repeals.

§ 7. *And be it enacted,* That all acts or parts of acts inconsistent with this act be and are hereby repealed.

§ 8. *And be it enacted,* That this act shall take effect immediately.

Passed April 17th, 1884.

OHIO.

THE EDUCATION OF CHILDREN.

Children Must Attend School.

SECTION 4023. Every parent, guardian, or other person having charge or control of any child between the ages of eight and fourteen years, shall be required to send such child to a common school for at least twelve weeks in each school year, at least six weeks of which shall be consecutive, unless the board of education, or the board of directors, as the case may be, having control of the school district or subdistrict in which such parent or guardian resides, excuse such child from attendance, when it appears to the satisfaction of such board, that the child's bodily or mental condition is such as to prevent its attendance at school, or application to study, for the time required, or that its time and abor are essentially necessary for the support of an indigent parent, brother or sister, or that it is being otherwise fur-

nished with the means of education for a like period of time, or has already acquired branches of learning ordinarily taught in common schools; but if the common school of the district or sub-district in which such parent or guardian resides is distant two miles from his residence by the nearest traveled road, he shall not be liable to the provisions of this section and the subsequent sections of this chapter.

Unlawful to Employ Children Who Have Not Attended School.

§ 4024. No manufacturer, owner of mills, or mines, agent, overseer, contractor, landlord, or other person, shall employ any child under fourteen years of age during the established school hours of the locality, who has resided in this State during the school year next preceding the commencement of such employment, and is under the control of a parent or guardian, and is not dependent upon its own resources for support, unless such child has attended some common or private school for the term of at least twelve weeks during the school year next preceding the commencement of such employment, and delivers to its employer a certificate of that fact from the clerk of a board of education, or the clerk of a board of directors, or the teacher of the school which it attended, nor shall such employment continue for a longer period than forty weeks during any school year from the time this act takes effect, unless such child deliver to such employer a certificate of excuse from the proper authority, for any of the reasons mentioned in the preceding section.

Board to Ascertain Condition of Children not at School.

§ 4025. Each board of education shall ascertain, on the second Monday of February and the second Monday of September, or within fifteen days thereafter, each year, in such manner as it may deem most expedient, the condition of all children under fourteen years of age within its jurisdiction employed at any daily labor, or who are not in attendance at any common or private school, and shall report all violations of this chapter to its clerk, who shall at once proceed to prosecute each and every such offense.

§ 302. No boy under twelve years of age shall be allowed to work in any mine, nor any minor between the ages of twelve and sixteen years, unless he can read and write, and in all cases of minors applying for work, the agent of such mine shall see that the provisions of this section are not violated.

When Board may Supply Pupils with Books.

§ 4026. If it be shown to the satisfaction of the board of education that the parent or guardian has not the means wherewith to pur-

chase for his child or children the necessary school books to enable him to comply with the requirements of this chapter, the board may furnish the same, free of charge, to be paid out of the contingent fund at the disposal of the board.

Penalties against Violation of Preceding Provisions.

§ 4027. A parent, guardian or other person, who fails to comply with the provisions of this chapter, shall be liable to a fine of not less than two nor more than five dollars for the first offense, nor less than five nor more than ten dollars for each subsequent offense; such fine shall be collected by the clerk of the board of education, in the name of the State, in an action before any court having competent jurisdiction; and the money so collected by each clerk shall be paid to the county treasurer, and be applied to the use of the common schools of his district.

Clerks Must Prosecute.

§ 4028. The clerk of the board of education shall prosecute every offense against the provisions of this chapter, when a member of the board of education, or any tax-payer, of the district in which the offending parties reside, files with him an affidavit setting forth the facts which constitute the offense; and if he neglect to do so within fifteen days after such affidavit is filed, he shall be liable to a fine of not less than ten nor more than twenty dollars for each case of such neglect, to be collected in the name of the State, in an action before any court of competent jurisdiction, by any person feeling aggrieved thereby.

What is Equivalemt to Attendance on Day School.

§ 4029. Two weeks' attendance at half-time or night school shall be considered, within the meaning of this chapter, equivalent to an attendance of one week at a day school.

Hours of Labor for Females and Children—How Women and Children Shall Not be Employed.

§ 6986. Whoever compels a woman, or a child under eighteen years of age, to labor in a mechanical or manufacturing business more than ten hours in any day, or permits a child under the age of fourteen years to labor for more than ten hours in any day in any factory, workshop, or other place used for mechanical or manufacturing purposes, of which he has control, shall be fined not more than fifty nor less than five dollars.

PENNSYLVANIA.

AN ACT TO PREVENT TRAFFIC IN CHILDREN.

SECTION 1. Be it enacted, etc., That all and every person or persons, whether parent, relative, guardian, employer or otherwise, having in his or their care, custody or control, lawful or unlawful, any minor under the age of eighteen years, who shall apprentice, give away, let out, hire or otherwise dispose of such minor or minors to any person for the purpose of singing, playing on musical instruments, begging, or for any mendicant business whatsoever, in the streets, roads and other highways of this commonwealth, and whosoever shall take, receive, hire, employ, use or have in custody any such minor for the vocation, occupation, calling, service or purpose of singing, playing upon musical instruments, or begging upon the streets, roads or other highways of this commonwealth, or for any mendicant business whatever, shall be deemed to be guilty of a misdemeanor, and, upon conviction thereof before any court of competent tribunal, shall be fined in the sum of not less than fifty dollars nor more than two hundred and fifty dollars ($250), to be paid to the commonwealth for each offense, or suffer imprisonment in a county jail for a period of not less than sixty (60) days nor more than one year, or both such fine and imprisonment, at the discretion of the court.

Approved May 15th, 1874.

RHODE ISLAND.

CHAPTER 169.

MASTERS, APPRENTICES AND LABORERS.

Minor, How Bound Apprentices.

SECTION 1. Every minor may be bound by deed as a servant and apprentice by his father, and, in case of his decease, by his mother when sole, or, being under the age of fourteen years, by his guardian, legally appointed.

Same Subject.

§ 2. The minor, if fourteen years of age and having no such parent, may, of his voluntary accord, with the approbation of his guardian, or, in case of no such guardian, by and with the approbation of the town council of the town where such minor belongs or resides, bind himself by deed as an apprentice or servant.

For What Time.

§ 3. Females may be bound or bind themselves as aforesaid, to the age of eighteen years, or to the time of their marriage within that age, and males to the age of twenty-one years.

Form of Indentures.

§ 4. In every such case there shall be two deeds of the same form and tenor, executed by both parties, one to be kept by each.

Poor Children, What Classes, to Whom, by Whom, and How Bounden —P. L. 450.

§ 5. The following classes of poor children, male and female, may be bound out by the overseers of the poor of their respective towns, with the advice and consent of the town council, by deed indented or poll, to any citizen of this State or of the States of Massachusetts and Connecticut, or to any incorporated institution for the care of children in this or either of those States, as apprentices to any lawful art, trade or mystery, or as servants to be employed in any lawful work or labor, or to the Providence Children's Friend Society, or to the Home for Friendless Children in Newport, or to the Providence Shelter for Colored Children, to be instructed, disciplined and dealt with according to the powers and rules of said societies; males, until they shall come to the age of twenty-one years, and females until they shall come to the age of eighteen years, or are married, that is to say:

First. Children of parents who are lawfully settled in and have become chargeable to their towns.

Second. Children of parents so settled, whose parents, whether they receive alms or are chargeable or not, shall be deemed by said overseer unable to maintain them.

Third. Children of parents residing in their respective towns, who are there supported at the charge of the State.

Fourth. Children of parents or a parent residing in their respective towns, who have no legal settlement in this State and are adjudged by the town council to be unable to maintain their or his or her children.

Fifth. Children in their respective towns without estate sufficient for their maintenance, who have no parents residing therein, and who have no legal settlement in this State.

Poor Adults, Who, and How Bounden.

§ 6. The following classes of poor persons, of the age of twenty-one years and upwards, may be set to work or bound out to service by deed, as aforesaid, by the overseers of their respective towns for a term not exceeding one year at a time, upon such terms and conditions as such overseers shall think proper, that is to say:

First. All poor persons residing and lawfully settled in their towns, and those who have no lawful settlement in the State, whether married or unmarried, and who are able of body and have no visible means of support, and who live idly and use and exercise no ordinary and daily and lawful trade or occupation to get their living.

Second. All persons settled in their towns who, having families to support, earn sufficient means therefor, but waste their earnings and abandon their wives or children, or both, as paupers upon the town.

Considerations of Indentures, to Whom Reserved, etc.

§ 7. All considerations which shall be allowed by the master in any contract of service or apprenticeship shall be secured to the sole use of the minor thereby engaged, and in every such contract provision shall be made for the instruction of all children bound, in reading, writing and ciphering, and for such other instruction, benefit and allowance, either within or at the end of the term of service, as may be fit and reasonable.

Contracts for Minor's Services to be Binding, When.

§ 8. All contracts that shall be made by any parent or guardian or by the minor, with the approbation of any guardian or town council, or by the overseers of the poor of any town, with the advice and consent of the town council, or by the overseers of the poor alone where such advice and consent is not by law required pursuant to the provisions of this chapter, shall be good and effectual in law against all parties, and the minor or servant thereby engaged according to the tenor thereof.

Who may Inquire into and Complain of Treatment of Apprentices, etc.

§ 9. It shall be the right and duty of all parents and guardians, and of town councils for the time being, where the town council shall give their approbation as aforesaid, or of overseers of the poor, binding minors or servants as aforesaid, to inquire into the usage of apprentices and servants, bound as aforesaid, and to defend them from

the cruelty, neglect or breach of covenant of their masters; and such parents, guardians, town councils or overseers for the time being, may complain to the Supreme Court in the county of which such master is an inhabitant, against him, for any personal cruelty, neglect or breach of covenant.

Of Proceedings on Such Complaint.

§ 10. The court, after having duly notified the party complained against, shall proceed to hear and determine such complaint, and if the complaint shall be supported, the court may render judgment that the minor or servant be discharged from his apprenticeship or service, with costs against the master, and award execution accordingly; in which case the deed of service or apprenticeship shall be deemed void from the time of rendering judgment, and the minor may be bound anew.

Same Subject.

§ 11. If such complaint shall not be supported, the court shall award costs to the respondent against the parent, guardian, town council or overseers, where the complaint of the town council or overseers shall be without probable cause, and issue execution accordingly.

Of Complaint of Adult Bounden Out.

§ 12. Every person of the age of twenty-one years, bound by the overseers of the poor of any town, who shall think himself aggrieved by the doings of the overseer, may apply for relief, by complaint to the Supreme Court in the county in which he is bound or in which the overseer who bound him dwells.

Proceedings on Such Complaints.

§ 13. Such court, after due notice to the overseer for the time being and to the master of such person, may liberate and discharge the party complaining from his master, and release him from the care of the overseer, or otherwise dismiss the complaint, giving costs to either party or not, as the court may think reasonable.

Remedy Against Apprentice, etc., for Illegally Leaving Service.

§ 14. If any servant or apprentice, bound as aforesaid, shall depart from the service of his master or otherwise neglect his duty, any trial justice or clerk of a justice court, in the county in which such servant or apprentice may be found, on complaint made to him, on oath and in writing by the master, or by any one in his behalf, may issue his warrant to the sheriff, his deputy or to any town sergeant or consta-

ble within the county, directing him to apprehend such servant or apprentice and bring him before the justice court to which such warrant shall be returnable.

Same Subject.

§ 15. Such court shall, upon the hearing, endeavor to reconcile the difference, if it can, and order the said servant or apprentice to be returned to the place of his duty, or may commit him to the State Workhouse and House of Correction, there to remain for a term not exceeding twenty days, unless sooner discharged by his master, and the warrant of the court for returning such servant or apprentice to the place of his duty, directed to any officer or other person by name, shall authorize him to convey any such servant or apprentice to such place, notwithstanding it may be in any other county in the State.

Same Subject.

§ 16. The costs of such process and commitment shall be paid by the master, to be recovered by him of the parent or guardian, and the same, with all further costs which he may be holden to pay, shall be a proper article of charge in such guardian's account.

Remedy in Case of Misbehavior, Neglect, etc., of Apprentice.

§ 17. If any servant or apprentice, bound as aforesaid, shall be guilty of any gross misbehavior, willful neglect or refusal of his duty, the master may complain thereof to the Supreme Court in the county whereof he is a resident; and the said court, after having duly notified such servant or apprentice, and all persons covenanting on his behalf, and the town council for the time being of the town, when they shall approve as aforesaid, shall proceed to hear and decide upon such complaint.

Same Subject.

§ 18. If said complaint should be supported, the court may render judgment that the master be discharged from the contract of service or apprenticeship, and every article thereof obligatory on him, with costs, and award execution for costs accordingly against the parent, guardian or minor, where the minor shall engage as aforesaid for himself.

Apprentice to be Bound Anew.

§ 19. Any servant or apprentice whose master shall be discharged as aforesaid may be bound anew.

Indentures Discharged by Death of Master.

§ 20. No covenant of apprenticeship entered into by any minor, his parent or guardian, for the purpose of such minor's becoming or

being instructed in any trade or mystery, and made to any master, the wife of such master, or to the executors, administrators or assigns of such master, shall be binding on such minor, parent or guardian after the decease of the master; but on the death of such master the said contract shall be deemed void from that time, and in any such case any minor may be bound anew, in manner as is hereinbefore directed.

Limitation of Complaint.

§ 25. Every such complaint shall be commenced within thirty days after the offense complained of shall have been committed, with right of appeal as in other criminal cases.

Ten Hours Legal Day's Work, Except, etc.

§ 26. Labor performed in any manufacturing establishment, and all mechanical labor, during the period of ten hours in any one day, shall be considered a legal day's work, unless otherwise agreed by the parties to the contract for the same.

LAWS OF 1881, CHAPTER 363.

Attendance of Children in the Public Schools—Children to Attend Public Day Schools for What Length of Time—Penalty—Exceptions.

SECTION 1. Every person having under his control a child between the ages of seven and fifteen years shall annually cause such child to attend, for at least twelve weeks, six at least of which shall be consecutive, some public day school in the town in which such child resides; and for every neglect of such duty, the person so offending shall be fined not exceeding twenty dollars; but if such child shall have attended for a like period of time a private day school approved by the school committee of such town, or if such child shall have been otherwise furnished for a like period of time with the means of education, or shall have already acquired the elementary branches of learning taught in the public schools, or if his physical or mental condition was such as to render such attendance inexpedient or impracticable, then such penalty shall not be incurred.

What Private Schools May be Approved.

§ 2. For the purposes of the preceding section school committees shall approve a private school only when the teaching therein is in

the English language, and when they are satisfied that such teaching is thorough and efficient, but they shall not refuse to approve a private school on account of the religious teaching therein.

Truant Officers, Appointment and Duties of.

§ 3. The town council of each town and the city council of each city shall annually appoint one or more special constables, and fix their compensation, who shall be truant officers, and who shall, under the direction of the school committee, inquire into all cases arising under the provisions of this act, or under any ordinances made in pursuance thereof by the town by which such officers were appointed, and shall alone be authorized, in case of violation thereof, to make complaint therefor; they shall also serve all legal processes issued in pursuance of this act, but shall not be entitled to receive any fees for such service.

Of Inquiry Into Causes of Neglect to Attend Schools.

§ 4. The truant officers and the school committees of the several towns shall inquire into all cases of neglect of the duty prescribed in section 1 of this act, within their respective towns, and ascertain the reasons, if any, therefor; and such truant officers, or any of them, shall, when so directed by the school committee, prosecute any person liable to the penalty provided for in said section 1.

No Factory Laborers Under Ten Years of Age.

§ 5. No child under ten years of age shall be employed in any manufacturing or mechanical establishment in this State; and any parent or guardian who permits such employment shall, for every offense, be fined not exceeding twenty dollars.

Under Fourteen Years to Attend School For How Long.

§ 6. No child under fourteen years of age shall be so employed except during the vacations of the public schools, unless during the year next preceding such employment he shall have attended some public or private day school for at least twelve weeks, nor shall such employment continue unless such child shall, in each year, attend school as herein provided; and no child shall be so employed who does not present a certificate, made by or under the direction of said school committee, of his compliance with the requirements of this section.

Owners of Mills, etc., to Keep on File What Certificates of Children.

§ 7. Every owner, superintendent or overseer of any establishment named in section 5 of this act, shall require and keep on file a cer-

tificate of the place and date of birth of every child under fifteen years of age employed therein, as nearly accurate as may be, so long as such child is so employed, which certificate shall also state, in the case of a child under fifteen years of age, the amount of his school attendance during the year next preceding such employment. The certificates herein mentioned shall be signed by a member of the school committee of the town where such attendance was had, or by some one authorized by such committee, and the form of said certificate shall be furnished by the secretary of the state board of education.

Penalty on Owners, etc.

§ 8. Every owner, superintendent or overseer of any such establishment who employs or permits to be employed any child in violation of either of the two next preceding sections, and every parent or guardian who permits such employment, shall be fined not exceeding twenty dollars.

Truant Officers to Visit Mills, etc.

§ 9. The truant officers shall, at least once in every school term, and as often as the school committee require, visit the establishments described in section 5 of this act, in their respective towns, and ascertain whether the provisions of the four next preceding sections hereof are duly observed, and report all violations thereof to the school committee.

To Demand Names of Children Employed, etc.

§ 10. The truant officers shall demand the names of the children under fifteen years of age employed in such establishments in their respective towns, and shall require the certificates of age and school attendance, prescribed in section 7 of this act, to be produced for their inspection; and a failure to produce such certificates shall be evidence that the employment of such child is illegal.

Penalty on Owners, etc., Employing Children Unable to Write.

§ 11. Every owner, superintendent or overseer of any such establishment who employs or permits to be employed therein, a child under fifteen years of age who cannot write his name, age and place of residence legibly, while the public schools in the town where such child lives are in session, shall for every such offense be fined not exceeding twenty dollars.

Of Town Ordinances Concerning Truants, etc.

§ 12. The town councils of the several towns shall make all needful provisions and arrangements concerning habitual truants and

children who may be found wandering about in the streets or public places therein, having no lawful occupation or business, not attending school and growing up in ignorance; and shall make such ordinances as will be most conducive to the welfare of such children and to the good order of such town; and shall designate or provide suitable places for the confinement, discipline and instruction of such children.

Penalty on Truants, etc.

§ 13. Every minor convicted under an ordinance made under the provisions of section 12 of this act of being an habitual truant, or of wandering about in the streets and public places of a town, or of having no lawful employment or business, or of not attending school, and of growing up in ignorance, shall be committed to any institution of instruction or suitable place designated or provided for the purpose under the authority of said section 12, for a period not exceeding two years.

Of Discharge of Truants, etc.

§ 14. Children so committed may, on satisfactory proof of amendment, or for other sufficient cause, be discharged from such institution or place by the court which committed them.

School Committees to Report.

§ 15. The school committees of the several towns shall annually report to the State board of education whether their towns have made the provisions required by this act.

Fines, How to Inure.

§ 16. All fines under the provisions of this act shall inure and be applied to the support of the public schools in the town where the offense was committed.

Jurisdiction of Justice Courts.

§ 17. The justice courts of the several towns shall have jurisdiction of all cases arising under this act.

Acts Repealed.

§ 18. Chapter 60, and sections 21, 22, 23 and 24 of chapter 169 of the Public Statutes, and all other acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon and after the first day of October, A. D. 1883.

VERMONT.

EMPLOYMENT OF CHILDREN.

Employing Children in Mill or Factory; Penalty.

SECTION 673. No child between ten and fourteen years of age, who has resided in the State one year, shall be employed in a mill or factory unless such child has attended a public school three months during the preceding year. A person who employs a child in violation of this section shall forfeit not less than ten nor more than twenty dollars, to be recovered by prosecution before a justice, one-half to go to the complainant and one-half to town in which the child resides.

Employment of Children in Manufactory.

§ 4320. An owner, agent, superintendent or overseer of a manufacturing or mechanical establishment who knowingly employs or permits to be employed in such establishments a child under ten years of age, or employs a child under fifteen years of age more than ten hours in one day, and a parent or guardian who allows or consents to such employment, shall be fined fifty dollars.

WISCONSIN.

LAWS OF 1883, CHAPTER 135.

AN ACT relating to the employment of women and children in factories and amendatory of section 1728 of the Revised Statutes.

The Employment of Women and Children in Factories.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1728 of the Revised Statutes is hereby amended by striking out the word "forfeit" in the last line of said section, and

inserting in lieu thereof the words "be punished by fine," so that when amended, said section shall read as follows:

Section 1728. In all manufactories, workshops or other places used for mechanical or manufacturing purposes, the time of labor of children under the age of eighteen years and of women employed therein, shall not exceed eight hours in one day; and any employer, stockholder, director, officer, overseer, clerk or foreman who shall compel any woman or any such child to labor exceeding eight hours in any one day, or who shall permit any child under fourteen years of age to labor more than ten hours in any one day in any such place, if he shall have control over such child sufficient to prevent it, or who shall employ at manual labor any child under twelve years of age, in any factory or workshop where more than three persons are employed, or who shall employ any child of twelve and under fourteen years of age, in any such factory or workshop for more than seven months in any one year, shall be punished by fine not less than five nor more than fifty dollars for each such offense.

§ 2. This act shall take effect and be in force from and after its passage and publication.

GREAT BRITAIN—ENGLAND.

FACTORY ACT.

The following is the English factory act referred to by Consul Shepard in his report (see page 197) on labor and wages in Bradford and vicinity:

A. D. 1878.

A bill to consolidate and amend the law relating to factories and workshops.

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

Preliminary.

1. This act may be cited as the factory and work-shop act, 1878.

2. This act shall come into operation on the first day of January, one thousand eight hundred and seventy-eight, which day is in this act referred to as the commencement of this act; *provided*, that at any time after the passing of this act, any appointment, regulation, or

order may be made, any notice issued, form prescribed, and act done which appear to a secretary of state necessary or proper to be made, issued, prescribed or done for the purpose of bringing this act into operation at the commencement thereof.

PART I.

General Law Relating to Factories and Work-shops.

(*1*) *Sanitary Provisions.*

3. A factory and a work-shop shall be kept in a cleanly state and free from effluvia arising from any drain, privy or other nuisance.

A factory or work-shop shall not be so overcrowded while work is carried on therein as to be injurious to the health of the persons employed therein, and shall be ventilated in such a manner as to render harmless, so far as is practicable, all the gases, vapors, dust or other impurities generated in the course of the manufacturing process or handicraft carried on therein that may be injurious to health.

A factory or work-shop in which there is a contravention of this section shall be deemed not to be kept in conformity with this act.

4. Where it appears to an inspector under this act, that any act, neglect, or default in relation to any drain, water-closet, earth-closet, privy, ash-pit, water supply, nuisance, or other matter in a factory or work-shop is punishable or remediable under the law relating to public health, but not under this act, that inspector shall give notice in writing of such act, neglect, or default to the sanitary authority in whose district the factory or work-shop is situate, and it shall be the duty of the sanitary authority to make such inquiry into the subject of the notice, and take such action thereon, as to that authority may seem proper for the purpose of enforcing the law.

An inspector under this act may, for the purposes of this section, take with him into a factory or a work-shop a medical officer of health, inspector of nuisances, or other officer of the sanitary authority.

(*2*) *Safety.*

5. With respect to the fencing of machinery in a factory the following provisions shall have effect:

(1) Every hoist or teagle near to which any person is liable to pass or to be employed, and every fly-wheel directly connected with the steam or water or other mechanical power, whether in the engine-house or not, and every part of a steam-engine and water-wheel, shall be securely fenced; and

(2) Every wheel-race not otherwise secured shall be securely fenced close to the edge of the wheel-race; and

(3) Every part of the mill-gearing shall either be securely fenced or be in such position or of such construction as to be equally safe to every person employed in the factory as it would be if it were securely fenced; and

(4) All fencing shall be constantly maintained in an efficient state while the parts required to be fenced are in motion or use for the purpose of any manufacturing process.

A factory in which there is a contravention of this section shall be deemed not to be kept in conformity with this act.

6. Where an inspector considers that in a factory any part of the machinery of any kind, moved by steam, water or other mechanical power to which the foregoing provisions of this act with respect to the fencing of machinery do not apply, is not securely fenced, and is so dangerous as to be likely to cause bodily injury to any person employed in the factory, he shall serve on the occupier of the factory a notice requiring him to fence the part of the machinery which he so deems to be dangerous.

The occupier, within fourteen days after the receipt of the notice, may serve on the inspector a requisition requiring the matter to be referred to arbitration, and thereupon the matter shall be referred to arbitration, and two skilled arbitrators shall be appointed, the one by the inspector and the other by the occupier, and the provisions of the companies clauses consolidation act, 1845, with respect to the settlement of disputes by arbitration shall, subject to the express provisions of this section, apply to the said arbitration.

If the arbitrators or their umpire decide that it is unnecessary or impossible to fence the machinery alleged in the notice to be dangerous, the notice shall be canceled, and the occupier shall not be required to fence in pursuance thereof, and the expenses of the arbitration shall be paid as the expenses of the inspectors under this act.

If the occupier does not appoint an arbitrator within fourteen days after he served on the inspector the requisition requiring the matter to be referred to arbitration, or if neither the arbitrators nor the umpire decides that it is necessary or impossible to fence the machinery alleged in the notice to be dangerous, the occupier shall securely fence the said machinery as required by the notice, or by the award of the arbitrators or umpire if it modifies the notice, and the expenses of the arbitration shall be paid by the occupier of the factory, and shall be recoverable from him by the inspector in the county court.

Where the occupier of a factory fails to comply within a reasonable time with a notice or award under this section or fails to keep the machinery mentioned in such notice or award securely fenced as thereby required, the factory shall be deemed not to be kept in conformity with this act.

For the purpose of this section and of any provisions of this act relating thereto, "machinery" shall be deemed to include any driving band or strap.

8. Where an inspector observes in a factory that any grindstone, worked by steam, water or other mechanical power, is in itself so faulty or is fixed in so faulty a manner as to be likely to cause bodily injury to the grinder using the same, such inspector shall serve on the occupier of the factory a notice requiring him to replace such faulty grindstone, or to properly fix the grindstone fixed in the faulty manner, and the provisions of this act with respect to the notice requiring dangerous machinery to be fenced and arbitration thereon shall apply in like manner as if they were re-enacted in this section with the necessary modifications.

Where the occupier of a factory fails to comply within a reasonable time with a notice or award under this section, or fails to keep the grindstone mentioned in such notice or award in such a state and fixed in such a manner as not to be dangerous, the factory shall be deemed not to be kept in conformity with this act.

9. A child shall not be allowed to clean any part of the machinery in a factory while the same is in motion by the aid of steam, water or other mechanical power.

A child, young person or woman shall not be allowed

(1) To clean any part of the mill-gearing in a factory while the same is in motion for the purpose of propelling any part of the manufacturing machinery; nor

(2) To work between the fixed and traversing part of any self-acting machine while the machine is in motion by the action of steam, water or other mechanical power.

A child, young person or woman allowed to clean or to work in contravention of this section shall be deemed to be employed contrary to the provision of this act.

(3) *Employment and Meal Hours.*

10. A child, young person or woman shall not be employed in a factory or workshop, except during the period of employment fixed by the occupier in pursuance of this act and specified in the notice affixed in the factory or workshop.

11. With respect to the employment of young persons and women in a textile factory the following regulations shall be observed:

(1) The period of employment, except on Saturday, shall be a period of twelve consecutive hours, inclusive of meal hours, and either shall begin at six o'clock in the morning and end at six o'clock in the evening, or shall begin at seven o'clock in the morning and end at seven o'clock in the evening; and

(2) The period of employment on Saturday shall begin at either six o'clock or at seven o'clock in the morning; and

(3) Where the period of employment on Saturday begins at six o'clock in the morning, that period—

(*a*) If not less than one hour is allowed for meals, shall end at one

o'clock in the afternoon as regards employment in any manufacturing process, and at half-past one o'clock in the afternoon as regards employment for any purpose whatever; and

(*b*) If less than one hour is allowed for meals, shall end at half an hour after noon as regards employment in any manufacturing process, and at one o'clock in the afternoon as regards employment for any purpose whatever; and

(4) Where the period of employment on Saturday begins at seven o'clock in the morning, such period shall end at half-past one o'clock in the afternoon as regards any manufacturing process, and at two o'clock in the afternoon as regards employment for any purpose whatever; and

(5) There shall be allowed for meals during the said period of employment for young persons and women in the factory

(*a*) On every day except Satnrday, not less than two hours, of which one hour at the least, either at the same time or at different times, shall be before three o'clock in the afternoon; and

(*b*) On Saturday not less than half an hour; and

(6) A young person or woman shall not be employed continuously for more than four hours and a half without an interval of at least half an hour for a meal.

12. With respect to the employment of children in textile factory, the following regulations shall be observed:

(1) Children shall not be employed except on the system either of employment in the morning and afternoon sets, or of employment on alternate days only;

(2) The period of employment for a child in a morning set shall, except on Saturday, begin at the same hour as if the child were a young person, and end at one o'clock in the afternoon, or, if the dinner time begins before one o'clock, at the beginning of dinner time; and

(3) The period of employment for a child in an afternoon set shall, except on Saturday, begin at one o'clock in the afternoon, or at any later hour at which the dinner time terminates, and end at the same hour as if the child were a young person; and

(4) The period of employment for any *child in a morning or an afternoon* set on Saturday shall begin and end at the same hour as if the child were a young person; and

(5) A child, whether employed in a morning or afternoon set, shall not be employed on Saturday in two successive weeks, nor on Saturday in any week, if on any other day in the same week he has been employed for more than five hours; and

(6) When a child is employed on the alternate day system, the period of employment for such child, and the time allowed for meals, shall be the same as if the child were a young person, but the child shall not be employed on two successive days, and shall not be employed on the same day of the week in two successive weeks; and

(7) A child shall not on either system be employed continuously for any longer period than he could be if he were a young person without an interval of at least half an hour for a meal.

12. With respect to the employment of young persons and women in a non-textile factory, and of young persons in a work-shop, the following regulations shall be observed:

(1) The period of employment, except on Saturday, shall (save as in this act especially excepted) be a period of twelve consecutive hours, inclusive of meal hours, and either shall begin at six o'clock in the morning and end at six o'clock in the evening, or shall begin at seven o'clock in the morning and end at seven o'clock in the evening; and

(2) The period of employment on Saturday shall (save as in this act specially excepted) begin at six o'clock in the morning or at seven o'clock in the morning, and end at two o'clock in the afternoon; and

(3) There shall be allowed for meals during the period of employment in the factory or work-shop

(*a*) On every day, except Saturday, not less than one hour and a half, of which one hour at the least, either at the same time or at different times, shall be before three o'clock in the afternoon; and

(*b*) On Saturday not less than half an hour; and

(4) A young person or woman in a non-textile factory and a young person in a work-shop shall not be employed continuously for more than five hours without an interval of at least half an hour for a meal.

13. With respect to the employment of children in a non-textile factory and a work-shop, the following regulations shall be observed:

(1) Children shall not be employed except either on the system of employment in morning and afternoon sets, or in a factory or work-shop in which the actual hours of work of young persons and women, exclusive of meal hours, are restricted to ten hours a day, on the system of employment on alternate days only; and

(2) The period of employment for a child in a morning set on every day, including Saturday, shall begin at the same hour as if the child were a young person, and end at one o'clock in the afternoon, or if the dinner time begins before one o'clock, at the beginning of dinner time; and

(3) The period of employment for a child in an afternoon set on every day, including Saturday, shall begin at one o'clock in the afternoon, or at any later hour at which the dinner time terminates, and end at the same hour as if the child were a young person; and

(4) A child shall not be employed in two successive weeks in a morning set, or in two successive weeks in an afternoon set; and

(5) When a child is employed on the alternate day system, the period of employment for such child and the time allowed for meals shall be the same as if the child were a young person, but the child shall not be employed in any manner on two successive days, and shall not be employed on the same day of the week in two successive weeks; and

(6) A child shall not be employed continuously for any longer period than he could be if he were a young person, without an interval of at least half an hour for a meal.

14. In a work-shop in which a young person or a child is employed, a woman shall not be employed except during the same period and subject to the same restrictions as if she were a young person; and the regulations of this act with respect to the employment of young persons in a work-shop shall apply accordingly to the employment of women in that work-shop.

In a work-shop in which no young person or child is employed—

(1) The period of employment for a woman shall, except on Saturday, be a period not exceeding twelve hours, inclusive of meal hours, between six o'clock in the morning and nine o'clock in the evening, and shall on Saturday be the period between six o'clock in the morning and two o'clock in the afternoon; and

(2) There shall be allowed to a woman for meals during the period of employment on any day, except Saturday, not less than one hour and a half, and on Saturday half an hour.

15. In a work-shop which is a dwelling-house, and in which the family only of the occupier living in that dwelling-house are employed, the foregoing regulations of this act, with respect to the employment of women, young persons and children, shall not apply, and in lieu thereof the following regulations shall be observed:

(1) A child, young person or woman shall not be employed in the the work-shop except during the period of employment fixed by the occupier in accordance with this section.

(2) The period of employment for young persons and women shall, except on Saturday, be a period not exceeding twelve hours, inclusive of meal hours, between six o'clock in the morning and nine o'clock in the evening, and shall on Saturday be the period between six o'clock in the morning and two o'clock in the afternoon; and

(3) There shall be allowed to every woman and young person for meals during the period of employment on any day except Saturday not less than one hour and a half, and on Saturday half an hour; and

(4) The period of employment for a child shall be a period not exceeding six hours and a half between six o'clock in the morning and one o'clock in the afternoon, or between noon and the hour of eight in the evening, or (on Saturday) of two in the afternoon, and for the purpose of the provisions of this act respecting education, such child shall be deemed, according to circumstances, to be employed in a morning or afternoon set; and

(5) A child shall not be employed continuously for more than five hours without an interval of at least half an hour for a meal.

16. With respect to meals the following regulations shall (save as in this act specially excepted) be observed in every factory and work-shop:

(1) All children, young persons and women employed therein shall have the time allowed for meals at the same time in the day; and

(2) A child, young person or woman shall not during any part of the day allowed for meals in the factory or workshop, be employed in the factory or work-shop, or be allowed to remain in a room in which a manufacturing process or handicraft is being carried on.

17. The occupier of a factory or work-shop may, from time to time, fix within the limits allowed by this act, and shall (save as in this act specially excepted) specify in a notice affixed in the factory or work-shop, the period of employment, the times allowed for meals, and whether the children are employed on the system of morning and afternoon sets or of alternate days.

The period of employment and the time allowed for meals in the factory or work-shop shall be deemed to be the period and times specified in the notice affixed in the factory or work-shop and all the children in the factory or work-shop shall be employed either on the system of morning and afternoon sets or on the system of of alternate days according to the system for the time being specified in such notice.

Provided that a change in the period of employment and in the times allowed for meals, or in the system of employment of the children shall not be made until after the occupier has served on an inspector and affixed in the factory or work-shop notice of his intention to make such change, and shall not be made oftener than once a quarter unless for special cause allowed in writing by an inspector.

18. A child under the age of ten years shall not be employed in a factory or a work-shop.

19. A child, young person or woman shall not (save as in this act specially excepted) be employed on Sunday in a factory or work-shop.

(4.) *Holidays.*

20. The occupier of every factory and work-shop shall allow to every child, young person and women employed therein the following holidays; that is to say,

(1) The whole of Christmas Day, and either the whole of Good Friday, or, if it is so specified by the occupier in the notice affixed in the factory or workshop, of the next public holiday under the holidays extension act, 1875; and in addition

(2) Eight half holidays in every year, but a whole holiday may be allowed in lieu of any two such half holidays; and

(3) At least half of the said holidays or whole holidays shall be allowed between the fifteenth day of March, and the first day of October in every year; and

(4) Cessation from work shall not be deemed a half holiday or whole holiday, unless a notice of the half holiday or holiday has been

affixed in the factory or work-shop for at least the whole period of employment on the last previous work-day; and

(5) A half holiday shall comprise at least one half of the period of employment for young persons and women some other day than Saturday.

A child, young person or woman who—

(1) On a whole holiday fixed by or in pursuance of this section, for a factory or work-shop, is employed in the factory or work-shop; or

(2) On a half holiday fixed in pursuance of this section for a factory or work-shop, is employed in the factory or work-shop during the portion of the period of employment assigned for such half a holiday shall be deemed to be employed contrary to the provisions of this act.

(5.) *Education of Children.*

21. The parent of a child employed in a factory or in a work-shop shall cause that child to attend some recognized efficient school (which school may be selected by such parent) as follows:

(1) The child when employed in a morning or afternoon set shall on each work day of every week during any part of which he is so employed be caused to attend for at least one attendance (as defined for the time being by a secretary of state with the consent of the education department), between the hours of eight in the morning and six the evening; and

(2) The child when employed on the alternate day system shall be caused to attend school for at least two attendances (as defined for the time being by a secretary of state with the consent of the education department), between the hours of eight in the morning and six in the evening on each work-day preceding each day of employment in the factory or work-shop;

Provided that—

(1) A child shall not be required by this act to attend school on Saturday or any holiday or half holiday allowed by or in pursuance of this act in the factory or work-shop in which the child is employed; and

(2) The non-attendance of the child shall be excused on every day on which he is certified by the teacher of the school to have been prevented from attending by sickness or other unavoidable cause, also when the school is closed during the ordinary holidays or for any other temporary cause; and

(3) Where there is not within the distance of two miles, measured according to the nearest road, from the factory or work-shop in which the child is employed, or from the residence of the child a certified efficient school which the child can attend, attendance at a school temporarily approved in writing by an inspector under this act, although not a certified efficient school, shall for the purposes of this act be deemed attendance at a certified efficient school until such cer-

tified efficient school as aforesaid is established, and with a view to such establishment the inspector shall immediately report to the education department every case of the approval of a school by him under this section.

A child who has not in any week attended school for all the attendances required by this section shall not be employed in the following week, until he has attended school for the deficient number of attendances.

The education department shall from time to time, by the publication of lists or by notices or otherwise as they may think expedient, provide for giving to all persons interested, information of the schools in each school district which are certified efficient schools.

22. The occupier of every factory or work-shop in which a child is employed shall on Monday in every week after the first week in which such child began to work therein, or on some other day appointed for that purpose by an inspector obtained from the teacher of the certified school attended by the child, a certificate (according to the prescribed form and directions) respecting the attendance of such child at school in accordance with this act.

The employment of a child without obtaining such certificate as is required by this section shall be deemed to be employment of a child contrary to the provisions of this act.

The occupier shall keep every certificate for two months after the date thereof if the child so long continues to be employed in his factory or work-shop, and shall produce the same to an inspector when required during that period.

23. The principal teacher of a certified efficient school attended by a child employed in a factory or work-shop may apply in writing to the occupier of the factory or work-shop to pay a weekly sum specified in the application not exceeding two pence a week, and not exceeding one-twelfth part of the wages of the child, and after that application of the occupier, so long as he employs the child, shall be liable to pay to the applicant while the child attends his school the weekly sum specified in the application, and the sum may be recovered as a debt, and the occupier may deduct the sum so paid by him from the wages payable for the services of the child.

24. When a child of the age of thirteen years has obtained from a person authorized by the education department a certificate of having attained such standard of proficiency in reading, writing and arithmetic, or of previous due attendance at a certified efficient school, as hereinafter mentioned, that child shall be deemed to be a young person for the purposes of this act.

The standard for the purpose of this section shall be such as may be from time to time fixed for the purposes of this act by a secretary of state, with the consent of the education department, and the standards so fixed shall be published in the "London Gazette," and

shall not have effect until the expiration of at least six months after such publication.

Attendance at a certified day industrial school shall be deemed for the purposes of this section to be attendance at a certified efficient school.

(6) Certificates of Fitness for Employment.

25. In a factory a child or young person under the age of sixteen years shall not be employed for more than seven, or if the certifying surgeon for that district resides more than three miles from the factory, thirteen working days, unless the occupier thereof has obtained a certificate, in the prescribed form, of the fitness of such child or young person for employment in that factory.

A certificate of fitness for employment for the purpose of this act shall be granted by the certifying surgeon for the district, and shall be to the effect that he is satisfied, by the production of a certificate of birth or otherw se that such child or young person is of the age named in the certificate of fitness, and that such child or young person has been examined by him and is not incapacitated by disease or bodily infirmity for working daily for the time allowed by law in the factory named in the certificate.

26. In order to enable occupiers of work-shops to better secure the observance of this act, and prevent the employment in their work-shops of children and young persons under the age of sixteen years who are unfitted for that employment, an occupier of a work-shop is hereby authorized to obtain, if he thinks fit, from the certifying surgeon of the district a certificate of the fitness of children and young persons under the age of sixteen years for employment in his work-shop, in like manner as if that work-shop were a factory, and the certifying surgeon shall examine the children and young persons, and grant certificates accordingly.

27. When an inspector is of opinion that any child or young person under the age of sixteen years is by disease or bodily infirmity incapaciated for working daily for the time allowed by law in the factory or work-shop in which he is employed, he may serve written notice thereof on the occupier of the factory or work-shop, and the occupier shall not continue for more than seven days after the service of such notice to employ such child or young person (notwithstanding a certificate of fitness has been previously obtained for such child or young person), unless the certifying surgeon for the district has, after the service of the notice, personally examined such child or young person and has certified that such child or young person is not so incapacitated as aforesaid.

28. All factories and work-shops in the occupation of the same occupier, and in the district of the same certifying surgeon, or any of them, may be named in the certificate of fitness for employment, if the surgeon is of opinion that he can truly give the certificate for employment therein.

The certificate of birth (which may be produced to a certifying surgeon) shall either be a certified copy of the entry in the register of births, kept in pursuance of the acts relating to the registration of births, or the birth of the child or young person (whether such copy be obtained in pursuance of the elementary education act, 1876, or otherwise) or be a certificate from a local authority within the meaning of the elementary education act, 1876, to the effect that it appears from the returns transmitted to such authority in pursuance of the said act by the registrar of births and deaths that the child was born at the date named in the certificate.

Where a certificate of fitness for employment is to the effect that the certifying surgeon has been satisfied of the age of a child or young person, otherwise than by the production of a certificate of birth, an inspector may, by notice in writing, annul the surgeon's certificate if he has reasonable cause to believe that the real age of the child or young person named in it is less than that mentioned in the certificate, and thereupon that certificate shall be of no avail for the purposes of this act.

When a child becomes a young person a fresh certificate of fitness must be obtained.

The occupier shall, when required, produce to an inspector at the factory or work-shop in which a child or young person is employed, the certificate of fitness of such child or young person for employment which he is required to obtain under this act.

(7) *Accidents.*

29. Where there occurs in a factory or work-shop any accident which either

(*a*) Causes loss of life to a person employed in the factory or in the work-shop, or

(*b*) Causes bodily injury to a person employed in the factory or in the work-shop, and is produced either by machinery moved by steam, water or other mechanical power, or by explosion or escape of gas, steam or metal, and is of such a nature as to prevent the person injured by it from returning to his work in the factory or work-shop within forty-eight hours after the occurrence of the accident, written notice of the accident shall forthwith be sent to the certifying surgeon for the district stating the residence of the person injured, or the place to which he may have been removed, and if such notice is not sent the occupier of the factory or work-shop shall be liable to a fine not exceeding five pounds.

If any such accident as aforesaid occurs to a person employed in an iron mill or blast furnace, the actual employer of the person killed or injured shall immediately report the same to the occupier, and in default shall be liable to a fine not exceeding five pounds.

A notice of an accident, of which notice is required by section

sixty-three of the explosive act, 1875, to be sent to a government inspector, need not be sent to the certifying surgeon in pursuance of this section.

30. Where a certifying surgeon receives in pursuance of this act notice of an accident in a factory or a work-shop, he shall send a copy of such notice to an inspector by the first post after the receipt thereof, and shall, with the least possible delay, proceed to the factory or work-shop and make a full investigation as to the nature and cause of the death or injury caused by that accident, and shall, within the next twenty-four hours, send to the inspector a report thereof.

The certifying surgeon, for the purpose only of an investigation under this section, shall have the same powers as an inspector, and shall also have power to enter any room in a building to which the person killed or injured has been removed.

There shall be paid to the said surgeon for the investigation such fee, not exceeding ten or less than three shillings, as a secretary of state considers reasonable, which fee shall be paid as expenses incurred in the execution of this act.

PART II.

Special Provisions Relating to Particular Classes of Factories and Work-shops.

(*1*) *Special Provisions for Health in Certain Factories and Work-shops.*

31. For the purpose of securing the observance of the requirements of this act as to cleanliness in every factory and work-shop, all the inside walls of the rooms of such factory and work-shop, and all the ceilings or tops of such rooms, whether such walls, ceilings or tops be plastered or not, and all the passages and staircases of every such factory or work-shop, if they have not been painted with oil once at least within seven years, shall be lime-washed once at least within every successive period of fourteen months, to date from the period when last lime-washed; and if they have been so painted, shall be washed with hot water and soap once at least within every successive period of fourteen months, to date from the period when last washed. A factory or work-shop in which there is a contravention of this section shall be deemed not to be kept in conformity with the act.

Where it appears to a seeretary of state that in any class of factories, or workshops, or parts thereof, the regulations of this section are not required for the purpose of securing therein the observance of the requirements of this act as to cleanliness, or are by reason of special circumstances inapplicable, he may, if he thinks fit, by order made under this part of this act, grant to such class of factories or work-shops, or parts thereof, a special exception that the regulations in this section shall not apply thereto.

32. Where a bake-house is situated in any city, town or place containing, according to the last published census for the time being, a population of more than five thousand persons, all the inside walls of the rooms of such bake-house, and all the ceilings or tops of such rooms, whether such walls, ceilings or tops be plastered or not, and all the passages and staircases of such bake-house, shall either be painted with oil or be lime-washed, or partly painted and partly lime-washed; where painted with oil there should be three coats of paint, and the paint shall be renewed once at least in every seven years, and shall be washed with hot water and soap once at least in every six months; where lime-washed, the lime-washing shall be renewed once at least in every six months.

A bake-house in which there is any contravention of this section shall be deemed not to be kept in conformity with this act.

33. Where a bake-house is situated in any city, town or place containing, according to the last published census for the time being, a population of more than five thousand persons, a place on the same level with the bake-house, forming part of the same building, shall not be used as a sleeping place; unless it is constructed as follows; that is to say,

Unless it is effectually separated from the bake-house by a partition extending from the floor to the ceiling; and

Unless there be an external glazed window of at least nine superficial feet in area, of which at least four and a half superficial feet are made to open for ventilation.

Any person who lets or occupies, or continues to let, or knowingly suffers to be occupied, any place contrary to this section, shall be liable to a fine not exceeding, for the first offense, twenty shillings, and for every subsequent offense, five pounds.

34. If, in a factory or work-shop where grinding, glazing or polishing on a wheel, or any process is carried on by which dust is generated and inhaled by the workers to an injurious extent, it appears to an inspector under this act that such inhalation could be to a great extent prevented by the use of a fan or other mechanical means, the inspector may direct a fan or other mechanical means, of a proper construction for preventing such inhalation, to be provided within a reasonable time; and if the same is not provided, maintained and used, the factory or work-shop shall be deemed not to be kept in conformity with this act.

35. A child, young person or woman shall not be employed in any part of a factory in which the wet-spinning of flax, hemp, jute or tow is carried on, unless sufficient means be employed and continued for protecting the workers from being wetted, and where hot water is used, for preventing the escape of steam into the room occupied by the workers.

A factory in which there is a contravention of this section shall be deemed not to be kept in conformity with this act.

(2) *Special Restrictions as to Employment, Meals and Certificates of Fitness.*

36. A child or young person shall not, to the extent mentioned in the first schedule of this act, be employed in the factories or work-shops or parts thereof named in that schedule.

Notice of the prohibition in this section shall be affixed in a factory or work-shop to which it applies.

37. A child, young person or woman shall not be allowed to take a meal or to remain during the time allowed for meals in the parts of factories or work-shops to which this section applies; and a child, young person or woman allowed to take a meal or remain in contravention of this section shall be deemed to be employed contrary to the provisions of this act.

Notice of the prohibition in this section shall be affixed in a factory or work-shop to which it applies.

This section applies to the parts of factories or work-shops named in part one of the second schedule of this act.

Where it appears to a secretary of state that by reason of the nature of the process in any class of factories or work-shops or parts thereof not named in the said part of the said schedule, the taking of meals therein is specially injurious to health, he may, if he thinks fit, by order made under this part of this act, extend the prohibition in this section to the said class of factories or work-shops or parts thereof.

If the prohibition in this section is proved to the satisfaction of a secretary of state to be no longer necessary for the protection of the health of children, young persons and women in any class of factories or work-shops or parts thereof, to which the prohibition has been extended by an order, he may, by an order made under this part of this act, rescind the order of extension, without prejudice nevertheless, to the making of another order at a future period.

38. In print works and bleaching and dyeing works, the period of employment for a child, young person and woman, and the time allowed for meals, shall be the same as if the said works were a textile factory, and the regulations of this act with respect to the employment of children, young persons and women in a textile factory shall apply accordingly as if print works and bleaching and dyeing works were textile factories; save that nothing in this section shall prevent the continuous employment in said works without an interval of half an hour for a meal, of a child, young person or woman for the period allowed by this act in a non-textile factory.

39. In a work-shop to which this section applies, a child or young person under the age of sixteen years shall not be employed for more than seven, or if the certifying surgeon for the district resides more than three miles from the work-shop, thirteen working days, unless the occupier thereof has obtained a certificate in the prescribed form of

fitness of such child or young person for employment in that work-shop, and the provisions of this act with respect to certificates of fitness for employment shall apply in like manner as if that work-shop were a factory.

This section applies to the work-shops specified in part two of the second schedule to this act.

Where it appears to a secretary of state that by reason of special circumstances affecting any class of work-shops not named in the said part of the said schedule, it is expedient for protecting the health of the children and young persons under the age of sixteen years employed therein, to extend this section to such class of work-shops, he may, if he thinks fit, by order made under this part of this act, extend this section accordingly.

If the proper prohibition in this section is proved to the satisfaction of the secretary of state to be no longer necessary for the protection of the health of children and young persons under the age of sixteen years employed in any class of work-shops to which this section has been extended by an order, he may, by order made under this part of this act, rescind the order of extension, without prejudice nevertheless, to the making of another order at a future period.

(3) *Special Exceptions Relaxing General Law in Certain Factories and Work-shops.*

(a) *Period of Employment.*

40. In the factories and work-shops or parts thereof to which this exception applies the period of employment for young persons and women, if so fixed by the occupier and specified in the notice, may, except on Saturday, begin at eight o'clock in the morning and end at eight o'clock in the evening; and may on Saturday, begin at eight o'clock in the morning and end at four o'clock in the evening, and the beginning of the period of employment for a child in a morning set and at the end of a period of employment for a child in an afternoon set may be altered accordingly.

This exception applies to the factories and work-shops and parts thereof specified in part one of the third schedule of this act.

Where it is proved to the satisfaction of the secretary of state that the customs or exigencies of the trade carried on in any class of factories or work-shops, or parts thereof, either generally or when situate in any particular locality, require the extension thereto, of this exception, and that the extension can be made without injury to the health of the children, young persons and women affected thereby, he may by order made under this part of this act extend this exception accordingly.

41. Where it is proved to the satisfaction of a secretary of state that the customs or exigencies of the trade carried on in any class of

factories or work-shops, or parts thereof, either generally or when situate in any particular locality, require that the special exception hereafter in this section mentioned should be granted, and that such grant can be made without injury to the health of the young persons and women affected thereby, he may by order made under this part of this act grant to such class of factories or work-shops, or parts thereof, a special exception that the period of employment for young persons and women therein, if so fixed by the occupier and specified in the notice, may on any day except Saturday, begin at nine o'clock in the morning and end at nine o'clock in the evening, but in such case the period of employment for a child shall end at eight o'clock in the evening or some earlier hour.

42. The regulations of this act with respect to the employment of young persons in textile factories shall not prevent the employment in the part of a textile factory in which a machine for the manufacture of lace is moved by steam, water or other mechanical power, of any male young person above the age of sixteen years between four o'clock in the morning and ten o'clock in the evening, if he is employed in accordance with the following conditions, namely:

(*a*) Where such young person is employed on any day before the beginning or after the end of the period of employment for young persons under sixteen years of age or women in the factory, his hours of actual work on that day shall not exceed nine hours; and

(*b*) Where such young person is employed on any day before the beginning of the period of employment for young persons under sixteen years of age or women in the factory, he shall not be employed on the same day after the end of that period; and

(*c*) Where such young person is employed on any day after the end of the period of employment for young persons of sixteen years of age or women in the factory, he shall not be employed next morning before the beginning of such period of employment.

If young persons under the age of sixteen years or women are not employed in the factory, the period of employment for the purpose of this exception shall mean such period as can, under this act, be fixed for the employment of such young persons and women in the factory, and notice of such period shall be affixed in the factory.

43. The regulations of this act with respect to the employment of young persons in non-textile factories or work-shops shall not prevent the employment in the part of a bake-house in which the process of baking bread is carried on, of any male young person above the age of sixteen years between five o'clock in the morning and nine o'clock in the evening, if he is employed in accordance with the following conditions, namely:

(*a*) Where such young person is employed on any day before the beginning or after the end of the period of employment for young persons under sixteen years of age or women in the bake-house, his hours of actual work on that day shall not exceed nine hours; and

(*b*) Where such young person is employed on any day before the beginning of the period of employment for young persons under sixteen years of age or women in the bake-house, he shall not be employed after the end of that period on the same day; and

(*c*) Where such young person is employed on any day after the end of the period of employment for young persons under the age of sixteen years or women in the bake-house, he shall not be employed next morning before the beginning of such period of employment.

If young persons under the age of sixteen years or women are not employed in the bake-house, the period of employment for the purpose of this exception shall mean such period as can, under this act, be fixed for the employment of such young persons and women in the bake-house and notice of such period shall be affixed in the bake-house.

Where it is proved to the satisfaction of the secretary of state that the exigencies of the trade carried on in bake-houses, either generally or when situate in any particular locality, require that the special exception hereafter in this section mentioned should be granted, and that such grant can be made without injury to the health of the male young persons affected thereby, he may, by order made under this part of this act grant to bake-houses, or to bake-houses situate in the said locality, a special exception permitting the employment of male young persons of sixteen years of age and upwards as if they were no longer young persons.

44. Where it is proved to the satisfaction of a secretary of state that the customs or exigencies of the trade carried on in any class of factories or work-shops, either generally or when situate in any particular locality, require some other day in the week to be substituted for Saturday as regards the hour at which the period of employment for children, young persons and women is required by this act to end on Saturday, he may, by order made under this part of this act, grant to such class of factories or work-shops a special exception, authorizing the occupiers of every such factory and work-shop to substiture by a notice affixed in the factory or work-shop some other day for Saturday, and in such case this act shall apply in such factory and work-shop in like manner as if the substituted day were Saturday, and Saturday were an ordinary work-day.

45. In the process of Turkey red dyeing, nothing in part one of this act shall prevent the employment of young persons and women on Saturday until half-past four o'clock in the afternoon.

46. Where it is proved to the satisfaction of a secretary of state that the customs or exigencies of the trade carried on in any class of factories or work-shops, either generally or when situate in any particular locality, require that the special exception hereafter in this section mentioned should be granted, he may, by order made under this part of this act, grant to such class of factories or work-shops a

special examination authorizing the occupier of any such factory or work-shop to allow all or any of the half holidays, or whole holidays in lieu of them, on different days to any of the children, young persons and women employed in his factory or work-shop, or to any sets of such children, young persons and women, and not on the same days.

47. Where the occupier of a factory or work-shop is a person of the Jewish religion, the regulations of this act with respect to the employment of young persons and women shall not prevent him

(1) If he keeps his factory or work-shop closed on Saturday until sunset, from employing young persons and women on Saturday from after sunset until nine o'clock in the evening; or

(2) If he keeps his factory or work-shop closed on Saturday both before and after sunset, from employing young persons and women one hour on every other day in the week (not being Sunday), in addition to the hours allowed by this act, so that such hour be at the beginning or end of the period of employment, and be not before six o'clock in the morning or after nine o'clock in the evening.

48. No penalty shall be incurred by any person in respect of any work done on Sunday in a factory or work-shop by a young person or woman of the Jewish religion, subject to the following conditions:-

(1) The occupier of the factory or work-shop shall be of the Jewish religion; and

(2) The factory or work-shop shall be closed on Saturday and shall not be opened for traffic on Sunday; and

(3) The occupier shall not avail himself of the exception in this part of this act for the employment of young persons and women on Saturday evening, or for an additional hour during any other day of the week.

Where the occupier avails himself of this exception, this act shall apply to the factory or work-shop in like manner as if Sunday were Saturday and the Saturday were Sunday.

(*b*) *Meal Hours.*

49. The provisions of this act which require that all the children, young persons and women employed in a factory or work-shop shall have the time allowed for meals at the same time in the day shall not apply in the cases mentioned in part two of the third schedule to this act.

The provisions of this act which require that a child, young person and women shall not, during any part of the time allowed for meals in a factory or work-shop, be employed in the factory or work-shop, or be allowed to remain in a room in which a manufacturing process or handicraft is being carried on, shall not apply in the cases and to the extent mentioned in part two of the third schedule to this act.

Where it is proved to the satisfaction of a secretary of state that in any class of factories or work-shops, or parts thereof, it is necessary by reason of the continuous nature of the process, or of special circumstances affecting such class, or of any temporary or special emergency affecting the business carried on in such class, to extend thereto the exceptions in this section, or either of them, and that such extension can be made without injury to the health of the children, young persons and women affected thereby, he may, by order made under this part of this act, extend such exceptions or exception accordingly.

(c) *Overtime.*

50. The regulations of this act with respect to the employment of young persons and women, shall not prevent the employment in the factories and work-shops, or parts thereof, to which this exception applies, of young persons, if upward of fourteen years of age, and of women for fourteen hours (inclusive of meal hours) on any one day, if they are employed in accordance with the following conditions, namely:

(1) The period of employment shall end at eight o'clock in the evening, or if such period begins at seven o'clock or any later hour in the morning, at nine o'clock in the evening; and

(2) Where the time allowed for meals under the said regulations of this act is less than two hours during the period of employment, there shall be allowed an additional half an hour for a meal after the hour of five in the evening; and

(3) Any such young person or woman shall not be so employed on the whole for more than five days in any one week, nor for more than forty-eight days in any period of twelve months.

This exception applies to the factories and work-shops, and parts thereof, specified in part three of the third schedule to this act.

Where it is proved to the satisfaction of a secretary of state that in any class of factories or work-shops, or parts thereof, it is necessary by reason of the nature of the business depending on the weather or the seasons of the year, or by reason of any special emergency affecting the business, to employ young persons and women in a manner authorized by this exception, and that such employment will not injure the health of the young persons and women affected thereby, he may, by order made under this part of this act, extend this exception to such factories or work-shops, or parts thereof.

51. If in any factory or work-shop, or part thereof, to which this exception applies, the process in which a child, young person or woman is employed is in an incomplete state at the end of the period of employment of such child, young person or woman, the provisions of this act, with respect to the period of employment, shall not prevent such child, young person or woman from being employed for a further period, not exceeding thirty minutes.

Provided that the hours of actual work of such child, young person or woman in that week do not exceed the total number of hours for which such child, young person or woman would have been permitted to actually work if this exception did not apply.

This exception applies to the factories and work-shops specified in part four of the third schedule to this act.

Where it is proved to the satisfaction of a secretary of state that in any class of factories or work-shops, or parts thereof, the time for the completion of a process cannot by the nature thereof be accurately fixed, and that the extension to such class of factories or work-shops, or parts thereof, of this exception can be made without injury to the health of the children, young persons and women affected thereby, he may, by order made under this part of this act, extend this exception accordingly.

52. Nothing in this act shall prevent the employment of young persons and women so far as is necessary for the purpose only of preventing any damage which may arise from spontaneous combustion in the process of Turkey red dyeing, or from any extraordinary atmospheric influence in the process of open-air bleaching.

53. The regulations of this act with respect to the employment of young persons and women shall not prevent the employment in the factories and work-shops, and parts thereof, to which this exception applies, of women for fourteen hours (inclusive of meal hours) on any one day, if they are employed in accordance with the following conditions, namely:

(*a*) The period of employment shall end at eight o'clock in the evening, or if such period begins at seven o'clock or any later hour in the morning, at nine o'clock in the evening; and

(*b*) There shall be allowed an additional half an hour for a meal after the hour of five in the evening; and

(*c*) Any such woman shall not be employed on the whole for more than five days in any one week, nor for more than ninety-six days in any period of twelve months.

This exception applies to the factories and work-shops, and parts thereof, specified in part five of the third schedule to this act.

Where it is proved to the satisfaction of a secretary of state that in any class of factories or work-shops, or parts thereof, it is necessary by reason of the perishable nature of the articles or materials which are the subject of the manufacturing process or handicraft to employ women in manner authorized by this exception, and that such employment will not injure the health of the women employed, he may, by order made under this part of this act, extend this exception to such factories or work-shops, or parts thereof.

(*d*) *Night Work.*

54. Nothing in this act shall prevent the employment in factories and work-shops, to which this section applies, of male young persons

when upwards of fourteen years of age during the night, if they are employed in accordance with the following conditions:

(1) The period of employment shall not exceed twelve consecutive hours (inclusive of meal hours), and shall begin and end at the hours specified in the notice; and

(2) The provisions of part one of this act, with respect to the allowance of time for meals to young persons, shall be observed with the necessary modifications as to the hour at which the times allowed for meals are fixed; and

(3) A male young person employed during the night shall not be employed during any part of the twelve hours preceding or succeeding the period of employment; and

(4) A male young person shall not be employed on more than six nights, or in the case of blast furnaces or paper mill, seven nights, in any two weeks.

The provisions of this act with respect to the period of employment on Saturday, and with respect to the allowance to young persons of eight half holidays in every year, or of whole holidays in lieu of them, shall not apply to a male young person employed in day and night turns in pursuance of this exception.

This exception applies to the factories and work-shops specified in part six of the third schedule to this act.

Where it is proved to the satisfaction of a secretary of state that in any class of factories or work-shops or parts thereof, it is necessary by reason of the nature of the business requiring the process to be carried on throughout the night, to employ male young persons at night, and that such employment will not injure the health of the male young persons employed, he may, by order made under this part of this act, extend this exception to such factories or work-shops or parts thereof.

55. In a factory or work-shop in which the process of printing newspapers is carried on not more than two nights in the week, nothing in this act shall prevent the employment of male young persons of sixteen years of age and upwards at night during not more than two nights in a week as if he were no longer a young person.

56. In a factory or work-shop in which the making of glass is carried on, nothing in this act shall prevent any male young person of upwards of fourteen years of age from working according to the accustomed hours of the factory or work-shop if he is employed in accordance with the following conditions, namely:

(1) The total hours of the periods of employment shall not exceed sixty in any one week; and

(2) The periods of employment (inclusive of meal hours) for any such young person shall not exceed fourteen hours in four separate turns per week, or twelve hours in five separate turns per week, or ten hours in six separate turns per week, or any less number of hours

in the accustomed number of separate turns per week, so that such number of turns do not exceed nine; and

(3) Such young persons shall not work in any turn without an interval of time not less than one full turn; and

(4) There shall be allowed to such young person during each turn (so far as is practicable) the same intervals for meals as are required by this act to be allowed in any other non-textile factory or work-shop.

(4) Special Exception for Domestic and Certain Other Work-shops.

57. The provisions of this act which relate—

(1) To the cleanliness (including lime-washing, painting and washing), or to the overcrowding or ventilation of a work-shop; or

(2) To all children, young persons and women employed in a work-shop having the time allowed for meals at the same time in the day, or during any part of the time allowed for meals being employed or being allowed to remain in any room; or

(3) To the affixing of any notice or abstract in a work-shop; or specifying any matter in the notice; or

(4) To the allowance of any holidays to a child, young person or woman; or

(5) To the sending notice of accidents, shall not apply to a work-shop

(1) In which no young person or child is employed; or

(2) Which is a dwelling-house, and in which the family only of the occupier living in that dwelling-house carry on the handicraft:

Provided that nothing in this section shall exempt a bake-house from the provisions of this act with respect to cleanliness (including lime-washing, painting and washing).

(5) Supplemental as to Special Provisions.

58. Where it appears to a secretary of state that the adoption of any special means or provision for the cleanliness or ventilation of a factory or work-shop is required for the protection of the health of any child, young person or woman employed in pursuance of an exception under this part of this act, either for a longer period than is otherwise allowed by this act, or at night, he may, by order made under this part of this act, direct that the adoption of such means or provisions shall be a condition of such employment.

59. Where an exception has been granted or extended under this part of this act by an order of a secretary of state, and it appears to a secretary of state that such exception is injurious to the health of the children, young persons or women employed in, or is no longer necessary for the carrying on of the business in the class of factories or work-shops, or parts thereof, to which the said exception was so granted or extended, he may, by order made under this part of

this act, rescind the grant or extension, without prejudice to the making of another order at a future period.

60. Where a secretary of state has power to make an order under this part of this act, the following provisions shall apply to that order.

(1) The order shall be under the hand of the secretary of state and shall be published in the "London Gazette" of the order, or at any later date mentioned in the order.

(2) The order may be temporary or permanent, conditional or unconditional, and may extend a provision, prohibition or exception, grant an exception, or rescind a previous order, either wholly or partly.

(3) The order shall be laid before both Houses of Parliament, and if either House of Parliament, within forty days after the same has been so laid before it, resolve that such order ought to be annulled, the same shall, after the date of such resolution, be of no effect, without prejudice to the validity of any thing done in the meantime under such order, or to the making of any new order.

(4) The order, while it is in force, shall, so far as is consistent with the tenor thereof, apply as if it formed part of the enactment which provides for the extension or grant or otherwise for making the order.

61. An occupier of a factory or work-shop, not less than seven days before he avails himself of any special exception under this part of this act, shall (except in the case of a work-shop to which the provisions of this act with respect to notices do not apply) affix in his factory or work-shop and serve on an inspector notice of his intention so to avail himself, and whilst he avails himself of this exception shall keep the notice so affixed.

The notice so affixed shall specify the hours for the beginning and end of the period of employment, and the times to be allowed for meals to every child, young person and woman where they differ from the ordinary hours or times.

An occupier of a factory or work-shop shall enter in the prescribed register, and report to an inspector, the prescribed particulars respecting the employment of any child, young person or woman in pursuance of any exception.

Where the occupier of a factory or work-shop avails himself of an exception under this part of this act, and a condition for availing himself of such exception (whether specified in this part of this act, or in the order granting or extending the exception) is not observed in that factory or work-shop, then

(1) If such condition relates to the cleanliness, ventilation or overcrowding of the factory or work-shop, the factory or work-shop shall be deemed not to be kept in conformity with this act; and

(2) In any other case a child, young person or woman employed in the factory or work-shop, in alleged pursuance of the said exception, shall be deemed to be employed contrary to the provisions of this act.

PART III.

Administration, Penalties and Legal Proceedings.

(*1*) *Inspection.*

62. A secretary of state, from time to time, may appoint such inspectors (under whatever title he may from time to time fix), and such clerks and servants as he may, with the approval of the treasury, think necessary for carrying into effect the execution of this act, and may assign to them their duties, and may constitute a principal inspector with an office in London, and may regulate the cases and manner in which they or any of them are to execute and perform the powers and duties of inspectors under this act, and may award such salaries as he, with the consent of the treasury, thinks proper, and may remove such inspectors, clerks and servants.

All salaries paid to inspectors, clerks and servants appointed under this act, and all expenses incurred by them or by a secretary of state in the execution of this act, shall be paid out of moneys provided by Parliament.

Notice of the appointment of every such inspector shall be published in the "London Gazette."

A person who is the occupier of a factory or work-shop, or is directly or indirectly interested therein, or in any process of business carried on therein, or in a patent connected therewith, or is employed in or about a factory or work-shop, shall not act as an inspector under this act.

An inspector under this act shall not be liable to serve in any parochial or municipal office.

Such annual report of the proceedings of the inspectors under this act, as the secretary of state from time to time directs, shall be laid before both Houses of Parliament.

A reference in this act to an inspector refers, unless it is otherwise expressed, to an inspector appointed in pursuance of this section, and a notice or other document required by this act to be sent to an inspector as a secretary of state may, from time to time, by declaration published in the "London Gazette," or otherwise, as he thinks expedient for making the same known to all persons interested, direct, and the inspector named in such declaration shall be deemed to be, for the purposes mentioned in the declaration, the inspector of the district.

63. An inspector under this act shall, for the purpose of the execution of this act, have power to do all or any of the following things, namely:

(1) To enter, inspect and examine at all reasonable times, by day and night, any factory and work-shop and every part thereof, when

he has reasonable cause to believe that any person is employed therein, and to enter by day any place which he has reasonable cause to believe to be a factory or work-shop, and to take with him on every such entry a certifying surgeon and any constable whom he need to assist him, and any other officer whom he is authorized by this act to take into a factory or work-shop; and

(2) To require the production of the registers, certificates, notices and documents kept in pursuance of this act, and to inspect, examine, and copy the same; and

(3) To make such examination and inquiry as may be necessary to ascertain whether the enactments of this act and the enactments for the time being in force relating to public health are complied with, so far as respects the factory or work-shop and the persons employed therein; and

(4) To enter any school in which he has reasonable cause to believe that children employed in a factory or work-shop are for the time being educated; and

(5) To examine either alone or in the presence of any other person, as he thinks fit, with respect to matters under this act, every person whom he finds in a factory or work-shop, or such a school as aforesaid, or whom he has reasonable cause to believe to be or to have been within the preceding two months employed in a factory or work-shop, and to require such person to be so examined and to sign a declaration of the truth of the matters respecting which he is so examined; and

(6) To exercise such other powers as may be necessary for carrying this act into effect.

The occupier of every factory and work-shop, his agents and servants, shall furnish the means required by an inspector as necessary for an entry inspection, examination or inquiry under this act in relation to such factory and work-shop.

Every person who willfully delays an inspector in the exercise of any power under this section, or who fails to comply with a requisition of an inspector in pursuance of this section, or who conceals or prevents or attempts to conceal or prevent a child, young person or woman from appearing before or being examined by an inspector, shall be deemed to obstruct an inspector in the execution of his duties under this act.

Where an inspector is obstructed in the execution of his duties under this act in a factory or work-shop, the occupier of that factory or work-shop shall be liable to a fine not exceeding five, or where the offense is committed at night, twenty pounds.

Every inspector under this act shall be furnished with the prescribed certificate of his appointment, and on applying for admission to a factory or work-shop shall, if required, produce to the occupier the said certificate.

Every person who forges or counterfeits any such certificate, or makes use of any forged, counterfeit, or false certificate, or personates

the inspector named in any such certificate, or falsely pretends to be an inspector under this act, shall be guilty of a misdemeanor, and be liable on conviction on indictment to be imprisoned for any period not exceeding three months, with or without hard labor.

(2) *Certifying Surgeons.*

65. Subject to such regulations as may be from time to time made by a secretary of state, an inspector may from time to time appoint a sufficient number of legally qualified practitioners to be certifying surgeons for the purposes of this act, and may from time to time revoke any such appointment.

Every appointment and revocation of appointment of a certifying surgeon may be annulled by a secretary of state upon appeal to him for that purpose.

A surgeon who is the occupier of a factory or work-shop, or is directly or indirectly interested therein, or in any process of business carried on therein, or a patent connected therewith, shall not be a certifying surgeon for that factory or work-shop.

A secretary of state may from time to time make rules for the guidance of certifying surgeons, and for the particulars to be registered respecting their visits, and for the forms of certificates and other documents to be used by them.

66. A certificate of fitness for employment shall not be granted for the purposes of this act, except upon personal examination of the person named therein.

A certifying surgeon shall not examine any child or young person for the purposes of a certificate of fitness for employment, or sign any such certificate elsewhere than at the factory or work-shop where such child or person is or is about to be employed, unless the number of children and young persons employed in that factory or work-shop are less than ten, or unless for some special reason allowed in writing by an inspector.

If a certifying surgeon refuses to grant for any person examined by him a certificate of fitness for employment, he shall, when required, give in writing and sign the reasons for such refusal.

67. With respect to the fees to be paid to certifying surgeons in respect of the examination of, and grant of certificates of fitness for employment for children and young persons in factories or work-shops the following provisions shall have effect:

(1) The occupier may agree with the certifying surgeon as to the amount of such fees.

(2) In the absence of any such agreement the fees shall be those named in the following scale:

When the examination is at a factory or work-shop not exceeding one mile from the surgeon's residence:

Two shilling six pence for each visit and six pence for each person after the first five examined at that visit.

When the examination is at a factory or work-shop more than one mile from the surgeon's residence:

The above fees and an additional six pence for each complete half mile over and above the mile.

When the examination is not at the factory or work-shop but at the residence of the surgeon, or at some other place, day or hour appointed by the surgeon for that purpose, and published in the prescribed manner:

Six pence for each person examined.

(3) The occupier shall pay the fees at the time at which the surgeon signs the certificate, or at any other time that may be directed by the inspector.

(4) The occupier may deduct the fee, or any part thereof, not exceeding in any case three pence, from the wages of the person for whom the certificate was granted.

(5) A secretary of state may from time to time, if he thinks it expedient, alter any fees fixed by this section.

(3) *Miscellaneous.*

68. Every person shall, within one month after he begins to occupy a factory, serve on an inspector a written notice containing the name of the factory, the place where it is situate, the address to which he desires his letters to be addressed, the nature of the work, the nature and amount of the moving power, and the name of the firm under which the business of the factory is to be carried on, and in default, shall be liable to a fine not exceeding five pounds.

69. Where an inspector, by notice in writing, names a public clock, or some other clock open to public view, for the purpose of regulating the period of employment in a factory or work-shop, the period of employment and time allowed for meals for children, young persons and women in that factory or work-shop shall be regulated by that clock, which shall be specified in the notice affixed in the factory or work-shop.

70. The occupier of every factory and the occupier of every work-shop in which a child or young person under the age of sixteen years is prohibited by or in pursuance of this act from being employed without a certificate of fitness for employment, shall keep in the prescribed form and with the prescribed particulars, registers of the children and young persons employed in that factory or work-shop, and of their employment and other matters under this act.

The occupier of a factory or work-shop shall send to an inspector such extracts from any register kept in pursuance of this act as the inspector may from time to time require for the execution of his duties under this act.

Where by reason of the number of children and young persons employed in a work-shop (other than one above in this section mentioned), or otherwise, it seems expedient to a secretary of state so to do, he may order the occupier of that work-shop to keep a register under this section, with power to rescind such order, and while such order is in force this section shall apply to that work-shop in like manner as if it were a factory.

In the event of a contravention of this section in a factory or work-shop, the occupier of the factory or work-shop shall be liable to a fine not exceeding forty shillings.

71. There shall be affixed at the entrance of every factory and work-shop, and in such other parts thereof as an inspector may for the time being direct, and be constantly kept so affixed in the prescribed form and in such position as to be easily read by the persons employed in the factory or work-shop:

(1) The prescribed abstract of this act; and

(2) A notice of the name and address of the prescribed inspector; and

(3) A notice of the name and address of the certifying surgeon for the district; and

(4) A notice of the clock (if any) by which the period of employment and time for meals in the factory or work-shop are regulated; and

(5) Every notice and document required by this act to be affixed in the factory or work-shop.

In the event of a contravention of this section in a factory or work-shop, the occupier of the factory or work-shop shall be liable to a fine not exceeding forty shillings.

72. Any notice, order, requisition, summons and document under this act may be in writing or print, or partly in writing and partly in print.

Any notice, order, requisition, summons and document required or authorized to be served or sent for the purposes of this act, may be served and sent by delivering the same to or at the residence of the person to whom it is addressed, or where addressed to the occupier of a factory or work-shop by delivering the same or a true copy thereof to the agent or the occupier, or some person in the factory or work-shop, it may also be served or sent by post by a prepaid letter, and if served or sent by post shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post, and in proving such service or sending, it shall be sufficient to prove that the notice, order, requisition, summons or document was properly addressed and put into the post, and the same when required to be served on or sent to the occupier of any factory or work-house shall be deemed to be properly addressed if addressed to the occupier of such factory or

work-shop at the factory or work-shop with the addition of the proper postal address, but without naming the person who is the occupier.

(4) *Public Establishments.*

73. A factory or work-shop shall not be exempted from the provisions of this act by reason that it belongs to the Crown, or that the articles manufactured therein, or otherwise the subject of any manufacturing process or handicraft therein, being the property of the crown, are not intended for sale.

Provided, that in case of any public emergency it shall be lawful for a secretary of state to exempt any such establishment from any of the provisions of this act during the period named by him.

(5) *Penalties.*

74. If a factory or work-shop is not kept in conformity with this act, the occupier thereof shall be liable to a fine not exceeding ten pounds.

The court of summary jurisdiction, in addition to or instead of inflicting such fine, may order certain means to be adopted by the occupier, within the time named in the order, for the purpose of bringing his factory or work-shop into conformity with this act; the court may, upon application, enlarge the time so named, but if after the expiration of the time as originally limited or enlarged by subsequent order, the order is not complied with, the occupier shall be liable to a fine not exceeding one pound for every day that such non-compliance continues.

75. If any person suffers any bodily injury in consequence of the occupier of a factory having neglected to fence any machinery required by or in pursuance of this act to be securely fenced, the occupier of the factory shall be liable to a fine not exceeding one hundred pounds, the whole or any part of which may be applied for the benefit of the injured person, or otherwise as a secretary of state determines.

Provided, that the occupier of a factory shall not be liable to any fine under this section if an information against him for not fencing the part of the machinery by which the bodily injury was inflicted.

Where a child, young person or woman is employed in a factory or work-shop contrary to the provisions of this act, the occupier of the factory or work-shop shall be liable to a fine not exceeding three, or if the offense was committed during the night, five pounds for each child, young person or woman so employed.

A child, young person or woman who is not allowed time for meals as required by this act, or during the time allowed for meals is employed in the factory or work-shop, or allowed to remain in contravention of the provisions of this act, shall be deemed to be employed contrary to the provisions of this act.

77. The parent of a child or young person shall

(1) If such child or young person is employed in a factory or work-shop contrary to the provisions of this act, be liable to a fine not exceeding twenty shillings for each offense, unless it appears to the court that such offense was committed without the consent, connivance or willful default of such parent; and

(2) If he neglects to cause such child to attend school in accordance with this act, be liable to a fine not exceeding twenty shillings for each offense.

78. Every person who forges or counterfeits any certificates required for the purposes of this act (for the forgery or counterfeiting of which no other punishment is provided) or gives or signs any such certificate knowing the same to be false in any material particular, or utters or knowingly makes use of any certificate so forged, counterfeited, or false as aforesaid, or utters or knowingly makes use of as applying to any person any certificate which does not so apply, or personates any person named in any certificate, or willfully connives at the forging, counterfeiting, giving, signing, uttering, making use or personating as aforesaid, shall be liable to a fine not exceeding twenty pounds, or to imprisonment for a term not exceeding three months, with or without hard labor.

Every person who willfully makes a false entry in any register, notice, certificate, or document required by this act to be kept, or willfully makes or signs a false declaration under this act, or knowingly makes use of any such false entry or declaration, shall be liable to a fine not exceeding twenty pounds, or to imprisonment for any term not exceeding three months, with or without hard labor.

79. Where an offense for which the occupier of a factory or work-shop is liable under this act to a fine, has in fact been committed by some agent, servant, workman or other person shall be liable to the same fine as if he were the occupier.

80. Where the occupier of a factory or work-shop is charged with an offense against this act, he shall be entitled upon information duly laid by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge; and if after the commission of the offense has been proved, the occupier of the factory or work-shop proves to the satisfaction of the court that he has used due diligence to enforce the execution of this act, and that the said other person had committed the offense in question without his knowledge, consent or connivance, the said other person shall be summarily convicted of such offense, and the occupier shall be exempt from any penalty.

When it is made to appear to the satisfaction of an inspector at the time of discovering the offense, that the occupier of the factory or work-shop had used all due diligence to enforce the execution of this act, and also by what person such offense had been committed, and also that it had been committed without the personal consent, con-

nivance or knowledge of the occupier, and in contraventation of his orders, then the inspector shall proceed against the person whom he believes to be the actual offender in the first instance, without first proceeding against the occupier of the factory or work-shop.

81. A person shall not be liable in respect of a repetition of the same kind of offense from day to day to any larger amount of fines than the highest fine fixed by this act for the offense, except:

(*a*) Where the repetition of the offense occurs after an information has been laid for the previous offense; or

(*b*) Where the offense is one of employing two or more children, young persons or women contrary to the provisions of this act.

(*4*) *Legal Proceedings.*

82. Save as is otherwise provided by this act, all offenses under this act shall be prosecuted, and all fines under this act shall be recovered, on summary conviction before a court of summary jurisdiction in manner provided by the summary jurisdiction acts.

A summary order may be made for the purpose of this act by a court of summary jurisdiction in manner provided by the summary jurisdiction acts.

All fines imposed in pursuance of this act shall, save as otherwise expressly provided by this act, be paid into the exchequer.

The court of summary jurisdiction, when hearing and determining a case arising under this act, shall be constituted of either two or more justices of the peace in petty sessions sitting at a place appointed for holding petty sessions, or of some other magistrate or officer sitting alone or with others at some court or other place appointed for the administration of justice, and for the time being empowered by law to do alone any act authorized to be done by more than one justice of the peace.

Where any proceeding is taken before a court of summary jurisdiction with respect to an offense against this act alleged to be committed in or with reference to a factory or work-shop, the occupier of that factory or work-shop, and the father, son or brother of such occupier, shall not be qualified to act as a member of such court.

83. If any person feels aggrieved by a conviction or order made by a court of summary jurisdiction on determining an information or complaint under this act, he may appeal therefrom; subject in England, to the conditions and regulations following:

(1) The appeal shall be made to the next practicable court of general or quarter sessions for the county or place in which the cause of appeal has arisen, not less than twenty-one days after the decision of the court from which the appeal is made;

(2) The appellant shall within ten days after the decision of the court give notice to the other party, and to the court of summary jurisdiction, of his intention to appeal, and of the ground thereof;

(3) The appellant shall, within three days after such notice, enter into a recognizance before a justice of the peace, with two sufficient sureties, conditioned personally to try such appeal, and to abide the judgment of the court thereon, and to pay such costs as may be awarded by the court, or shall, if such appeal is against an order or against a conviction whereby only a sum of money is adjudged to be paid, give such other security by deposit of money with the clerk of the court of summary jurisdiction or otherwise as the justice may allow.

(4) The appellant, after entering into such recognizance or giving such other security as aforesaid, shall forthwith give notice in writing thereof to the other party.

(5) The clerk of the court of summary jurisdiction shall, seven days at least before the sessions, transmit to the clerk of the peace the recognizance duly signed by the justice, or if such other security as aforesaid is taken, a certificate thereof signed by such justice or clerk.

(6) Where the appellant is in custody the justice may, if he think fit, on the appellant entering into such recognizance or giving such other security as aforesaid, release him from custody.

(7) The court of appeal may adjourn the appeal, and upon the hearing thereof, may confirm, reverse, or modify the decision of the court of summary jurisdiction, or remit the matter to the court of summary jurisdiction, with the opinion of the court of appeal thereon, or make such other order in the matter as the court thinks just.

(8) The court of appeal may make such order as to costs to be paid by either party as the court thinks just.

(9) Whenever a decision is reversed by the court of appeal, the clerk of the peace shall indorse on the conviction order or other adjudication a memorandum that the same has been so reversed, and whenever any copy or certificate of such conviction, order or other adjudication is made, a copy of such memorandum shall be added thereto, and shall be sufficient evidence that the conviction, order or other adjudication has been reversed, in every case where such copy or certificate would be sufficient evidence of such conviction, order or other adjudication.

(10) Every notice in writing required by this section to be given by an appellant may be signed by him or his attorney on his behalf, and every such notice and every recognizance and certificate mentioned in this section may be transmitted by the post in the ordinary way.

84. The following provisions shall have effect with respect to proceedings for offenses and fines under this act:

(1) The information shall be laid within two months, or, where the offense is punishable at discretion by imprisonment, or is a breach of the provisions of this act with respect to holidays, within three months after the commission of the offense.

(2) The description of an offense in the words of this act, or as near thereto as may be, shall be sufficient in law.

(3) Any exception, exemption, proviso, excuse, or qualification, whether it does or not accompany the description of the offense in this act, may be proved by the defendant, but need not be specified or negatived in the information, and if so specified or negatived, no proof in relation to the matters so specified or negatived shall be required on the part of the informant.

(4) It shall be sufficient to allege that a factory or work-shop is a factory or work-shop within the meaning of this act without more; and

(5) It shall be sufficient to state the name of the ostensible occupier of the factory or work-shop or the title of the firm by which the occupier employing persons in the factory or work-shop is usually known.

(6) A conviction or order made in any matter arising under this act, either originally or on appeal, shall not be quashed for want of form, and a conviction or order made by a court of summary jurisdiction, against which a person is authorized by this act to appeal, shall not be removed by certiorari or otherwise, either at the instance of the crown or of any private person, into a superior court, except for the purpose of the hearing and determination of a special case.

85. If any person is found in a factory, except at meal times, or while all the machinery of the shop is stopped, or for the sole purpose of bringing food to the persons employed in the factory between the hours of four and five o'clock in the afternoon, such person shall, until the contrary is proved, be deemed for the purposes of this act to have been then employed in the factory.

Provided that yards, play-grounds and places open to the public view, school-rooms, waiting-rooms, and other rooms belonging to the factory in which no machinery is used or manufacturing process carried on, shall not be taken to be any part of the factory within the meaning of this enactment.

Where a child or young person is, in the opinion of the court, apparently of the age alleged by the informant, it shall lie on the defendant to prove that the child or young person is not of that age.

A declaration in writing by a certifying surgeon for the district that he has personally examined any person employed in a factory or work-shop in that district, and believes him to be under the age set forth in the declaration, shall be admissible in evidence of the age of that person.

A copy of a conviction for an offense against this act, purporting to be certified under the hand of the clerk of the peace having the custody of such conviction to be a true copy, shall be receivable as evidence, and every such clerk of the peace shall, upon the written request of an inspector and payment of a fee of one shilling, deliver to him a copy of the conviction so certified.

PART IV.

Definitions, Savings, Applications to Scotland and Ireland and Repeal.

(*1*) *Definitions.*

86. For the purposes of this act, unless the context otherwise requires—

"Manufacturing process," as respects a factory, and "handicraft," as respects a work-shop, means any manual labor exercised by way of trade or for the purpose of gain in or incidental to the making any article or part of an article, or in or incidental to the altering, repairing, ornamenting, finishing or otherwise adapting for sale any article; and

"Factory" means any premises within the same close or curtilage in which or in any part of which any manufacturing process is carried on with the aid of steam, water, or other mechanical power; and

A part of such premises which is used solely for the purposes of a dwelling-house, or for any purpose other than the said manufacturing process or some works incidental to or connected with the said manufacturing process, shall not by reason only of its being with the same close or curtilage be deemed to be part of the factory, but save as aforesaid every part of such premises shall be deemed to be part of the factory, although not containing any machinery; and

"Textile factory" means, subject as hereinafter mentioned, any factory in which there is carried on the preparing, manufacturing, or finishing, or any process incident to the manufacture of cotton, wool, hair, silk, flax, hemp, jute or tow, either separately or mixed together, or mixed with any other material, or of any fabric made thereof; and

"Non-textile factory" means any factory not a textile factory; and "work-shop" means any premises, room or place in which any handicraft is carried on by any person, and which is not a factory as before defined, and to which and over which the employer of such persons has the right of access and control; and

A part of any such premises, room or place which is used solely for the purpose of a dwelling-house shall not be deemed to be part of the work-shop; and

Any premises or place shall not be excluded from the definition of a factory or a work-shop by reason only that the same are or is in the open air.

Any part of a factory or work-shop may be taken to be a separate factory or work-shop within the meaning of this act.

87. In this act, unless the context otherwise requires—

"Bake-house" means any premises, room or place in which bread,

biscuit or confectionery are baked, from the baking or selling of which a profit is derived.

"Blast-furnace" means any blast-furnace or other furnace or premises in which the process of smelting or otherwise obtaining a metal from the ores is carried on.

"Bleaching and dyeing works" means any premises, room or place in which the processes of bleaching, beetling, dyeing, calendering, finishing, hooking, lappling, and making up and packing any yarn or cloth of any material, or dressing or finishing of lace, or any one or more of such processes, or any process incidental thereto, are or is carried on.

"Iron mill" means any mill, forge or other premises or place in which any process is carried on for converting iron into malleable iron, steel or tin-plate, or for otherwise making or converting steel.

"Pit-bank" means any premises or place in which the dressing of ore obtained from a mine, within a meaning of the metalliferous mines regulation act, 1872, is carried on, whether such premises do or do not form part of the mine within the meaning of that act.

"Print works" means any premises, room or place in which persons are employed to print figures, patterns or designs upon any cotton, linen, woolen, worsted or silken yarn, or upon any woven or felted fabric, not being paper.

"Public laundry" means any premises, room or place in which the business of washing articles of wearing apparel, sheets, towels or other articles, is carried on for profit.

"Quarry" means any premises or place, not being a mine, in which persons work in getting slate, stone, coprolites or other minerals.

"Rope works" means any ropery, ropewalk or rope work in which machinery moved by steam or other mechanical power is not used for drawing or spinning the fibres of flax, hemp, jute or tow, but only for laying or twisting or other processes of preparing or finishing the lines, twines, cords or ropes, and which has not internal communication with any building or premises forming, or forming part of a textile factory within the meaning of this act, except such as is necessary for the transmission of power.

"Shipbuilding yard" means any premises or place in which any ships, boats, or vessels used in navigation are made, finished or repaired.

Any premises or place shall not be excluded from a definition of this section by reason only that the same are or is in the open air

88. Where a part of any premises within the same close or curtilage, defined by this act to be a textile factory, is used solely for the purpose of the manufacture of goods made entirely of any material other than those enumerated in the definition of textile factory, such part shall be deemed not to be a textile factory, but shall be deemed, according to circumstances, to be a non-textile factory or a work-shop.

Hat manufactories, paper mills and rope works shall not be deemed for the purpose of this act to be textile factories, but shall be deemed, according to circumstances, to be non-textile factories or work-shops.

Blast furnaces, bleaching and dyeing works, and print works, shall be deemed for the purposes of this act to be non-textile factories, whether the manufacturing process is or is not carried on with the aid of steam, water or other mechanical power.

This act shall apply to a pit-bank, public laundry, quarry and shipbuilding yard in like manner, if the work therein is carried on with the aid of steam, water or other mechanical power, as if the same were a non-textile factory, and if the work therein is carried on without such aid, as if the same were a work-shop.

89. A child, young person or woman, who works in a factory or work-shop, whether for wages or not, either in a manufacturing process or handicraft, or in cleaning any part of the factory or work-shop used for any manufacturing process or handicraft, or in cleaning or oiling any part of the machinery, or in any other kind of work whatsoever incidental to or connected with the manufacturing process or handicraft, shall, save as is otherwise provided by this act, be deemed to be employed therein within the meaning of this act.

90. "Certified efficient school" in this act means a public elementary school within the meaning of the elementary education acts, 1870 and 1873, and any work-house school in England certified to be efficient by the local government board, and also any elementary school which is not conducted for private profit, and is open at all reasonable times to the inspection of Her Majesty's inspectors of schools, and requires the like attendance from its scholars as is required in a public elementary school, and keeps such registers of those attendances as may be for the time being required by the education department, and is certified by the education department to be an efficient school.

91. In this act, unless the context otherwise requires—

"Child" means a child under the age of fourteen years;

"Young person" means a person of the age of fourteen years, and under the age of eighteen years;

"Woman" means a woman of eighteen years of age and upwards;

"Parent" means a parent, guardian or person having the legal custody of or the control of a child or young person, or having direct benefit from the wages of a child or young person;

"Treasury" means the commissioners of Her Majesty's Treasury;

"Secretary of State" means one of Her Majesty's principal secretaries of state;

"Education department" means the lords of the committee of the privy council on education;

"Sanitary authority" means an urban or rural sanitary authority within the meaning of the public health act, 1875;

"Person" includes a body of persons corporate or unincorporate;

"Week" means the period between midnight on Saturday night and midnight on the succeeding Saturday night;

"Night" means the period between nine o'clock in the evening and six o'clock in the succeeding morning;

"Prescribed" means prescribed for the time being by a secretary of state;

"Summary jurisdiction acts" means the acts of the session of the eleventh and twelfth year of the reign of Her present Majesty, chapter forty-three, entitled "An act to facilitate the performance of the duties of justices of the peace out of sessions within England and Wales with respect to the summary convictions and orders," and any acts amending the same;

"Court of summary jurisdiction" means any justice or justices of the peace, metropolitan police magistrate, stipendiary or other magistrate, or officer, by whatever name called, to whom jurisdiction is given by the summary jurisdiction acts or any acts therein referred to;

"Mill-gearing" comprehends every shaft whether upright, oblique, or horizontal, and every wheel, drum or pulley by which the motion of the first moving power is communicated to any machine appertaining to a manufacturing process.

(2) Savings.

92. Where in any factory the owner or hirer of any machine or implement moved by steam, water or other mechanical power, in or about or in connection with which machine or implements children, young persons or women are employed, is some person other than the occupier of the factory, and such children, young persons or women are in the employment and pay of the owner or hirer of such machine or implement, in any such case such owner or hirer shall, so far as respects any offense against this act which may be committed in relation to such children, young persons or women, be deemed to be the occupier of the factory.

93. Nothing in this act shall extend—

(1) To any young person, being a mechanic, artisan, laborer, working only in repairing the machinery in or any part of a factory or work-shop; or

(2) To the process of gutting, salting and packing fish immediately upon its arrival in the fishing boats.

94. The provisions of section ninety-one of the public health act, 1875, with respect to a factory, work-shop or work-place, not kept in a cleanly state or not ventilated or overcrowded, shall not apply to a factory or work-shop which is subject to the provisions of this act relating to cleanliness, ventilation and crowding.

95. Any enactment or document referring to the factory acts, 1873 to 1874, or to the work-shop acts, 1867 to 1871, or any of them, or to any enactment thereof, shall be construed to refer to this act and to the corresponding enactment thereof.

(3) Application of act to Scotland and Ireland.

96. The provisions of this act shall, in the case of a factory or work-shop in Scotland or Ireland, be modified as follows; that is to say,

(1) Shall apply during twelve months after the commencement of this act to children of the age of nine years and upwards, as if they were of the age of ten years; and

(2) Shall not prevent a child who, before the commencement of this act, is lawfully employed in any factory or work-shop as a child under the age of nine years, or any child who, during the twelve months next after the commencement of this act, is lawfully employed in any factory or work-shop as a child under the age of ten years, from continuing to be employed in a factory or work-shop in like manner as if the child were above the age of ten years; and

(3) Shall apply during twelve months after the commencement of this act to children of the age of thirteen years and upwards as if they were young persons; and

(4) Shall not prevent a child who, before the expiration of twelve months after the commencement of this act, is lawfully employed in a factory or work-shop as a young person, from continuing to be employed in a factory or work-shop as a young person.

97. In Scotland or Ireland, where the age of any child is required to be ascertained or proved for the purposes of this act, or for any purpose connected with the elementary education or employment in labor of such child, any person, on presenting a written requisition in such form and containing such particulars as may be from time to time prescribed by a secretary of state, and on payment of such fee, not exceeding one shilling, as a secretary of state from time to time fixes, shall be entitled to obtain:

(1) In Scotland, an extract under the hand of the registrar under the act of the seventeenth and eighteenth years, of Her present Majesty, chapter eighty, and any acts amending the same, of the entry in the register kept under those acts; and

(2) In Ireland, a certified copy under the hand of the registrar or superintendent registrar under the registration of births and deaths (Ireland) act of the entry in the register under that act of the birth of the child named in the requisition.

98. In the application of this act to Scotland

(1) "Certified efficient school" means any public or other elementary school under government inspection.

(2) In lieu of Christmas day, and either Good Friday, or the next public holiday, under the holidays extension act, 1875, there shall be allowed as a holiday to every child, young person and woman employed in a factory or work-shop the whole of the two days, separated from each other by an interval of not less than three months, one of which shall be a day set apart by the Church of Scotland for the observance of the sacramental fast in the parish in which the factory

or work-shop is situate, or some other day substituted for such day as aforesaid by the occupier specifying the same in the notice affixed in the factory or work-shop.

(3) "Sanitary authority" means the local authority under the public health (Scotland) act, 1867.

(4) "Medical officer of health" means the medical officer under the public health (Scotland) act, 1867, or where no such officer has been appointed, the medical officer appointed by the parochial board.

(5) The "companies clauses consolidation act, 1845," means the companies clauses consolidation (Scotland) act, 1845.

(6) "Summary jurisdiction acts" means "the summary procedure act, 1864," and any act amending the same.

(7) "Court of summary jurisdiction" means the sheriff of the county or any of his substitutes.

(8) "Education department" means the lords of the committee of the privy council appointed by Her Majesty on education in Scotland.

(9) "County court" means the sheriff court.

(10) All matters required by this act to be published in the "London Gazette," shall (if they relate exclusively to Scotland,) instead of being published in the "London Gazette," be published in the "Edinburgh Gazette" only.

(11) "Misdemeanor" means crime and offense.

(12) "Information" means petition or complaint.

(13) "Informant" means petitioner, pursuer or complainer.

(14) "Defendant" means defender or respondent.

(15) "Clerk of the peace" means sheriff's clerk.

(16) All offenses under this act shall be prosecuted and all penalties under this act shall be recovered under the provisions of the summary jurisdiction acts at the instance of the procurator, fiscal or inspector under this act.

(17) The court may make and may also alter, from time to time, or vary, summary orders under this act or petition by such procurator, fiscal or inspector presented in common form.

(18) All fines under this act in default of payment, and all orders made under this act failing compliance, may be enforced by imprisonment for a term to be specified in the order of conviction, but not exceeding three months.

(19) It shall be no objection to the competency of an inspector to give evidence as a witness in any prosecution for offenses under this act, that such prosecution is brought at the instance of such inspector.

(20) Every person convicted of an offense under this act shall be liable in the reasonable costs and charges of such conviction.

(21) All penalties imposed and recovered under this act shall be paid to the clerk of the court, and by him accounted for and paid to the Queen's and lord treasurer's remembrancer, on behalf of Her Majesty's exchequer, and shall be carried to the consolidated fund.

(22) All jurisdictions, powers and authorities necessary for the purposes of the section are conferred on the sheriffs and their substitutes.

(23) Any person may appeal from any order or conviction under this act to the court of justiciary, under and in terms of the act of the twentieth year of the reign of His Majesty King George the second, chapter forty-three, or under any enactment amending that act, or applying or incorporating its provisions, or any of them, with regard to appeals, or to the court of justiciary at Edinburgh, under and in terms of "the summary prosecutions appeal (Scotland) act, 1875."

99. In the application of this act to Ireland—

(1) "Certified efficient school" means any national school.

(2) "Sanitary authority" means an urban or rural sanitary authority within the meaning of the public health (Ireland) act, 1874, and any act amending the same.

(3) "Medical officer of health" means the medical sanitary officer of the sanitary district.

(4) "Any act authorized to be done or consent required to be given by the education department under this act shall be done and given by the lord lieutenant or lords of justices of Ireland, acting by and with the advice of the privy council in Ireland."

(5) "County court" means the civil bill court.

(6) "Summary jurisdiction acts" means within the police district of Dublin metropolis, the acts regulating the powers and duties of justices of the peace for such district, or the police of such district, and elsewhere in Ireland the petty sessions (Ireland) act, 1851, and any act amending the same.

(7) A court of summary jurisdiction, when hearing and determining an information or complaint in any matter arriving under this act, shall be constituted within the police district of Dublin metropolis of one of the divisional justices of that district sitting at a police court within the district, and elsewhere of a stipendiary magistrate sitting alone, or with others, or of two or more justices of the peace sitting in petty sessions at a place appointed for holding petty sessions.

(8) Appeals from a court of summary jurisdiction shall lie in the manner and subject to the conditions and regulations prescribed in the twenty-fourth section of the petty sessions (Ireland) act, 1851, and any acts amending the same.

(9) All fines imposed under this act shall, save as it is otherwise expressly provided by this act, be applied in the manner directed by the fines act (Ireland), 1851, and any act amending the same.

(10) The provisions of section nineteen of the public health act, 1866, or of any enactment substituted for that section, with respect to any factory, work-shop or work-place not kept in a cleanly state, or not ventilated or overcrowded shall not apply to any factory or

work-shop which is subject to the provisions of this act with respect to cleanliness, ventilation and overcrowding.

(11) All matters required by this to be published in the "London Gazette" shall, if they relate exclusively to Ireland, instead of being published in the "London Gazette," be published in the "Dublin Gazette" only.

(4) Repeal.

100. The acts specified in the fourth schedule to this act are hereby repealed from and after the commencement of this act, to the extent in the third column of that schedule mentioned.

Provided that—

(1) All notices affixed in the factory in pursuance of the act hereby repealed shall, so far as they are in accordance with the provisions of this act, be deemed to have been affixed in pursuance of this act; and

(2) All inspectors, sub-inspectors, officers, clerks and servants appointed in pursuance of the acts hereby repealed shall continue in office as if they had been appointed in pursuance of this act; and

(3) All certifying surgeons appointed in pursuance of any act hereby repealed shall be deemed to have been appointed in pursuance of this act; and

(4) All surgical certificates granted in pursuance of any act hereby repealed shall have effect as certificates of fitness for employment granted in pursuance of this act, and all registers kept in pursuance of any act hereby repealed shall, until otherwise directed by a secretary of state, be deemed to be the registers required by this act; and

(5) Any order made by a secretary of state in pursuance of any enactment hereby repealed for granting any permission or relaxation to any factories or work-shops may, if the secretary of state so direct, continue in force for a period not exceeding three months after the commencement of the act; and

(6) The standard of proficiency fixed by the education department in pursuance of any enactment hereby repealed shall be deemed to have been fixed in pursuance of this act; and

(7) A child exempted by section of the elementary education act, 1876, from the provisions of section twelve of the factory act, 1874, shall, on attaining the age of thirteen years, be deemed to be a young person within the meaning of this act.

(8) This repeal shall not affect—

(*a*) Anything duly done or suffered under any enactment hereby repealed; or

(*b*) Any obligation or liability incurred under any enactment hereby repealed; or

(*c*) Any penalty or punishment incurred in respect of any offense committed against an enactment hereby repealed; or

(*d*) Any legal proceeding or remedy in respect of any such obli-

gation, liability, penalty, or punishment as aforesaid, and any such legal proceeding and remedy may be carried on as if this act had not passed.

SCHEDULES.

FIRST SCHEDULE.

Factories or Work-shops in Which Employment of Young Persons and Children is Restricted.

(1) In a part of a factory or work-shop in which there is carried on

The process of silvering of mirrors by the mercurial process; or

The process of making white lead, a young person or child shall not be employed.

(2) In the part of a factory or work-shop in which the process of melting or annealing glass is carried on, a child or female young person shall not be employed.

(3) In a factory or work-shop in which there is carried on

(*a*) The making or finishing of bricks or tiles not being ornamental tiles; or

(*b*) The making or finishing of salt, a girl under the age of sixteen years shall not be employed.

4. In a part of a factory or work-shop in which there is carried on

(*a*) Metal grinding; or

(*b*) The dipping of lucifer matcher, a child shall not be employed.

5. In fustian cutting a child under the age of eleven years shall not be employed.

SECOND SCHEDULE.

SPECIAL RESTRICTIONS.

Part One—Places Forbidden for Meals.

The prohibition on a child, young person, or woman taking a meal or remaining during the time allowed for meals in certain parts of the factories or work-shops applies to the parts of factories and work-shops following; that is to say,

(1) In the case of a factory or work-shop where glass is made, to any part of such factory or work-shop in which the materials are mixed; and

(2) In the case of any factory or work-shop where flint glass is made, any part of that factory or work-shop in which the work of grinding, cutting or polishing was carried on; and

(3) In the case of any factory or work-shop, to any part of the factory or work-shop in which the making of lucifer matches or any process incidental to the making of lucifer matches (except that of cutting the wood) is usually carried on; and

(4) In the case of a factory or work-shop where earthenware of any description is made or finished, to any part of the factory or warehouse known or used as dippers' house, dippers' drying-room or china scouring-room.

Part Two—Certificates of Fitness in Work-shops.

The provisions prohibiting the employment of children and young persons under the age of sixteen years, unless the occupier has first obtained a certificate of their fitness for employment, applies to every work-shop (other than one which is a dwelling-house where the family only of the occupier living in that dwelling-house carry on the handicraft,) in which any of the following handicrafts are carried on, namely:

(*a*) The making or finishing of earthenware (except bricks and tiles not being ornamental tiles).

(*b*) The making of lucifer matches.

(*c*) The making of percussion caps.

(*d*) The making of cartridges (other than the manufacture of paper or other materials for the cases of the cartridges).

(*e*) The printing of a pattern in colors upon sheets of paper.

(*f*) Fustian cutting.

(*g*) The founding or casting of any metal.

(*h*) The making of glass.

(*i*) The manufacture of tobacco.

(*j*) Letter-press printing.

(*k*) Bookbinding; or

(*l*) The making of India rubber or gutta percha, or any articles made wholly or partly of India rubber or gutta percha.

THIRD SCHEDULE.

SPECIAL EXCEPTIONS.

Part One—Period of Employment.

The exception respecting the employment of children, young persons and women between the hours of eight in the morning and eight in the evening, and on Saturday between the hours of eight in the morning and four in the afternoon, applies to any factory or work-shop, or part thereof, in which any of the following manufacturing processes or handicrafts are carried on; that is to say:

(*a*) Letter-press printing.
(*b*) Lithographic printing.
(*c*) Bookbinding.
(*d*) Turkey-red dyeing.
(*e*) The making of any article of wearing apparel.
(*f*) The making of furniture hangings.
(*g*) Artificial flower making.
(*h*) Bon-bon and Christmas present making.
(*i*) Valentine making.
(*j*) Fancy box making.
(*k*) Envelope making.
(*l*) Almanac making.
(*m*) Playing-card making.
(*n*) Machine ruling.
(*o*) Biscuit making.
(*p*) Firewood cutting.
(*q*) Job dyeing.
(*r*) Aerated water making, and also to a part of a factory which is a warehouse not used for any manufacturing process or handicraft, and in which persons are solely employed in polishing, cleaning, wrapping or packing up goods.

Part Two—Meal Hours.

The cases which the provisions of this act as to meals being allowed at the same time in the day are not to apply are—

(1) The case of children, young persons and women employed in the following factories and work-shops:

Blast furnaces, iron mills, paper mills; and

Any factory or work-shop in which the process of making glass or letter-press printing is carried on; and

(2) The cases of male young persons employed in that part of any print works or bleaching and dyeing works in which the process of dyeing or open-air bleaching is carried on.

The cases in which and the extent to which the provisions of this act as to a child, young person or woman, during the time allowed for meals, being employed or being allowed to remain in a room in which a manufacturing process or handicraft is being carried on, do not apply, are—

(1) The case of children, young persons and women employed in the following factories and work-shops; that is to say:

Iron mills, paper mills; and

Any factory or work-shop in which the process of making glass (save as otherwise provided by this act), or of letter-press printing is carried on; and

(2) The case of a male young person employed in that part of any print works or bleaching and dyeing works, in which the process of dyeing or open-air bleaching is carried on to this extent, that the said

provisions shall not prevent him during the time allowed for meals to any other young person or to any child or woman, from being employed or being allowed to remain in any room in which any manufacturing process is carried on, and shall not prevent, during the time allowed for meals to such male young persons, any other young persons or any child or woman from being employed in the factory, or allowed to remain in any room in which any manufacturing process is carried on.

Part Three—Overtime.

The exception with respect to the employment of young persons, if upwards of fourteen years of age, and women for fourteen hours a day, applies to the factories and work-shops, and parts thereof, in which any of the following manufacturing processes or handicrafts are carried on; that is to say:

(*a*) Letter-press printing.
(*b*) Lithographic printing.
(*c*) Bookbinding.
(*d*) Open-air bleaching, or Turkey-red dyeing.
(*e*) An open-air process in rope work.
(*f*) Glue making.
(*g*) The making of any article of wearing apparel.
(*h*) The making of furniture hangings.
(*i*) The making of artificial flowers.
(*j*) Bon-bon and Christmas present making.
(*k*) Valentine making.
(*l*) Fancy box making.
(*m*) Envelope making.
(*n*) Almanac making.
(*o*) Machine ruling.
(*p*) Playing-card making.
(*q*) Biscuit making.
(*r*) Firewood cutting.
(*s*) Job dyeing; and
(*t*) Aerated water making; and
(*u*) The making or finishing of bricks or tiles, not being ornamental tiles; and also to a part of a factory or work-shop which is a warehouse not used for any manufacturing process or handicraft, and in which persons are solely employed in polishing, cleaning, wrapping and packing goods.

Part Four—Additional Half-Hours.

The exception with respect to the employment of a child, young person or woman for an additional thirty minutes where the process is in an incomplete state applies to the factories and work-shops following, that is to say:

(*a*) Bleaching and dyeing works.

(*b*) Print works.
(*c*) Iron mills in which male young persons are not employed during any part of the night.
(*d*) A factory or work-shop in which the process of founding or casting any metal is carried on, and in which male young persons are not employed during any part of the night; and
(*e*) Paper mills in which young male persons are not employed during any part of the night.

Part Five—Overtime for Perishable Articles.

The exception with respect to the employment of women for fourteen hours a day for ninety-six days in a year applies to a factory or workshop or part thereof in which any of the following processes is carried on, namely:
The process of making preserves from fruit.
The process of preserving or curing fruit, or—
The process of making condensed milk.

Part Sixth—Night Work.

The exception with respect to the employment of male young persons, when upwards of fourteen years of age, during the night, applies to the factories and work-shops following, that is to say:
(*a*) Blast-furnaces.
(*b*) Iron mills.
(*c*) A factory or work-shop in which the process of letter-press printing is carried on.
(*d*) Paper mills, and—
(*e*) Oil and seed-crushing mills.

FOURTH SCHEDULE.

ACTS REPEALED.

42 Geo. III., c. 73. An act for the preservation of the health and morals of apprentices and others employed in cotton and other mills and cotton and other factories. The whole act.
3 and 4 Will. IV., c. 103. An act to regulate the labor of children and young persons in the mills and factories of the United Kingdom. The whole act.
7 and 8 Vict., c. 15. An act to amend the laws relating to labor in factories. The whole act.
9 and 10 Vict., c. 40. An act to declare certain rope works not within the operation of the factory acts. The whole act.
13 and 14 Vict., c. 104. An act further to regulate the employment of children in factories. The whole act.

19 and 20 Vict., c. 38. The factory act, 1856. The whole act.

24 and 25 Vict., c. 117. An act to place the employment of women, young persons, youths and children in lace factories under the regulation of the factories act. The whole act.

26 and 27 Vict., c. 40. The bake-house regulation act, 1863. The whole act.

27 and 28 Vict., c. 48. The factory acts extension act, 1864. The whole act.

29 and 30 Vict., c. 90. The sanitary act. The following words (so far as unrepealed) in section nineteen, "not already under the operation of any general act for the regulation of factories or bake-houses."

30 and 31 Vict., c. 103. The factory act extension act, 1865. The whole act.

30 and 31 Vict., c. 146. The work-shop regulation act, 1867. The whole act.

33 and 34 Vict., c. 62. The factory and work-shop act, 1870. The whole act.

34 and 35 Vict., c 19. An act for exempting persons professing the Jewish religion from penalties, in respect of young persons and females professing the said religion, working on Sundays. The whole act.

34 and 35 Vict., c. 104. The factory and workshop act, 1871. The whole act.

37 and 38 Vict., c 44. The factory act, 1874. The whole act.

38 and 39 Vict., c. 55. The public health act, 1875. The following words in section ninety-one, "not already under the operation of any general act for the regulation of factories or bake-houses."

39 and 40 Vict., c 79. The elementary education act, 1876. Section eight and the following words in section forty-eight, "the factory act, 1833 to 1874, as amended by this act, and includes the work-shop acts, 1867 to 1871, as amended by this act, and."

CHILDREN IN FACTORIES IN ENGLAND.

The following is the work-shop regulation act in relation to children employed in factories in England, and a page showing the form of schoolmasters' certificates, from school certificate-book referred to in the report of Consul Shepherd, of Bradford, at page 197.

(This book is to be forwarded to the school for signature by the schoolmaster, every Friday morning.)

Work-shop Regulation Act.

The occupier of a work-shop in which any child is illegally employed is liable to a penalty not exceeding three pounds for each child illegally employed.

The occupier of a work-shop is required to obtain weekly a certificate of the attendance of every child employed in his shop. The parent of any child in any way illegally employed is liable to a penalty not exceeding twenty shillings for each child illegally employed.

FACTORY ACT.—(7 VICT., CHAP. 15.)

School Certificate.

I hereby certify that the under-mentioned children employed in the factory of ——— ———, situated in ——— ———, have attended the school kept by me at ——— ———, for the number of hours and at the time on each day specified in the columns opposite to their names during the week ending on Saturday, the —— day of ———, one thousand eight hundred and seventy ——, and that the causes of absence stated are true to the best of my belief.

NAME OF CHILD.	Monday. *Time. From—To	Tuesday. *Time. From—To	Wednesday *Time. From—To	Thursday. *Time. From—To	Friday. *Time. From—To	Causes of absence.

(Signed,) —— ——, Schoolmaster, the —— day of —— 187

When the schooling begins or ends at a half-hour, the half-hour will be most conveniently inserted in figures, thus: $8\frac{1}{2}$–$11\frac{1}{2}$, or $1\frac{1}{2}$–$4\frac{1}{2}$ in the time columns.

Enter the names of the children who attend the forenoon school and those who attend the afternoon school separately.